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HOUSE BILL 2592

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State of Washington                      52nd Legislature                      1992 Regular Session

By Representatives Anderson, McLean and Winsley

Read first time 01/22/92. Referred to Committee on State Government.

1            AN ACT Relating to ballot issues; amending RCW 29.27.060,  
2 29.79.040, 29.79.110, 29.27.065, 29.27.067, and 35A.29.120; and adding  
3 a new section to chapter 29.79 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 29.79 RCW  
6 to read as follows:

7            (1) Except as provided to the contrary in RCW 82.14.036, 82.46.021,  
8 or 82.80.090, the ballot title of any referendum filed against an  
9 enactment or portion of an enactment of the state legislature or of the  
10 legislative authority of a unit of local government shall be composed  
11 of three elements: (a) An identification of the enacting legislative  
12 body; (b) a concise statement identifying the essential features of the  
13 enactment against which the referendum is filed; and (c) a question  
14 asking the voters whether the enactment should or should not be revoked

1 by the people. A "yes" vote on the referendum shall have the effect of  
2 revoking the legislative enactment. The ballot issue shall be  
3 displayed on the ballot substantially as follows:

4 Referendum Measure No. XX. The (name of legislative body) has passed  
5 a law that (concise statement). Should this law be revoked?

6 YES .....

7 NO .....

8 (2) For a referendum measure against a state enactment, the concise  
9 statement shall be prepared by the attorney general and shall not  
10 exceed twenty-five words.

11 (3) The concise statement for a referendum measure against an  
12 enactment of the legislative authority of a unit of local government  
13 shall not exceed seventy-five words. If the local governmental unit is  
14 a city or a town, the concise statement shall be prepared by the city  
15 or town attorney. If the local governmental unit is a county, the  
16 concise statement shall be prepared by the prosecuting attorney of the  
17 county. If the unit is a unit of local government other than a city,  
18 town, or county, the concise statement shall be prepared by the county  
19 within which the unit is located.

20 (4) A referendum measure against the enactment of a unit of local  
21 government shall be advertised in the manner provided for nominees for  
22 elective office.

23 **Sec. 2.** RCW 29.27.060 and 1985 c 252 s 1 are each amended to read  
24 as follows:

25 (1) When a proposed constitution or constitutional amendment or  
26 other question is to be submitted to the people of the state for state-  
27 wide popular vote, the attorney general shall prepare a concise

1 statement posed as a question and not exceeding twenty words containing  
2 the essential features thereof expressed in such a manner as to clearly  
3 identify the proposition to be voted upon.

4 Questions to be submitted to the people of a county or municipality  
5 shall also be advertised as provided for nominees for office, and in  
6 such cases there shall also be printed on the ballot a concise  
7 statement posed as a question and not exceeding seventy-five words  
8 containing the essential features thereof expressed in such a manner as  
9 to clearly identify the proposition to be voted upon, which statement  
10 shall be prepared by the city or town attorney for the city or town,  
11 and by the prosecuting attorney for the county or any other (~~political~~  
12 ~~subdivision of the state~~) unit of local government, other than  
13 (~~cities~~) a city or town, the majority area of which is situated in  
14 the county.

15 The concise statement constitutes the ballot title.

16 (2) The secretary of state shall certify to the county auditors the  
17 ballot title for a proposed constitution, constitutional amendment or  
18 other state-wide question at the same time and in the same manner as  
19 the ballot titles to initiatives and referendums.

20 (3) Subsection (1) of this section does not apply to referendum  
21 measures filed against an enactment of the state legislature or against  
22 an enactment of the legislative authority of a unit of local  
23 government, nor does it apply to the extent that other provisions of  
24 state law provide otherwise for a specific type of ballot question or  
25 proposition.

26 **Sec. 3.** RCW 29.79.040 and 1982 c 116 s 4 are each amended to read  
27 as follows:

28 Within seven calendar days after the receipt of an initiative or  
29 referendum measure the attorney general shall formulate and transmit to

1 the secretary of state ((a)) the concise statement (~~((posed as a~~  
2 ~~question and not to exceed twenty words,~~)) required by RCW 29.27.060 or  
3 section 1 of this act bearing the serial number of the measure and a  
4 summary of the measure, not to exceed seventy-five words, to follow the  
5 statement. The statement may be distinct from the legislative title of  
6 the measure, and shall give a true and impartial statement of the  
7 purpose of the measure. Neither the statement nor the summary may  
8 intentionally be an argument, nor likely to create prejudice, either  
9 for or against the measure. Except as provided for in section 1 of  
10 this act, such a concise statement shall constitute the ballot title.  
11 The ballot title or, for a referendum against a state enactment, the  
12 concise statement formulated by the attorney general shall be the  
13 ballot title of or concise statement for the measure unless changed on  
14 appeal. When practicable, the question posed by the ballot title shall  
15 be written in such a way that an affirmative answer to such question  
16 and an affirmative vote on the measure would result in a change in then  
17 current law, and a negative answer to the question and a negative vote  
18 on the measure would result in no change to then current law.

19 **Sec. 4.** RCW 29.79.110 and 1982 c 116 s 11 are each amended to read  
20 as follows:

21 Petitions ordering that acts or parts of acts passed by the  
22 legislature be referred to the people at the next ensuing general  
23 election, or special election ordered by the legislature, shall be  
24 substantially in the following form:

25 WARNING

26 Every person who signs this petition with any other than his or her  
27 true name, knowingly signs more than one of these petitions, signs this

1 petition when he or she is not a legal voter, or makes any false  
2 statement on this petition may be punished by fine or imprisonment or  
3 both.

4 PETITION FOR REFERENDUM

5 To the Honorable ....., Secretary of State of the State of  
6 Washington:

7 We, the undersigned citizens and legal voters of the State of  
8 Washington, respectfully order and direct that Referendum Measure No.  
9 ....., (~~entitled (here insert the established ballot title of the~~  
10 ~~measure) being~~) filed to revoke a (or part or parts of a) bill that  
11 (concise statement required by section 1 of this act) and that was  
12 passed by the ..... legislature of the State of Washington at the  
13 last regular (special) session of said legislature, shall be referred  
14 to the people of the state for their approval or rejection at the  
15 regular (special) election to be held on the ..... day of November,  
16 19..; and each of us for himself or herself says: I have personally  
17 signed this petition; I am a legal voter of the State of Washington, in  
18 the city (or town) and county written after my name, my residence  
19 address is correctly stated, and I have knowingly signed this petition  
20 only once.

21 .....