
SUBSTITUTE SENATE BILL 5741

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Government Operations & Elections (originally sponsored by Senators Kastama, Roach, Fairley, Benson, Prentice, Berkey, Haugen, Sheldon, McAuliffe, Shin, Parlette, Mulliken, Doumit and Kohl-Welles; by request of Secretary of State)

READ FIRST TIME 02/23/05.

1 AN ACT Relating to voters' pamphlets; and amending RCW 29A.32.010
2 and 29A.32.060.

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

4 **Sec. 1.** RCW 29A.32.010 and 2003 c 111 s 801 are each amended to
5 read as follows:

6 (1) The secretary of state shall, whenever at least one statewide
7 measure or office is scheduled to appear on the primary or general
8 election ballot, print and distribute a voters' pamphlet.

9 (2) The costs of printing and distributing a voters' pamphlet may
10 be defrayed by the sale of advertisements in the voters' pamphlet. The
11 secretary of state may, in his or her sole discretion, accept
12 advertising that does not: (a) Advocate for or oppose any political or
13 religious subject, issue, or candidate; (b) disparage or promote any
14 person or class of persons; (c) promote businesses whose products,
15 services, or advertisements are not suitable for readers or viewers of
16 all ages; (d) promote or incite illegal conduct; (e) promote the use or
17 availability of alcohol or tobacco products; (f) promote the use or
18 availability of illegal drugs; (g) promote the use or availability of
19 adult or sexually oriented entertainment or materials; (h) make claims

1 of efficacy, suitability, desirability, or other nonobjective
2 statements about businesses, products, or services; (i) include content
3 that infringes on any trademark, copyright, or patent right of another;
4 (j) make claims or representations in violation of advertising or
5 consumer protection laws; or (k) contain content that a reasonable
6 citizen may consider inappropriate to the maintenance of dignity and
7 decorum for government. The secretary of state's acceptance of any
8 advertising does not imply the conversion of, or convert, the voters'
9 pamphlet into a public forum.

10 (3) The secretary of state shall distribute the voters' pamphlet to
11 each household in the state, to public libraries, and to any other
12 locations he or she deems appropriate. The secretary of state shall
13 also produce taped or Braille transcripts of the voters' pamphlet,
14 publicize their availability, and mail without charge a copy to any
15 person who requests one.

16 (4) The secretary of state may make the material required to be
17 distributed by this chapter available to the public in electronic form.
18 The secretary of state may provide the material in electronic form to
19 computer bulletin boards, print and broadcast news media, community
20 computer networks, and similar services at the cost of reproduction or
21 transmission of the data.

22 **Sec. 2.** RCW 29A.32.060 and 2003 c 111 s 806 are each amended to
23 read as follows:

24 Committees shall write and submit arguments advocating the approval
25 or rejection of each statewide ballot issue and rebuttals of those
26 arguments. The secretary of state, the presiding officer of the
27 senate, and the presiding officer of the house of representatives shall
28 appoint ~~((the))~~ at least one but not more than two initial ~~((two))~~
29 members of each committee. In making these committee appointments the
30 secretary of state and presiding officers of the senate and house of
31 representatives shall consider legislators, sponsors of initiatives and
32 referendums, and other interested groups known to advocate or oppose
33 the ballot measure.

34 The initial ~~((two))~~ member or members may select ~~((up to four))~~
35 additional members, and the committee shall elect a chairperson. A
36 committee may have up to six members. The remaining committee member
37 or members may fill vacancies through appointment.

1 After the committee submits its initial argument statements to the
2 secretary of state, the secretary of state shall transmit the
3 statements to the opposite committee. The opposite committee may then
4 prepare rebuttal arguments. Rebuttals may not interject new points.

5 The voters' pamphlet may contain only argument statements prepared
6 according to this section. Arguments may contain graphs and charts
7 supported by factual statistical data and pictures or other
8 illustrations. Cartoons or caricatures are not permitted.

--- END ---