

SENATE BILL REPORT

ESHB 2704

As Reported by Senate Committee On:
State Government, Tribal Relations & Elections, February 23, 2018

Title: An act relating to election ballot space and voter informations.

Brief Description: Concerning election ballot space and voter informations.

Sponsors: House Committee on State Govt, Elections & IT (originally sponsored by Representatives Hudgins, Muri and McBride).

Brief History: Passed House: 2/12/18, 98-0.

Committee Activity: State Government, Tribal Relations & Elections: 2/21/18, 2/23/18 [DP].

Brief Summary of Bill

- Moves Insurance Commissioner above Superintendent of Public Instruction in the ballot order.
- Moves advisory votes below proposed constitutional amendments in the ballot order.
- Removes the Public Disclosure Commission (PDC) notification from the ballot, and requires it to be included on the ballot envelope, accompanying ballot materials, or in the voter's pamphlet.
- Raises the voter pamphlet candidate statement limit for state House of Representatives to 200 words.
- Directs a study on the cost effectiveness of advisory votes.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Miloscia, Ranking Member; Saldaña and Zeiger.

Staff: Samuel Brown (786-7470)

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.

Background: Ballot Design. The Secretary of State (Secretary) sets standards for the design, layout, and production of ballots. Election ballots must be uniform within a precinct. The ballot must identify the date and type of primary or election and contain instructions on how to record a vote. The ballot or ballot envelope and accompanying materials must include contact information for the PDC for information about donations made to candidates or measures.

Ballot Order. Ballot measures and political offices must be clearly separated; ballot measures appear on the ballot before political offices. Ballot measures which qualify for the ballot are printed in the following order:

- initiatives to the people;
- referendum measures;
- referendum bills;
- initiatives to the Legislature;
- initiatives to the Legislature with legislative alternatives;
- advisory votes; and
- proposed constitutional amendments.

The order of candidates on a ballot is as follows:

- federal offices—President and Vice President, United States Senator, United States Representative;
- statewide elected offices—Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Commissioner of Public Lands, Superintendent of Public Instruction, Insurance Commissioner;
- state legislative offices—State Senator, State Representative;
- county offices; and
- judicial offices—Supreme Court justices, Court of Appeals judges, Superior Court judges, District Court judges.

Advisory Votes. Advisory votes, established through Initiative 960 in 2008, allow voters to indicate whether to repeal or maintain a tax increase enacted by the Legislature. The results of advisory votes are nonbinding and do not result in a change to the law. An advisory vote must be added to the ballot for the general election when the Legislature raises taxes in a measure that is not referred as a referendum, or when a bill increasing taxes, bonding or contractually obligating taxes, is enacted with an emergency clause taxes, or otherwise prevents a referendum on the bill. If the tax increase involves more than one revenue source, each tax being increased is subject to a separate advisory vote.

Voters' Pamphlets. The Secretary must publish a voters' pamphlet for each general election where at least one statewide measure or office appears on the ballot. The Secretary determines the format and layout of the voters' pamphlet, which must contain a candidate's statement, photograph, and contact information. Candidate statements for President, Congress, and Governor are limited to 300 words. Candidate statements for State Senator, judges, and other statewide elected officials are limited to 200 words. Statements for House of Representatives candidates are limited to 100 words.

Summary of Bill: Ballot Design. The statement directing voters to contact the PDC for information about political donations is not required to be included on the ballot, but the

county auditor may put the statement on the ballot envelope, materials accompanying the ballot, or in the voter's pamphlet.

Ballot Order. Advisory votes are moved below proposed constitutional amendments. The position for Insurance Commissioner is moved ahead of the position for Superintendent of Public Instruction.

Primary Elections. No primary may be held for metropolitan park district commissioner elections.

Advisory Vote Study. The Secretary must study the cost effectiveness of providing advisory votes on ballots, including cost comparisons and assessing ballot designs. The Secretary must report findings to the Legislature by December 1, 2018, including recommendations for improving the efficiency and cost-effectiveness of using advisory votes in elections and possible alternative voting methods for nonbinding ballot issues.

Voter's Pamphlets. Candidate statements for the state House of Representatives are raised to a 200-word limit.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: Adjusting the headings and order of measures on the ballot saves us a lot of space when designing and laying out the ballot. When we have a crowded ballot, that can make a difference between needing one card and two cards.

Persons Testifying: PRO: Julie Anderson, Washington Association of County Auditors.

Persons Signed In To Testify But Not Testifying: No one.