

# HOUSE BILL REPORT

## HB 2587

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### As Reported By House Committee On:

State Government

**Title:** An act relating to ballot titles.

**Brief Description:** Modifying ballot title laws.

**Sponsors:** Representatives Kagi and Lambert; by request of Attorney General.

### Brief History:

#### Committee Activity:

State Government: 1/26/00, 2/4/00 [DPS].

#### Brief Summary of Substitute Bill

- Revises ballot title requirements for measures submitted to voters for their approval or rejection.
- Creates three distinct portions of ballot titles consisting of a subject statement, concise description, and question whether the measure should be approved or rejected.
- Allows the Legislature to provide ballot titles for constitutional amendments and alternatives to initiatives to the Legislature.
- Allows anyone to challenge a ballot title.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Campbell, Republican Vice Chair; Miloscia, Democratic Vice Chair; Dunshee; Haigh; Lambert and D. Schmidt.

**Staff:** Steve Lundin (786-7127).

### Background:

State law establishes ballot title requirements for various measures that are submitted to voters, including state initiatives and referenda, constitutional amendments, and local government ballot propositions.

The ballot title for a state initiative, referendum, or constitutional amendment includes a concise statement that is posed as a question not in excess of 25 words. However, the ballot title for a measure submitted to voters of a local government includes a concise statement that is posed as question not in excess of 75 words.

The attorney general prepares the ballot title, and a summary, of a state initiative or referendum within seven days after receiving the initiative or referendum. However, the Legislature may prepare the ballot title for a referendum bill it submits to the voters. A person may challenge the ballot title or summary of a state initiative or referendum, that was prepared by the attorney general, within five days after the ballot title is filed with the secretary of state. The person "filing" a constitutional amendment may challenge the ballot title for the constitutional amendment, but no provisions exist for anyone else to challenge these matters.

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### **Summary of Substitute Bill:**

Requirements for ballot titles on state measures and local ballot measures are altered.

The ballot title of a state measure is divided into three distinct portions: (1) a statement of the subject of the measure, that may not exceed 10 words; (2) a concise description of the measure, that may not exceed 30 words; and (3) a question inquiring as to whether the measure should be approved or rejected. The display of the ballot title is shown for each of the various types of state measures that may be placed on the ballot.

Ballot titles for local measures must follow these same requirements, except that the concise description may not exceed 75 words.

The Legislature may provide all or part of the ballot title as part of a constitutional amendment, or as part of an alternative to an initiative to the Legislature, that it submits to voters. The attorney general completes any portion of the ballot title that the Legislature fails to provide as part of the measure that is submitted to voters. The number of days for the attorney general to prepare a ballot title for an initiative or referendum is five days, not including Saturdays, Sundays, or "state" holidays, rather than seven days.

Any person, including the attorney general and either house of the Legislature, may challenge a ballot title on any state measure submitted to voters. Any person may challenge a ballot title on a local measure submitted to voters. The number of days

allowed for challenges to ballot titles does not include Saturdays, Sundays, or legal holidays.

**Substitute Bill Compared to Original Bill:** The three portions of a ballot title are applied to local ballot propositions. Any person may challenge the ballot title on a constitutional amendment or local ballot measure. The Legislature may provide all or part of the ballot title in a constitutional amendment or alternative it submits to voters. The appearance of the ballot title was somewhat altered when an alternative to an initiative to the Legislature is submitted to voters.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This improves the clarity of ballot titles. Double negatives are removed from referenda ballot titles. I like the form of the ballot titles. This adds a few more days for the attorney general to prepare ballot titles by not counting Saturdays, Sundays, and legal holidays in the number of days allowed to prepare the ballot titles.

**Testimony Against:** None.

**Testified:** Representative Ruth Kagi, prime sponsor; Cheri Davidson, League of Women Voters; Chuck Sauvage, Common Cause of Washington; and Narda Pierce, Solicitor General.