
SUBSTITUTE HOUSE BILL 1626

State of Washington

56th Legislature

1999 Regular Session

By House Committee on State Government (originally sponsored by Representatives D. Schmidt, Ogden, McMorris, Romero, Wensman, Alexander, O'Brien, Radcliff, Lantz, Regala, Conway, McIntire, Poulsen, Hatfield, H. Sommers, Dickerson, Edmonds, Linville, Fisher, Cody, Santos, Murray, Kenney, Kessler, Rockefeller, Wood, Hurst, Keiser and Tokuda)

Read first time 03/02/1999.

1 AN ACT Relating to petitions to be filed with the government;
2 amending RCW 29.79.090, 29.79.100, 29.79.110, 29.79.490, and 42.17.090;
3 and repealing RCW 29.79.500.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 29.79.090 and 1982 c 116 s 9 are each amended to read
6 as follows:

7 (1) Petitions for proposing measures for submission to the
8 legislature at its next regular session, shall be substantially in the
9 following form:

10 "WARNING

11 Every person who signs this petition with any other than his or her
12 true name, knowingly signs more than one of these petitions, signs this
13 petition when he or she is not a legal voter, or makes any false
14 statement on this petition may be punished by fine or imprisonment or
15 both.

INITIATIVE PETITION FOR
SUBMISSION TO THE LEGISLATURE

To the Honorable, Secretary of State of the State of Washington:

We, the undersigned citizens and legal voters of the State of Washington, respectfully direct that this petition and the proposed measure known as Initiative Measure No. . . . and entitled (here set forth the established ballot title of the measure), a full, true, and correct copy of which is printed on the reverse side of this petition, be transmitted to the legislature of the State of Washington at its next ensuing regular session, and we respectfully petition the legislature to enact said proposed measure into law; and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Washington in the city (or town) and county written after my name, my residence address is correctly stated, and I have knowingly signed this petition only once.

18	Petitioner's	‡ Print name	‡ Residence address,	‡ City	‡
19	signature	‡ for positive	‡ street and number,	‡ or	‡ County
20		‡ identification	‡ if any	‡ Town	‡
21		‡	‡	‡	‡

(Here follow 20 numbered lines divided into columns as below.)

24	‡	‡	‡	‡	
25	‡	‡	‡	‡	
26	‡	‡	‡	‡	
27	‡	‡	‡	‡	
28	1" " " " " "	" " " " " "	" " " " " "	" " " " " "	
29	‡	‡	‡	‡	
30	‡	‡	‡	‡	
31	2" " " " " "	‡ " " " " "	‡ " " " " "	‡ " " " " "	
32	‡	‡	‡	‡	
33	‡	‡	‡	‡	
34	‡	‡	‡	‡	
35	3" " " " " "	‡ " " " " "	‡ " " " " "	‡ " " " " "	
36	etc."				

(2) Space must be provided on each petition where, after the signatures have been obtained, the person or persons who procured the signatures shall both sign and print his or her name and address certifying that, to his or her knowledge, the signatures on the petition are valid.

(3) In addition, the following must be included on each petition in at least twenty-point type, and completed before the petition is

1 offered to voters for signing so that potential signers know whether
2 the circulator is paid or volunteer:

3 "SIGNATURE GATHERERS [ARE] [ARE NOT] (check or preprint one)
4 BEING PAID TO CIRCULATE THIS PETITION SHEET. (If signature
5 gatherers are being paid then include the following:)
6 SIGNATURE GATHERERS ARE BEING PAID BY (insert the
7 name of the political committee by or on whose behalf of which
8 payment is made) TO CIRCULATE THIS PETITION SHEET."

9 **Sec. 2.** RCW 29.79.100 and 1982 c 116 s 10 are each amended to read
10 as follows:

11 (1) Petitions for proposing measures for submission to the people
12 for their approval or rejection at the next ensuing general election,
13 shall be substantially in the following form:

14 "WARNING

15 Every person who signs this petition with any other than his or her
16 true name, knowingly signs more than one of these petitions, signs this
17 petition when he or she is not a legal voter, or makes any false
18 statement on this petition may be punished by fine or imprisonment or
19 both.

