

SENATE BILL REPORT

SB 5224

As Passed Senate, March 1, 2019

Title: An act relating to advisory votes.

Brief Description: Concerning advisory votes.

Sponsors: Senators Kuderer, Hunt, Takko, Keiser, Nguyen, Darneille, Das, Wellman, Saldaña, McCoy, Hasegawa and Pedersen.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 2/01/19, 2/06/19 [DP].

Floor Activity:

Passed Senate: 3/01/19, 27-20.

Brief Summary of Bill

- Repeals the requirement that advisory votes for tax increase legislation appear on the ballot and voters' pamphlet.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey, Hasegawa, Hawkins and Takko.

Staff: Samuel Brown (786-7470)

Background: Advisory Votes. Advisory votes were established in 2008 with the enactment of Initiative 960. Through an advisory vote, voters advise the Legislature whether to repeal or maintain a tax increase enacted by the Legislature. The results of advisory votes are non-binding and do not result in a change to the law.

A measure for an advisory vote by the people is required and must be placed on the next general election ballot if a legislative bill raising taxes is not referred to the voters or contains an emergency clause, bonds or contractually obligates taxes, or otherwise prevents a

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

referendum. If the bill involves multiple revenue sources, each is subject to a separate advisory vote.

Voters' Pamphlet. The Secretary of State must print and distribute a voters' pamphlet to each household in the state, public libraries, and other locations the Secretary of State deems appropriate whenever a statewide ballot measure or office, including an advisory vote, is scheduled to appear on the general election ballot. For advisory votes, the voters' pamphlet must include:

- the measure's short description;
- a ten-year cost projection of the measure by the Office of Financial Management, including an annual breakdown;
- the names and office contact information of legislators; and
- how legislators voted on the tax increase legislation.

Summary of Bill: The requirement that advisory votes for tax increase legislation appear on the ballot at the subsequent general election is repealed. Information on advisory votes is not required to be printed in the voters' pamphlet.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: When Washingtonians open their ballot, the first thing they see are overcomplicated questions that lack context, lead to confusion and frustration. The time to reach out to a legislator is during interim or when the legislation is under deliberation. Advisory votes cause far too many Washingtonians to question the efficacy of their vote. The 2017 voters' pamphlet was nothing but advisory votes. Abolishing advisory votes would go a long way to increase participation in the democratic process. When votes have no impact, this erodes public trust. Advisory votes are push polls that add ballot clutter and attempt not to empower, but disingenuously influence voters. The description of the revenue source lacks context. A ten-year cost projection is misleading—we do not budget or pay taxes in those increments. Not telling the voters why there was a tax increase is withholding information from them. Advisory votes are an unacceptable use of our tax dollars. Many volunteers hate it when people bring up advisory votes because they have to tell them the vote will not make a difference. Advisory votes particularly discourage young voters from taking voting seriously. There are no pro and con statements in the voters' pamphlet. The ballot language is purposefully written to encourage voters to repeal any tax increase. Repealing any tax exemption is considered a tax increase the way the law is currently written.

CON: Voters have supported keeping advisory votes on the ballot four times. Emergency clauses do not allow people to weigh in on legislation, and that right needs to be retained. In some instances, there have been more votes cast on advisory questions than for statewide elected offices.

Persons Testifying: PRO: Senator Patty Kuderer, Prime Sponsor; Andrew Villeneuve, Northwest Progressive Institute; Kathy Sakahara, League of Women Voters of Washington; Steve Zemke, Majority Rules; Carol Butterfield, citizen; Julie Wise, King County Director of Elections.

CON: Tim Eyman, citizen.

Persons Signed In To Testify But Not Testifying: No one.