

SENATE BILL REPORT

ESB 6754

As Passed Senate, February 15, 2010

Title: An act relating to signature petitions.

Brief Description: Making the names and addresses of persons signing initiative or referendum petitions public records.

Sponsors: Senators McDermott, Fairley, Kohl-Welles and Kline.

Brief History:

Committee Activity: Government Operations & Elections: 2/02/10 [DP, DNP].
Passed Senate: 2/15/10, 28-20.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

Minority Report: Do not pass.

Signed by Senators Roach, Ranking Minority Member; Benton and Swecker.

Staff: Sharon Swanson (786-7447)

Background: Article II, Section 1 of the Washington State Constitution grants legislative powers to the people to enact bills and laws through the initiative process, and to approve or reject part of or all of any bill, act, or law passed by the Legislature through the referendum process. Any legal voter may file with the Secretary of State (Secretary) an initiative to the people, an initiative to the Legislature, or a referendum.

The number of valid signatures necessary for an initiative to the people to qualify for the ballot is 8 percent of the votes cast for governor at the last gubernatorial election, and the signed petitions must be filed with the Secretary in early July, at least four months prior to the general election. The number of valid signatures necessary for an initiative to the Legislature is also 8 percent, and the signed petitions must be filed at least ten days before the start of the regular session. The number of signatures required for a referendum is 4 percent, and the petitions must be filed within 90 days of the end of session.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Upon submittal of an initiative or referendum, the Secretary must verify and canvass the names of the legal voters on the petition.

Summary of Engrossed Bill: The names, addresses, and signatures of persons who signed the petition are public records, and may be made available for public inspection and copying.

Signature petitions must contain the following warning: "Signature petitions are public documents. By signing this document, your name, address, and signature may be released as part of a public records request. "

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: There is no exemption under the Public Records Act for petition signatures. When requested, copies of signed petitions have always been provided in the past. In a democracy there always comes a time when people need to stand up and be counted. If people have the courage of their convictions they should be willing to put their name on a document that is public and stand by it. This bill will simply clarify what has been understood and practiced for years: signatures on petitions are public records and will be provided upon request.

Persons Testifying: PRO: Joanee Deutsch, Office of the Secretary of State; Rowland Thompson, Allied Daily Papers; Shankar Narayan, ACLU.