

2 **SHB 2118** - S AMD TO GO COMM AMD (S-5385.1/96) - 272
3 By Senators Fraser, Rinehart, Winsley and Haugen

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5 On page 6, after line 10 of the amendment, insert the following:

6 "NEW SECTION. **Sec. 7.** When at least one state-wide measure or
7 office is scheduled to appear on the general election ballot, the
8 secretary of state shall print and distribute a voters' pamphlet.

9 The secretary of state shall distribute the voters' pamphlet to
10 each household and to state and county officers and public libraries,
11 and shall reserve a supply for additional distribution. The secretary
12 of state shall also produce taped or Braille transcripts of the voters'
13 pamphlet, publicize their availability, and mail without charge a copy
14 to any person who requests one.

15 The secretary of state shall make the material required to be
16 distributed by this chapter available to the public in electronic form
17 through media such as the Internet and the Washington Information
18 Network. The secretary of state may provide the material in electronic
19 form to computer bulletin boards, print and broadcast news media,
20 community computer networks, and similar services at the cost of
21 reproduction or transmission of the data.

22 NEW SECTION. **Sec. 8.** The voters' pamphlet must contain:

23 (1) The serial designation or number, the ballot title, the
24 legislative title if any, and the full text and arguments advocating
25 voters' approval or rejection of each measure or bill;

26 (2) Written statements advocating the candidacies of nominees for
27 the office of president and vice-president of the United States, United
28 States senator, United States representative, governor, lieutenant
29 governor, secretary of state, state treasurer, state auditor, attorney
30 general, superintendent of public instruction, commissioner of public
31 lands, insurance commissioner, state senator, state representative,
32 justice of the supreme court, judge of the court of appeals, or judge
33 of the superior court. Candidates may also submit a campaign mailing
34 address and telephone number and a photograph not more than five years

1 old and of a size and quality that the secretary of state determines to
2 be suitable for reproduction in the voters' pamphlet;

3 (3) In odd-numbered years information about candidates who appear
4 on the ballot to fill a vacant state-wide elective office;

5 (4) In even-numbered years a section explaining how voters may
6 participate in the election campaign process; the address and telephone
7 number of the public disclosure commission established under RCW
8 42.17.350; a summary of the disclosure requirements that apply when
9 contributions are made to candidates and political committees; and an
10 explanation of the federal income tax credits and deductions available
11 to persons who make contributions;

12 (5) In even-numbered years the name, address, and telephone number
13 of each political party with nominees listed in the pamphlet, if filed
14 with the secretary of state by the state committee of a major political
15 party or the presiding officer of the convention of a minor political
16 party;

17 (6) In each odd-numbered year immediately before a year in which a
18 president of the United States is to be nominated and elected,
19 information explaining the precinct caucus and convention process used
20 by each major political party to elect delegates to its national
21 presidential candidate nominating convention. The pamphlet must also
22 provide a description of the statutory procedures by which minor
23 political parties are formed and the statutory methods used by the
24 parties to nominate candidates for president;

25 (7) In even-numbered years a description of the office of precinct
26 committee officer and its duties;

27 (8) An application form for an absentee ballot;

28 (9) A brief statement explaining the deletion and addition of
29 language for proposed measures under section 11 of this act;

30 (10) Any additional information pertaining to elections as may be
31 required by law or in the judgment of the secretary of state is deemed
32 informative to the voters.

33 NEW SECTION. **Sec. 9.** Committees shall write and submit arguments
34 advocating the approval or rejection of each state-wide ballot issue
35 and rebuttals of those arguments. The secretary of state, the
36 presiding officer of the senate, and the presiding officer of the house
37 of representatives shall appoint the initial two members of each
38 committee. In making these committee appointments the secretary of

1 state and presiding officers of the senate and house of representatives
2 shall consider legislators, sponsors of initiatives and referendums,
3 and other interested groups known to advocate or oppose the ballot
4 measure.

