

SENATE BILL REPORT

SB 6665

As Reported by Senate Committee On:
Government Operations & Elections, January 21, 2010

Title: An act relating to changing the initiative filing fee.

Brief Description: Changing the initiative filing fee.

Sponsors: Senators Kohl-Welles, McDermott, Murray, Keiser and Fairley.

Brief History:

Committee Activity: Government Operations & Elections: 1/21/10 [DPS, DNP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 6665 be substituted therefor, and the substitute bill do pass.

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

Minority Report: Do not pass.

Signed by Senator Roach, Ranking Minority Member.

Staff: Sharon Swanson (786-7447)

Background: The state of Washington adopted the initiative and referendum process in 1912, setting a filing fee of \$5.

There are two types of initiatives: Initiatives to the People and Initiatives to the Legislature. Initiatives submitted to the people require a simple majority of voter approval to become law. To be certified to the ballot or the Legislature, the sponsor of either type of initiative must first circulate the complete text of the proposal among voters and obtain a number of legal voter signatures equal to 8 percent of the number of votes cast for the office of Governor at the last regular gubernatorial election. Between 1914 and 2009, 1,063 Initiatives to the People were filed with the Secretary of State and 133 were certified; 466 Initiatives to the Legislature were filed and 28 were certified.

There are two types of referenda: the referendum bill and the referendum measure. The purpose of both is to give voters an opportunity to approve or reject laws either proposed or enacted by the Legislature. Referendum measures are laws recently passed by the

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.

Legislature that are placed on the ballot because of petitions signed by voters. Referendum bills are proposed laws referred to the electorate by the Legislature. Referendum measures must be certified by the Secretary of State to have a number of petition signatures of legal voters equal to 4 percent of the total votes cast for the office of Governor in the last regular gubernatorial election. A referendum certified to the ballot must receive a simple majority vote to become law. Between 1914 and 2009, 72 referendum measures were filed with the Secretary of State and 36 were certified; 51 referendum bills were filed and 48 were certified.

Summary of Bill (Recommended Substitute): The fee to file a petition for an initiative or a referendum is \$250. If the measure is certified by the Secretary of State for the general election ballot, the sponsor must receive a refund of \$200.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Substitute): The substitute bill provided a title amendment to include "referendum" in the title.

Appropriation: None.

Fiscal Note: Requested on January 20, 2010.
[OFM requested ten-year cost projection pursuant to I-960]

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: PRO: Washington State has the lowest filing fee of any state in the country. The filing fee for initiatives and referendums has not increased since 1912. Fees for everything else, such as a marriage license or a fishing license have increased based on inflation, why not the initiative and referendum filing fee? It is interesting that the opponents of this fee increase say that this increase will prohibit citizen activists from participating in the initiative and referendum process. The process to get an initiative or referendum on the ballot costs anywhere from \$500,000 to \$600,000 once you pay for signature gatherers and advertising.

CON: This is a 5000 percent increase in the fee to file an initiative or referendum. Legislators do not have to pay a fee to file dozens if not hundreds of bills each legislative session. Why should the citizens of this state be required to pay such a fee to file legislative ideas in the form of initiative and referendums? This fee increase is clearly intended to deter citizens from petitioning their government. This bill is nothing more than legislative sabotage of the electorate.

Persons Testifying: PRO: Steve Zemke, King County Democrats; Andrew Villeneuve, citizen.

CON: Tim Eyman, Save the 2/3's; Arthur West, citizen.