20 INITIATIVE PETITION FOR
21 SUBMISSION TO THE PEOPLE

22 To the Honorable, Secretary of State of the State of
23 Washington:

24 We, the undersigned citizens and legal voters of the State of
25 Washington, respectfully direct that the proposed measure known as
26 Initiative Measure No., entitled (here insert the established
27 ballot title of the measure), a full, true and correct copy of which is
28 printed on the reverse side of this petition, be submitted to the legal
29 voters of the State of Washington for their approval or rejection at
30 the general election to be held on the day of November,
31 ((19. . .)) (year); and each of us for himself or herself says: I have
32 personally signed this petition; I am a legal voter of the State of
33 Washington, in the city (or town) and county written after my name, my
34 residence address is correctly stated, and I have knowingly signed this
35 petition only once.

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2	Petitioner's	‡ Print name	‡ Residence address,	‡ City	‡
3	signature	‡ for positive	‡ street and number,	‡ or	‡ County
4		‡ identification	‡ if any	‡ Town	‡
5		‡	‡	‡	‡

6 (Here follow 20 numbered lines divided into columns as below.)

8		‡	‡	‡	‡
9		‡	‡	‡	‡
10		‡	‡	‡	‡
11	1	" " " " " ‡	" " " " " ‡	" " " " " ‡	" " " " " ‡
12		‡	‡	‡	‡
13		‡	‡	‡	‡
14		‡	‡	‡	‡
15	2	" " " " " ‡	" " " " " ‡	" " " " " ‡	" " " " " ‡
16		‡	‡	‡	‡
17		‡	‡	‡	‡
18		‡	‡	‡	‡
19	3	" " " " " ‡	" " " " " ‡	" " " " " ‡	" " " " " ‡
20		‡	‡	‡	‡
21		etc."			

22 (2) Space must be provided on each petition where, after the
23 signatures have been obtained, the person or persons who procured the
24 signatures shall both sign and print his or her name and address
25 certifying that, to his or her knowledge, the signatures on the
26 petition are valid.

27 (3) In addition, the following must be included on each petition in
28 at least twenty-point type, and completed before the petition is
29 offered to voters for signing so that potential signers know whether
30 the circulator is paid or volunteer:

31 "SIGNATURE GATHERERS [ARE] [ARE NOT] (check or preprint one)
32 BEING PAID TO CIRCULATE THIS PETITION SHEET. (If signature
33 gatherers are being paid then include the following:)
34 SIGNATURE GATHERERS ARE BEING PAID BY (insert the
35 name of the political committee by or on whose behalf of which
36 payment is made) TO CIRCULATE THIS PETITION SHEET."

37 **Sec. 3.** RCW 29.79.110 and 1993 c 256 s 10 are each amended to read
38 as follows:

39 (1) Petitions ordering that acts or parts of acts passed by the
40 legislature be referred to the people at the next ensuing general
41 election, or special election ordered by the legislature, shall be
42 substantially in the following form:

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Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any false statement on this petition may be punished by fine or imprisonment or both.

PETITION FOR REFERENDUM

To the Honorable, Secretary of State of the State of Washington:

We, the undersigned citizens and legal voters of the State of Washington, respectfully order and direct that Referendum Measure No., filed to revoke a (or part or parts of a) bill that (concise statement required by RCW 29.79.055) and that was passed by the legislature of the State of Washington at the last regular (special) session of said legislature, shall be referred to the people of the state for their approval or rejection at the regular (special) election to be held on the day of November, (~~19. . . .~~) (year); and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Washington, in the city (or town) and county written after my name, my residence address is correctly stated, and I have knowingly signed this petition only once.

Petitioner's	‡ Print name	‡ Residence address,	‡ City	‡
signature	‡ for positive	‡ street and number,	‡ or	‡ County
	‡ identification	‡ if any	‡ Town	‡
	‡	‡	‡	‡

(Here follow 20 numbered lines divided into columns as below.)

30	‡	‡	‡	‡
31	‡	‡	‡	‡
32	‡	‡	‡	‡
33	1 " " " " " ‡ " " " " ‡ " " " " ‡ " " " " ‡ " " " " " " " " " " " " " " " "			
34	‡	‡	‡	‡
35	‡	‡	‡	‡
36	‡	‡	‡	‡
37	2 " " " " " ‡ " " " " ‡ " " " " ‡ " " " " ‡ " " " " " " " " " " " " " " " "			
38	‡	‡	‡	‡
39	‡	‡	‡	‡
40	‡	‡	‡	‡
41	3 " " " " " ‡ " " " " ‡ " " " " ‡ " " " " ‡ " " " " " " " " " " " " " " " "			
42	etc. "			
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1 (2) Space must be provided on each petition where, after the
2 signatures have been obtained, the person or persons who procured the
3 signatures shall both sign and print his or her name and address
4 certifying that, to his or her knowledge, the signatures on the
5 petition are valid.