5 The initial two members may select up to four additional members,
6 and the committee shall elect a chairperson. The remaining committee
7 member or members may fill vacancies through appointment.

8 After the committee submits its initial argument statements to the
9 secretary of state, the secretary of state shall transmit the
10 statements to the opposite committee. The opposite committee may then
11 prepare rebuttal arguments. Rebuttals may not interject new points.

12 The voters' pamphlet may contain only argument statements prepared
13 according to this section. Arguments may contain graphs and charts
14 supported by factual statistical data and pictures or other
15 illustrations. Cartoons or caricatures are not permitted.

16 The secretary of state shall set deadlines for submitting arguments
17 and rebuttals by rule.

18 NEW SECTION. **Sec. 10.** The secretary of state shall determine the
19 format of the voters' pamphlet. The secretary of state shall print the
20 pamphlet in clear, readable type on a size, quality, and weight of
21 paper that in the judgment of the secretary of state best serves the
22 voters. The pamphlet must contain a table of contents. Federal and
23 state offices must appear in the pamphlet in the same sequence as they
24 appear on the general election ballot. Measures and arguments must be
25 printed in the order specified by RCW 29.79.300.

26 The voters' pamphlet must list information about each state-wide
27 issue on the ballot in the following order:

28 (1) The top one-third of the first two facing pages relating to a
29 specific measure must contain:

30 (a) The legal identification of the measure by serial designation
31 or number;

32 (b) The official ballot title of the measure;

33 (c) A statement prepared by the attorney general explaining the law
34 as it presently exists;

35 (d) A statement prepared by the attorney general explaining the
36 effect of the proposed measure if it becomes law;

1 (e) The total number of votes cast for and against the measure in
2 the state senate and house of representatives, if the measure has been
3 passed by the legislature;

4 (f) A heavy double-ruled line across both pages to set the above
5 items apart from the remaining text.

6 (2) The lower portion of the left page of the two facing pages is
7 for the argument advocating the voters' approval of the measure
8 together with any rebuttal statement of the opposing argument.

9 (3) The lower portion of the right-hand page of the two facing
10 pages is for the argument advocating the voters' rejection of the
11 measure together with any rebuttal statement of the opposing argument.

12 (4) Each argument or rebuttal statement must be followed by the
13 names and addresses of the committee members who submitted them, and
14 may be followed by a telephone number that citizens may call to obtain
15 information on the ballot measure.

16 (5) The full text of each measure must be published as required in
17 section 11 of this act.

18 NEW SECTION. **Sec. 11.** State-wide ballot measures that change
19 existing law must be printed in the voters' pamphlet so that language
20 proposed for deletion is enclosed by double parentheses and has a line
21 through it. Proposed new language must be underlined. A statement
22 explaining the deletion and addition of language must appear as
23 follows: "All words in double parentheses with a line through them are
24 state law at the present time and will be taken out of law if the
25 measure is approved by voters. All words underlined do not appear in
26 current state law but will be added to the law if the measure is
27 approved by voters."

28 NEW SECTION. **Sec. 12.** To ensure the efficient composition,
29 publication, and distribution of the voters' pamphlet, all committee
30 and candidate material must be submitted to the secretary of state
31 before deadlines established by rule by the secretary of state.

32 NEW SECTION. **Sec. 13.** The secretary of state shall reject
33 statements that in the secretary's opinion contain obscene, profane,
34 libelous, or defamatory material, or material prohibited from mail
35 circulation by federal law.

1 If a statement or photograph submitted is rejected by the secretary
2 of state, the committee or nominee may appeal to the secretary of state
3 within five days. The office of administrative hearings shall
4 adjudicate the appeal under RCW 34.05.413 through 34.05.476.

