

SENATE BILL REPORT

SB 6068

As Reported By Senate Committee On:
Ways & Means, March 31, 1997

Title: An act relating to legal advertising of state measures.

Brief Description: Enhancing legal advertising of state measures.

Sponsors: Senators West, Spanel and Oke; by request of Secretary of State.

Brief History:

Committee Activity: Ways & Means: 3/26/97, 3/31/97 [DPS].

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6068 be substituted therefor, and the substitute bill do pass.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Brown, Fraser, Hochstatter, Long, Loveland, McDonald, Rossi, Snyder, Swecker, Thibaudeau, Winsley and Zarelli.

Staff: Steve Jones (786-7440)

Background: The state Constitution requires a vote of the people to amend the Constitution. Proposed state laws may also be subject to a vote of the people under the referendum provisions of the state Constitution. Article II, Section 1(e) requires the Legislature to establish methods of publicizing state referenda and proposed constitutional amendments, including arguments for and against the proposed measures.

State law requires the Secretary of State to satisfy this requirement by publishing a state Voters' Pamphlet and also by purchasing advertising in every legal newspaper in the state at least four times prior to the election. (To qualify as a legal newspaper, a publication must contain general news and be published at least weekly.) The advertisement must contain the ballot title of the state measure, its legal identification, a statement of the current law and the effect of the proposed measure, and the total number of votes cast for and against the measure in the Legislature.

These advertisements are required to be supplemented by radio and television advertising. The state also mails a state Voters' Pamphlet to every residence in the state. In addition to the information contained in the advertisements, the Voters' Pamphlet also includes arguments for and against the proposed measure, and the full text of the measure. This information is also available on the Internet.

Summary of Substitute Bill: Statutory requirements for the publication of advertisements on proposed state measures are modified. The advertisements may appear up to four times in each legal newspaper, subject to the availability of appropriated funds. The

advertisements are to be supplemented by an equivalent amount of broadcast advertisements. The specific content of the advertisements is not prescribed by statute, but it may include references to other sources of voter information. The advertisements cannot identify or refer to any candidate or incumbent public official.

Substitute Bill Compared to Original Bill: The substitute bill deletes authorization for the Secretary of State to include in the advertising an unlimited amount of information that is likely to increase voter knowledge and participation.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill will streamline the advertising of state elections and will tie this advertising to other sources of voter information disseminated by the Secretary of State. The bill provides flexibility in the advertising, including both printed and broadcast media.

Testimony Against: None.

Testified: Ralph Munro, Secretary of State; Don Whiting, Assistant Secretary of State; Becky Bogard, Washington State Association of Broadcasters.