6 (3) In addition, the following must be included on each petition in
7 at least twenty-point type, and completed before the petition is
8 offered to voters for signing so that potential signers know whether
9 the circulator is paid or volunteer:

10 "SIGNATURE GATHERERS [ARE] [ARE NOT] (check or preprint one)
11 BEING PAID TO CIRCULATE THIS PETITION SHEET. (If signature
12 gatherers are being paid then include the following:)
13 SIGNATURE GATHERERS ARE BEING PAID BY (insert the
14 name of the political committee by or on whose behalf of which
15 payment is made) TO CIRCULATE THIS PETITION SHEET."

16 **Sec. 4.** RCW 29.79.490 and 1993 c 256 s 4 are each amended to read
17 as follows:

18 Every person (~~(shall be)~~) is guilty of a gross misdemeanor who:

19 (1) For any consideration or gratuity or promise thereof, signs or
20 declines to sign any initiative or referendum petition; or

21 ~~(2) ((Provides or receives consideration for soliciting or~~
22 ~~procuring signatures on an initiative or referendum petition if any~~
23 ~~part of the consideration is based upon the number of signatures~~
24 ~~solicited or procured, or offers to provide or agrees to receive such~~
25 ~~consideration any of which is based on the number of signatures~~
26 ~~solicited or procured; or~~

27 ~~(3))~~ Gives or offers any consideration or gratuity to any person
28 to induce him or her to sign or not to sign or to vote for or against
29 any initiative or referendum measure; or

30 ~~((4))~~ (3) Interferes with or attempts to interfere with the right
31 of any voter to sign or not to sign an initiative or referendum
32 petition or with the right to vote for or against an initiative or
33 referendum measure by threats, intimidation, or any other corrupt means
34 or practice; or

35 ~~((5))~~ (4) Receives, handles, distributes, pays out, or gives
36 away, directly or indirectly, money or any other thing of value
37 contributed by or received from any person, firm, association, or
38 corporation whose residence or principal office is, or the majority of

1 whose members or stockholders have their residence outside, the state
2 of Washington, for any service rendered for the purpose of aiding in
3 procuring signatures upon any initiative or referendum petition or for
4 the purpose of aiding in the adoption or rejection of any initiative or
5 referendum measure: PROVIDED, That this subsection shall not apply to
6 or prohibit any activity which is properly reported in accordance with
7 the applicable provisions of chapter 42.17 RCW; or

8 (5) Circulates, solicits, or procures, or attempts to procure,
9 signatures upon an initiative or referendum petition, or submits the
10 petition to the secretary of state, knowing that the petition fails to
11 truthfully provide information required by RCW 29.79.090 (2) or (3),
12 29.79.100 (2) or (3), or 29.79.110 (2) or (3).

13 A gross misdemeanor under this section is punishable to the same
14 extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

15 **Sec. 5.** RCW 42.17.090 and 1993 c 256 s 6 are each amended to read
16 as follows:

17 (1) Each report required under RCW 42.17.080 (1) and (2) shall
18 disclose the following:

19 (a) The funds on hand at the beginning of the period;

20 (b) The name and address of each person who has made one or more
21 contributions during the period, together with the money value and date
22 of such contributions and the aggregate value of all contributions
23 received from each such person during the campaign or in the case of a
24 continuing political committee, the current calendar year: PROVIDED,
25 That pledges in the aggregate of less than one hundred dollars from any
26 one person need not be reported: PROVIDED FURTHER, That the income
27 which results from a fund-raising activity conducted in accordance with
28 RCW 42.17.067 may be reported as one lump sum, with the exception of
29 that portion of such income which was received from persons whose names
30 and addresses are required to be included in the report required by RCW
31 42.17.067: PROVIDED FURTHER, That contributions of no more than
32 twenty-five dollars in the aggregate from any one person during the
33 election campaign may be reported as one lump sum so long as the
34 campaign treasurer maintains a separate and private list of the name,
35 address, and amount of each such contributor: PROVIDED FURTHER, That
36 the money value of contributions of postage shall be the face value of
37 such postage;

1 (c) Each loan, promissory note, or security instrument to be used
2 by or for the benefit of the candidate or political committee made by
3 any person, together with the names and addresses of the lender and
4 each person liable directly, indirectly or contingently and the date
5 and amount of each such loan, promissory note, or security instrument;

