

SENATE BILL REPORT

SB 5181

As of February 1, 2007

Title: An act relating to requiring initiative and referendum signature gatherers to wear identification that indicates whether they are paid workers or are volunteers.

Brief Description: Requiring signature gatherers to wear identification.

Sponsors: Senators Kastama, Fairley, Murray, Kauffman, Shin, Kline, Kohl-Welles, McAuliffe, Keiser, Rockefeller, Spanel, Pridemore, Jacobsen, Marr and Weinstein.

Brief History:

Committee Activity: Government Operations & Elections: 1/30/07.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Mac Nicholson (786-7445)

Background: Initiatives to the people and initiatives to the Legislature must be signed by a number of legal voters equal to eight percent of the votes cast for the Office of Governor at the last gubernatorial election. Based on the 2004 gubernatorial election, that number is currently 224,880. Referendum petitions must be signed by a number of legal voters equal to four percent of the votes cast for the Office of Governor. Based on the 2004 election, that number is currently 112,440.

Proponents of initiatives and referendum measures use volunteer and paid petition circulators to collect the requisite number of signatures.

Summary of Bill: Individuals circulating initiative or referendum petitions must wear an identification tag that prominently displays whether the person is being paid for circulating the petition or if the person is a volunteer signature gatherer. If the person is being paid, the identification tag must also identify who is paying the person to gather signatures.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill is simple, it would only require disclosing whether the person is a volunteer or is being compensated for collecting signatures. The initiative process is supposed to give a voice to the people, however special interest

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groups have changed that by paying people to collect signatures. The initiative process is a grass roots effort, which implies that people are collecting signatures because it's a worthwhile effort and not for compensation. The bill brings clarity, as people want to know whether people collecting signatures are paid or volunteer. Direct democracy has become a cottage industry and it is largely unregulated. This bill is constitutional and should be passed.

CON: The United States Supreme Court has already said this is unconstitutional. Signature gatherers shouldn't be stigmatized by having to disclose who they are. This is an attempt to intimidate people from exercising their first amendment rights. Limitations on the initiative need a compelling state interest, and that is not the case with this bill. Signature gatherers will be harassed if they have to wear a badge. Petitions circulate at meetings and through the office, and its unclear whether all those people are supposed to have tags. There are too many unanswered questions, and this bill should not be passed.

Persons Testifying: PRO: Senator Kastama, prime sponsor; Andrew Villeneuve, Northwest Progressive Institute.

CON: Tim Eyman, Taxpayer Protection Initiative; Jonathan Bechtle, Evergreen Freedom Foundation; Merton Cooper and Rebecca Turner, citizens.