

SENATE BILL REPORT

SB 5347

As of February 6, 2013

Title: An act relating to assuring the people's right to vote on initiatives that submit sufficient valid voter signatures.

Brief Description: Assuring the people's right to vote on initiatives that submit sufficient valid voter signatures.

Sponsors: Senators Rivers and Roach.

Brief History:

Committee Activity: Governmental Operations: 2/05/13.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Sam Thompson (786-7413)

Background: Since 1911, the Washington Constitution has authorized state initiatives and referenda. Most cities in Washington may authorize city initiatives and referenda, and at least 60 have done so. Counties may authorize county initiatives and referenda in home rule charters; the six counties that have adopted home rule charters – Clallam, King, Pierce, San Juan, Snohomish, and Whatcom – have all done so.

Local initiative and referendum powers may be limited by statute. In 2012, the state Supreme Court ruled that because the Legislature expressly granted local legislative authorities, including city councils, exclusive power to legislate on use of automated traffic safety cameras, a city initiative seeking to limit that authority was not within the local initiative power.

Summary of Bill: Any state or local initiative for which sufficient valid voter signatures are submitted, within the time period required, must be submitted to a vote of the people at the next election date. Government officials must facilitate, and not obstruct, processing of initiative petitions and public votes on initiatives. The term local legislative authority must be construed to include the people via local initiative regardless of the subject matter of the ballot measure.

Appropriation: None.

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.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The will of the people should be respected. People should have the chance to vote on initiatives that have qualified for the ballot. Some cities and counties have attempted to bar local initiatives. The percentage of voters required to sign local initiative petitions is twice as high as the percentage of voters required to sign state initiative petitions.

Persons Testifying: PRO: Senator Rivers, prime sponsor; Tim Eyman, Voters Want More Choices.