5 NEW SECTION. **Sec. 14.** (1) The maximum number of words for
6 statements submitted by candidates is determined according to the
7 offices sought as follows: State representative, one hundred words;
8 state senator, judge of the superior court, judge of the court of
9 appeals, justice of the supreme court, and all state offices voted upon
10 throughout the state, except that of governor, two hundred words;
11 president and vice-president, United States senator, United States
12 representative, and governor, three hundred words.

13 (2) Arguments written by committees under section 9 of this act may
14 not exceed two hundred fifty words in length.

15 (3) Rebuttal arguments written by committees may not exceed
16 seventy-five words in length.

17 (4) The secretary of state shall allocate space in the pamphlet to
18 candidates or nominees according to the respective offices sought.
19 Candidates or nominees will equally share prorated space based on the
20 number of words allowed in the statement for that office.

21 (5) A candidate may submit to the secretary of state one rebuttal
22 statement in response to any issue or assertion in the voters' pamphlet
23 statement of another candidate for the same office. A rebuttal
24 statement under this section may not exceed one hundred words and may
25 not deal with any issues not contained in the opposing statement.
26 Rebuttal statements may not be included in the printed voters'
27 pamphlet, but the secretary of state shall promptly make rebuttal
28 statements available to the public in the same electronic forms as
29 provided in section 7 of this act.

30 NEW SECTION. **Sec. 15.** (1) Explanatory statements prepared by the
31 attorney general under section 10(1) (c) and (d) of this act must be
32 written in clear and concise language, avoiding legal and technical
33 terms when possible, and filed with the secretary of state.

34 (2) When the explanatory statement for a measure initiated by
35 petition is filed with the secretary of state, the secretary of state
36 shall immediately provide the text of the explanatory statement to the
37 person proposing the measure and any others who have made written

1 request for notification of the exact language of the explanatory
2 statement. When the explanatory statement for a measure referred to
3 the ballot by the legislature is filed with the secretary of state, the
4 secretary of state shall immediately provide the text of the
5 explanatory statement to the presiding officer of the state senate and
6 the presiding officer of the house of representatives and any others
7 who have made written request for notification of the exact language of
8 the explanatory statement.

9 (3) A person dissatisfied with the explanatory statement may within
10 ten days of the filing date appeal to the superior court of Thurston
11 county. A copy of the petition and a notice of the appeal must be
12 served on the secretary of state and the attorney general. The court
13 shall examine the measure, the explanatory statement, and objections,
14 and may hear arguments. The court shall render its decision and
15 certify to and file with the secretary of state an explanatory
16 statement it determines will meet the requirements of this chapter.

17 The decision of the superior court is final, and its explanatory
18 statement is the established explanatory statement. The appeal must be
19 heard without costs to either party.

20 NEW SECTION. **Sec. 16.** The secretary of state, as chief election
21 officer, shall adopt rules consistent with this chapter to facilitate
22 and clarify procedures related to the voters' pamphlet.

23 NEW SECTION. **Sec. 17.** The following acts or parts of acts are
24 each repealed:

25 (1) RCW 29.80.010 and 1987 c 295 s 17, 1984 c 54 s 1, 1977 ex.s. c
26 361 s 106, 1975-'76 2nd ex.s. c 4 s 2, 1973 c 4 s 8, & 1965 c 9 s
27 29.80.010;

28 (2) RCW 29.80.020 and 1984 c 54 s 2, 1971 ex.s. c 145 s 1, 1971 c
29 81 s 78, & 1965 c 9 s 29.80.020;

30 (3) RCW 29.80.030 and 1979 ex.s. c 57 s 4 & 1965 c 9 s 29.80.030;

31 (4) RCW 29.80.040 and 1984 c 54 s 3, 1971 ex.s. c 145 s 2, & 1965
32 c 9 s 29.80.040;

33 (5) RCW 29.80.050 and 1971 ex.s. c 145 s 3 & 1965 c 9 s 29.80.050;

34 (6) RCW 29.80.060 and 1965 c 9 s 29.80.060;

