

SENATE BILL REPORT

SB 5303

**AS REPORTED BY COMMITTEE ON GOVERNMENTAL OPERATIONS,
FEBRUARY 21, 1991**

Brief Description: Changing requirements for state and local initiative and referendum ballot titles.

SPONSORS: Senator Talmadge.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: That Substitute Senate Bill No. 5303 be substituted therefor, and the substitute bill do pass.

Signed by Senators McCaslin, Chairman; Roach, Vice Chairman; Matson, and Sutherland.

Staff: Rod McAulay (786-7754)

Hearing Dates: February 11, 1991; February 21, 1991

BACKGROUND:

Ballot titles for statewide initiatives and referenda are required to be phrased as a question and, when practicable, pose the question so that a "yes" vote is a vote to change current law. There are no specific statutory limitations on ballot titles for initiatives and referenda conducted by existing local governments which are permitted to have initiatives and referenda.

Ballot titles for initiatives and referenda may be confusing to voters, even in statewide elections where the required format is followed. A "yes" vote to change a law may not reflect a position in favor of the issue as it is commonly described in public debate. A change in current law may involve either a repeal of existing law or an adoption of new law.

SUMMARY:

All initiative and referendum ballot titles, whether state or local, must be written to present to the voter the choice: "For the proposed law" (followed by a statement of the nature of the proposed law) or "Against the proposed law" (followed by a statement of the nature of the proposed law). Current statutes prescribing the form of ballot titles for both state and local initiatives and referenda are repealed.

EFFECT OF PROPOSED SUBSTITUTE:

Limited discretion is allowed in using the mandated language on a ballot by providing that it be used "when practicable."

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

Provides a uniform rule for ballot wording on initiatives and referendums on both state and local issues. Makes the effect of a vote more understandable by eliminating the words "yes" and "no" and reciting the substance of the provision in the ballot.

TESTIMONY AGAINST:

The proposed language (of the original bill) is too restrictive.

TESTIFIED: Senator Talmadge, prime sponsor; Don Olson (pro); Ken Wise (pro); Gary McIntosh, Office of Secretary of State