

SENATE BILL REPORT

SB 6706

As Reported By Senate Committee On:
State & Local Government, February 7, 2002

Title: An act relating to public hearings on ballot measures.

Brief Description: Holding public hearings on initiatives.

Sponsors: Senators Swecker, Carlson, Hewitt, McDonald, Gardner, Keiser, Costa, Winsley, Oke and Hale.

Brief History:

Committee Activity: State & Local Government: 2/4/02, 2/7/02 [DPS].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: That Substitute Senate Bill No. 6706 be substituted therefor, and the substitute bill do pass.

Signed by Senators Gardner, Chair; Fairley, Vice Chair; Hale, Haugen, Keiser, Kline and Swecker.

Minority Report: Do not pass.

Signed by Senator Horn.

Staff: Diane Smith (786-7410)

Background: The Washington State Constitution provides for the powers of initiative in Article II, Section 1 as powers reserved by the people. The Legislature implemented the powers of initiative in statute. The statutory process does not provide for hearings to be provided in a governmental forum on the issues raised by initiative. The state voters' pamphlet must contain statements of the arguments for and against statewide ballot measures. These statements are prepared by members of committees appointed for that purpose.

The campaign financing section of the public disclosure law and the ethics in public service law both prohibit the use of public facilities to promote or oppose a ballot proposition.

Summary of Substitute Bill: The Secretary of State must hold public hearings on initiative measures that have been certified to the general election ballot by the Secretary of State. The hearings must be held from 45 to 15 days before the general election.

The hearings must be held in each congressional district in the state with limited exception upon 30 days' notice to the voters and local governmental officials of the congressional district and to the members of the committee who prepare the statements for and against ballot measures for the state voters' pamphlet.

No constitutional rights are diminished. No right to claim invalidity of the measure is created.

The campaign finance law and the ethics law are amended to allow participation of public officials at the hearings on ballot measures and for them to provide copies of written materials after the hearings only upon request.

Substitute Bill Compared to Original Bill: The substitute bill allows the Secretary of State to provide on-line access to unedited audio or video files of any hearing; to combine the hearing for congressional districts in a compact geographical area; and eliminates publication of the hearing date in the voter's pamphlet.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The more information the citizens can get about the consequences initiatives would cause if they were passed, the better. This creates an honest forum for the common folk.

Testimony Against: None.

Testified: PRO: Steve Gano; Daniel C. Walters, Agricultural & Forestry Education Foundation; Jim Justin, AWC; Duke Schaub, AGC-Wash; Mellani Hughes, AWB