35 (7) RCW 29.80.070 and 1965 c 9 s 29.80.070;

36 (8) RCW 29.80.080 and 1981 c 243 s 1;

37 (9) RCW 29.80.090 and 1984 c 54 s 7;

- 1 (10) RCW 29.81.010 and 1984 c 54 s 4, 1973 1st ex.s. c 143 s 1, &
2 1965 c 9 s 29.81.010;
- 3 (11) RCW 29.81.011 and 1984 c 54 s 5;
- 4 (12) RCW 29.81.012 and 1984 c 54 s 6 & 1969 ex.s. c 72 s 1;
- 5 (13) RCW 29.81.014 and 1977 c 56 s 1;
- 6 (14) RCW 29.81.020 and 1973 1st ex.s. c 143 s 2 & 1965 c 9 s
7 29.81.020;
- 8 (15) RCW 29.81.030 and 1973 1st ex.s. c 143 s 3 & 1965 c 9 s
9 29.81.030;
- 10 (16) RCW 29.81.040 and 1973 1st ex.s. c 143 s 4, 1971 ex.s. c 145
11 s 4, & 1965 c 9 s 29.81.040;
- 12 (17) RCW 29.81.042 and 1973 1st ex.s. c 143 s 6;
- 13 (18) RCW 29.81.043 and 1973 1st ex.s. c 143 s 7;
- 14 (19) RCW 29.81.050 and 1973 1st ex.s. c 143 s 5 & 1965 c 9 s
15 29.81.050;
- 16 (20) RCW 29.81.052 and 1973 1st ex.s. c 143 s 8;
- 17 (21) RCW 29.81.053 and 1973 1st ex.s. c 143 s 9;
- 18 (22) RCW 29.81.060 and 1965 c 9 s 29.81.060;
- 19 (23) RCW 29.81.070 and 1965 c 9 s 29.81.070;
- 20 (24) RCW 29.81.080 and 1965 c 9 s 29.81.080;
- 21 (25) RCW 29.81.090 and 1979 ex.s. c 57 s 5 & 1965 c 9 s 29.81.090;
- 22 (26) RCW 29.81.100 and 1973 c 4 s 9, 1971 ex.s. c 145 s 5, & 1965
23 c 9 s 29.81.100;
- 24 (27) RCW 29.81.110 and 1965 c 9 s 29.81.110;
- 25 (28) RCW 29.81.120 and 1971 ex.s. c 145 s 6 & 1965 c 9 s 29.81.120;
- 26 (29) RCW 29.81.130 and 1965 c 9 s 29.81.130;
- 27 (30) RCW 29.81.140 and 1971 ex.s. c 145 s 7 & 1965 c 9 s 29.81.140;
- 28 (31) RCW 29.81.150 and 1965 c 9 s 29.81.150;
- 29 (32) RCW 29.81.160 and 1965 c 9 s 29.81.160; and
- 30 (33) RCW 29.81.180 and 1981 c 243 s 2.

31 NEW SECTION. **Sec. 18.** Sections 7 through 16 of this act are added
32 to chapter 29.81 RCW."

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4 On page 6, line 15 of the title amendment, after "insert" strike
5 "and"

6 On page 6, line 16 of the title amendment, after "85.38.110" insert
7 "; adding new sections to chapter 29.81 RCW; and repealing RCW
8 29.80.010, 29.80.020, 29.80.030, 29.80.040, 29.80.050, 29.80.060,
9 29.80.070, 29.80.080, 29.80.090, 29.81.010, 29.81.011, 29.81.012,
10 29.81.014, 29.81.020, 29.81.030, 29.81.040, 29.81.042, 29.81.043,
11 29.81.050, 29.81.052, 29.81.053, 29.81.060, 29.81.070, 29.81.080,
12 29.81.090, 29.81.100, 29.81.110, 29.81.120, 29.81.130, 29.81.140,
13 29.81.150, 29.81.160, and 29.81.180"

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