

HOUSE OF REPRESENTATIVES

Olympia Washington

BilAnalysis

BilNo. HB 1509

Disclosingaidpetitiongathering
Brieftitle

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Reps.D. Schmidt/Scott/Appelwick
Sponsor

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BACKGROUND:

The State Constitution authorizes state voters powers of initiative and referendum on state legislative Statutes implement this authority and describe the appearance of initiative and referendum petitions Various crimes relating to the state initiative and referendum process are established in statute including class felony and various gross misdemeanors.

Voters in various types of cities and in charter counties may obtain the powers of initiative and referendum on local ordinances.

State voters approved Initiative Measure No. 276 in 1972 establishing the Public Disclosure Act. Among other requirements the Public Disclosure Act requires political committees to file periodic reports to the Public Disclosure Commission detailing their expenditures. The frequency of reports that a political committee is required to file increases as the election approaches that is associated with the political committee's efforts. The Public Disclosure Act requires political committee to keep books of accounts current and that the books of accounts be available for public inspection during the eight days immediately prior to the election associated with the political committee's efforts.

A political committee is defined as a person other than a candidate or individual dealing with his or her own funds or property that has the expectation of receiving contributions or makes expenditures in support or opposition to any candidate or any ballot proposition.

A state voters pamphlet is prepared for each general election that includes a description of statewide ballot measures and arguments for and against each of these measures.

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SUMMARY:

A variety of requirements are made for state initiative and referendum measures, city initiative and referendum measures, county initiative and referendum measures and recall measures.

1. Petition requirements.

The following must be included in each petition for such a measure where persons are being paid to solicit signatures on the petition:

- If paid signature gatherers are being used to solicit signatures on such a petition, a statement must be included at the top of the petition that paid signature gatherers are being used and indicate the name of the group that is paying to circulate the petition and
- A person who receives compensation for soliciting signatures on such a petition must sign a statement on each petition that to his or her knowledge, the signatures on the petition are valid.

Any petition for the same measure where paid signature gatherers are not being used to solicit signatures is not required to contain this notice that paid signature gatherers are being used and the person who solicits signatures on the petition is not required to sign the statement that to his or her knowledge, the signatures are valid.

2. Record tracking paid signature gatherers.

Any person who provides compensation for persons to solicit signatures on such a measure shall keep records of person or persons who received compensation for collecting signatures on each separate petition. The records must be kept current and submitted to the official to whom the petition is filed at the time the petition is filed.

3. Crimes relating to petitions where paid signature gatherers are being used.

Crimes relating to elections are expanded. It is a gross misdemeanor for a person to circulate or procure signatures on a petition for any of these measures that fails to meet to form requirements detailed in state law, including where applicable the requirement that a statement be included if compensation is being provided to persons to circulate the petition and the name of the group paying for the petition to be circulated.

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4. Voters pamphlets.

The state voters pamphlet and any local voters pamphlet must include a statement indicating the percent of the signatures on any such measure that were included in petitions where paid signatures were used, if considerations were provided for soliciting or procuring signatures on the measure.

5. Public Disclosure Act.

The Public Disclosure Act is amended to require that in addition to existing reporting and accounting requirements, political committees that pay compensation for circulating state initiative or referendum petitions must:

- File reports on the 21st day and seventh day immediately prior to the date the petitions must be filed and on the 10th day of the month after petitions are filed and
- Keep its books of accounts current and available for public inspection eight days immediately before the last date the petitions may be filed.

FISCAL NOTE: Not Requested.

EFFECTIVE DATE: Ninety days after adjournment of session in which bills passed.