6 (d) All other contributions not otherwise listed or exempted;

7 (e) The name and address of each candidate or political committee
8 to which any transfer of funds was made, together with the amounts and
9 dates of such transfers;

10 (f) The name and address of each person to whom an expenditure was
11 made in the aggregate amount of more than fifty dollars during the
12 period covered by this report, and the amount, date, and purpose of
13 each such expenditure. A candidate for state executive or state
14 legislative office or the political committee of such a candidate shall
15 report this information for an expenditure under one of the following
16 categories, whichever is appropriate: (i) Expenditures for the
17 election of the candidate; (ii) expenditures for nonreimbursed public
18 office-related expenses; (iii) expenditures required to be reported
19 under (e) of this subsection; or (iv) expenditures of surplus funds and
20 other expenditures. The report of such a candidate or committee shall
21 contain a separate total of expenditures for each category and a total
22 sum of all expenditures. Other candidates and political committees
23 need not report information regarding expenditures under the categories
24 listed in (i) through (iv) of this subsection or under similar such
25 categories unless required to do so by the commission by rule. The
26 report of such an other candidate or committee shall also contain the
27 total sum of all expenditures;

28 ~~(g) ((The name and address of each person to whom any expenditure~~
29 ~~was made directly or indirectly to compensate the person for soliciting~~
30 ~~or procuring signatures on an initiative or referendum petition, the~~
31 ~~amount of such compensation to each such person, and the total of the~~
32 ~~expenditures made for this purpose. — Such expenditures shall be~~
33 ~~reported under this subsection (1)(g) whether the expenditures are or~~
34 ~~are not also required to be reported under (f) of this subsection;~~

35 (h)) The name and address of any person and the amount owed for
36 any debt, obligation, note, unpaid loan, or other liability in the
37 amount of more than two hundred fifty dollars or in the amount of more
38 than fifty dollars that has been outstanding for over thirty days;

1 (~~(i)~~) (h) The surplus or deficit of contributions over
2 expenditures;

3 (~~(j)~~) (i) The disposition made in accordance with RCW 42.17.095
4 of any surplus funds;

5 (~~(k)~~) (j) Such other information as shall be required by the
6 commission by rule in conformance with the policies and purposes of
7 this chapter; and

8 (~~(l)~~) (k) Funds received from a political committee not otherwise
9 required to report under this chapter (a "nonreporting committee").
10 Such funds shall be forfeited to the state of Washington unless the
11 nonreporting committee has filed or within ten days following such
12 receipt files with the commission a statement disclosing: (i) Its name
13 and address; (ii) the purposes of the nonreporting committee; (iii) the
14 names, addresses, and titles of its officers or if it has no officers,
15 the names, addresses, and titles of its responsible leaders; (iv) the
16 name, office sought, and party affiliation of each candidate in the
17 state of Washington whom the nonreporting committee is supporting, and,
18 if such committee is supporting the entire ticket of any party, the
19 name of the party; (v) the ballot proposition supported or opposed in
20 the state of Washington, if any, and whether such committee is in favor
21 of or opposed to such proposition; (vi) the name and address of each
22 person residing in the state of Washington or corporation which has a
23 place of business in the state of Washington who has made one or more
24 contributions in the aggregate of more than twenty-five dollars to the
25 nonreporting committee during the current calendar year, together with
26 the money value and date of such contributions; (vii) the name and
27 address of each person in the state of Washington to whom an
28 expenditure was made by the nonreporting committee on behalf of a
29 candidate or political committee in the aggregate amount of more than
30 fifty dollars, the amount, date, and purpose of such expenditure, and
31 the total sum of such expenditures; (viii) such other information as
32 the commission may prescribe by rule, in keeping with the policies and
33 purposes of this chapter. A nonreporting committee incurring an
34 obligation to file additional reports in a calendar year may satisfy
35 the obligation by filing with the commission a letter providing
36 updating or amending information.

37 (2) The treasurer and the candidate shall certify the correctness
38 of each report.

1 NEW SECTION. **Sec. 6.** RCW 29.79.500 (Paid petition solicitors--
2 Finding) and 1993 c 256 s 1 are each repealed.

3 NEW SECTION. **Sec. 7.** If any provision of this act or its
4 application to any person or circumstance is held invalid, the
5 remainder of the act or the application of the provision to other
6 persons or circumstances is not affected.

--- END ---