
State Government & Tribal Affairs
Committee

HJR 4224

Brief Description: Amending the state Constitution by adding requirements for initiative filings.

Sponsors: Representatives Finn, Alexander, Orwall, Hunt, Haigh, Sells, Wylie, Maxwell, Takko, Zeiger, Eddy, Kelley, Hurst, Blake, Springer, Appleton, Warnick, Carlyle, Darneille, Miloscia, Moscoso, Roberts and Santos.

Brief Summary of Bill

- Amends the Constitution to require the Secretary of State to reject any initiative for the ballot that will result in an increase in costs or expenditures of the state or local governments in excess of \$5 million unless the initiative also specifies a tax increase or new tax to offset that increase.

Hearing Date:

Staff: Marsha Reilly (786-7135).

Background:

Article II, section 1 of the state Constitution reserves the right of initiative and referendum to the people.

The Legislature adopted processes for initiative and referendum in 1912. The law allows:

- initiatives to the people, where if petitions are certified to have a sufficient number of signatures by registered voters, the issue is submitted for a vote of the people at the next state general election;

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- initiatives to the Legislature, where if petitions are certified to have a sufficient number of signatures by registered voters, the issue is submitted to the Legislature at its next regular session;
- referendum measures, where laws recently passed by the Legislature are placed on the ballot after certification of petitions signed by registered voters; and
- referendum bills, where voters adopt laws proposed by the Legislature.

Under the state Constitution, initiative petitions require signatures from 8 percent of the total number of votes cast for the Office of Governor at the last regular gubernatorial election; referendum petitions require 4 percent.

From 1914 to 2010 there were 1,139 initiatives to the people; 139 were certified to the ballot and 69 passed into law. During this same period there were 494 initiatives to the Legislature; 28 were certified to the ballot and 18 passed into law.

Article 23, section 1 of the state Constitution requires that an amendment to the Constitution be approved by a two-thirds vote of each house. If passed by the Legislature, the proposed amendment must be submitted to the people at the next general election for their approval.

Summary of Bill:

Initiatives filed with the Secretary of State (Secretary) must be submitted to the Office of Financial Management, or successor agency, to determine whether the initiative will result in an expected increase in costs or expenditures of the state or local governments. If the initiative will result in such an increase, the Secretary may not assign the measure a serial number and the initiative shall be rejected if the initiative does not specify a tax increase or new tax in an amount that will offset the increases in costs or expenditures to state or local governments resulting from passage of the initiative. The Legislature shall enact laws to implement this requirement, including a provision for an appeal of the fiscal impact determination to the Thurston County Superior Court.

Appropriation: None.

Fiscal Note: Requested on January 18, 2012.