

# HOUSE BILL REPORT

## HB 2055

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### As Passed Legislature

**Title:** An act relating to statements on ballot measures in voters' pamphlets.

**Brief Description:** Concerning statements on ballot measures in voters' pamphlets.

**Sponsors:** Representatives Johnson, S. Hunt, Walsh, Van De Wege, Haler, Appleton, Hawkins, Robinson, Zeiger, Sawyer, Wilson, Clibborn, Scott, Kagi, Buys, Fagan and Tharinger.

### Brief History:

#### Committee Activity:

State Government: 2/17/15, 2/18/15 [DP].

#### Floor Activity:

Passed House: 3/11/15, 97-1.

Senate Amended.

Passed Senate: 4/13/15, 45-1.

House Concurred.

Passed House: 4/16/15, 96-0.

Passed Legislature.

### Brief Summary of Bill

- Requires that committees preparing arguments on ballot measures for voter pamphlets have access to the Attorney General's explanatory statement and fiscal impact statement.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** Do pass. Signed by 7 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton, Gregory and Hawkins.

**Staff:** Sean Flynn (786-7124).

### Background:

Voter Pamphlet.

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*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.*

The Secretary of State (Secretary) is required to publish a voters' pamphlet for each general election in which at least one statewide measure or office will appear on the ballot. Voter pamphlets must be distributed to each household, public libraries, and other appropriate locations. The voters' pamphlet must include candidate statements and certain explanatory information regarding each ballot measure, including initiatives and referendums.

*Attorney General Statements.* The Secretary must send a copy of a ballot initiative or referendum to the Office of the Attorney General. The Attorney General must prepare the ballot title and a summary of the measure back to the Secretary within five days of receiving the measure, and no later than August 10. The summary statement must include an explanation of current law and how the proposed measure would change the law.

*Fiscal Impact Statements.* The voter pamphlet also must include a fiscal impact statement for each ballot initiative and each bill referendum or measure. The fiscal impact statement is prepared by the Office of Financial Management, in consultation with the Secretary, the Attorney General, and other appropriate agencies. The fiscal impact statement must be written in clear concise language, including a summary of 100 words or less, and a more detailed statement that provides the assumptions for developing the fiscal impact. The statement must be filed with the Secretary no later than August 10.

*Argument Statements.* For each statewide issue, the pamphlet must include an argument supporting approval of the measure, an argument advocating rejection, and a rebuttal statement of each opposing argument. Each argument and rebuttal is prepared by a committee selected to advocate or oppose the ballot measure. Each committee must submit its initial argument to the Secretary, who then transmits each argument to the opposing committee for rebuttal. Committee argument statements may contain graphs and charts supported by factual data. Initial argument statements may be 250 words or less. Rebuttal statements may be 75 words or less.

The Secretary sets the deadline for submission of argument statements by rule. Statements are available for public inspection after both sides have submitted their statements or the deadline for submission has passed.

### **Summary of Bill:**

Each committee designated to provide an argument supporting or opposing a ballot measure in the voters' pamphlet must have the Attorney General's explanatory statement and the fiscal impact statement available before preparing their argument statements.

The explanatory statement and the fiscal impact statement must be prepared upon request of the Secretary and submitted by the deadline at the Secretary's request.

When the fiscal impact statement is filed, the Secretary must send a copy of the statement to the proposing party for a measure initiated by petition, or to the presiding officer of the House of Representatives and the Senate for a measure referred by the Legislature. A person who is dissatisfied with the fiscal impact statement may appeal to the Thurston County Superior Court for review. The court may consider arguments from persons advocating or

opposing a ballot measure. The court may file its own statement that it determines will meet the requirements for the chapter, which then becomes the official statement.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The intent of this bill to ensure voters are well informed about the impact of ballot measures. The controversial nature of recent ballot measures highlighted an issue with the current voter pamphlet schedule. Committees that write pro and con statements for the pamphlet do not have access to the fiscal impact statement in time for preparing their statements. This bill would change the statement deadlines for the Attorney General and fiscal impact statements so that they would be available to the committees in time for preparing pro and con statements.

(Opposed) None.

**Persons Testifying:** Representative Johnson, prime sponsor; and Tami Davis, the Office of the Secretary of State.

**Persons Signed In To Testify But Not Testifying:** None.