

Draft

Initiatives are under Chapter 29A.72 RCW

AN ACT Relating to creating and funding citizen's initiatives.

Adding new sections to chapter 29A.72 RCW; creating new sections; prescribing penalties; and providing effective dates.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** INTENT. Initiatives are inherently designed to benefit the citizens of Washington State. When the Legislature fails to provide legal and lawful safety standards for the citizens, the citizens have the legal recourse to address this legislative failure through the initiative process. Just as the elected Legislature has the right to create and pass laws, the citizens of Washington State also retain this right.

In order to prevent non-resident person, persons, and/or outside organizations and special interest groups to promote and fund initiatives that are not desired, nor supported by a grass roots effort by the legal residents and voters of Washington State, Washington State residents and registered voters demand the right to be the sole source in promoting, funding or seeking any citizen sponsored initiative.

Washington State residents and voters possess sufficient knowledge and expertise to know what's good for themselves without relying on outside entities promoting and buying new laws that benefit those same outside interests because said entities, public or private, have unlimited funding to essentially buy a new law that benefits those same outside entities yet provides no benefits to the states residents.

Therefore, to increase public safety for all Washingtonians, this measure would, among other things: Define who may fund a

citizens sponsored initiative, place limits on where funding for said initiatives may be derived from and the amount of funding by any single individual or entity. Define signature gatherers and provide for penalties on signature gathering.

NEW SECTION. **Sec. 2.** SHORT TITLE. This act may be known and cited as the public initiative act.

Sec. 3. REGISTERED VOTER AND RESIDENT DEFINED. A registered voter and lawful resident of Washington State shall meet one or more of the following requirements in order to be qualified to submit an initiative to the State under chapter 29A.72 RCW;

- 1) Maintains a residence in Washington for personal use
- 2) Lives in a motor home or vessel which is not permanently attached to any property if the person previously lived in this state and does not have a permanent residence in any other state
- 3) Is registered to vote in this state
- 4) Receives benefits under one of Washington's public assistance programs
- 5) Has a state professional or business license in this state
- 6) Is attending school in this state and paying tuition as a Washington resident
- 7) Uses a Washington address for federal or state taxes
- 8) Has a Washington State driver's license or Washington State identification card.

Sec. 4. CITIZEN SPONSORED INITIATIVES. Any Washington State legally registered voter or resident of Washington State, as defined under Sec. 3, may create an initiative and submit it to the proper agencies to be placed on the ballot as prescribed by laws under Chapter 29A.72 RCW; STATE INITIATIVE AND REFERENDUM

- 1) Any and all citizen sponsored initiatives must be sponsored by a current registered voter and resident in and of Washington State as defined per Sec. 3.

Sec. 5. DRAFTING OF ANY CITIZEN CREATED OR SPONSORED INITIATIVE.

Any Washington State legally registered voter and resident of Washington State, creating an initiative for submission to the State per chapter 29A.72 RCW, must be ~~created by~~ any of the following;

- 1) A Washington State registered voter
- 2) A lawful Washington State resident
- 3) Companies or LLC's that have a legal and lawful business presence in Washington State for the previous 5 years

- i. The company or LLC's must have filed and reported state taxes in the state for the same period of time.
- ii. The company or LLC's may not and shall not be a shell company.
- iii. The company or LLC's must be licensed to do business in the State of Washington and said license must be current.
- iv. The company or LLC's must be registered with the State of Washington.
- v. The company or LLC's must possess a UBI number.
- vi. The company must be able to show a profit for the past sequential four (4) years.
- vii. The company or LLC's must be insured to do business in the State of Washington and said insurance must be current.

Sec. 6. FUNDING OF INITIATIVES. Any and all funding of any Washington State initiative shall be only from Washington State registered voters, current residents and businesses that are properly licensed to conduct business in the State of Washington under Section 5 subsection 3, i. through v. only. No in state

political action committees, political parties, organization(s), out of state businesses, out of state political action committees, out of state political parties, out of state organizations may contribute any funds in any form or manner.

SEC. 7. Funding Limits

1) Any Washington State registered voter, current resident, and businesses that are properly and currently licensed to conduct business in the State of Washington under Section 5 subsection 3, i. through v. may contribute funds to an initiative in amounts not to exceed as described below for any single initiative.

- i. Each individual Washington State registered voter, or current resident, may contribute up to and including one-thousand dollars per initiative.
- ii. Each individual Washington State registered voter, or current resident, may contribute to different numbered initiatives for the same one-thousand dollars amount.
- iii. No Washington State registered voter, or current resident, may contribute more than once to any initiative in the year the initiative is on the ballot.
- iv. Each Washington State licensed business or LLC may contribute up to and including five-thousand dollars per initiative provided the business meets the defined conditions in Section 5 subsection 3, i. through vii.
- v. Each Washington State licensed business or LLC may contribute up to and including five-thousand dollars to different numbered initiatives for the same five-thousand dollars amount.
- vi. No Washington State licensed business or LLC may

contribute more than once to any initiative in the year the initiative is on the ballot.

SEC. 8. Signature Gathering and penalties

1) All initiative petitions must be presented to the public by a Washington State registered voter or current resident as defined under Section 3, 1 through 8.

2) Non-residents of Washington State are prohibited from gathering signatures, seeking or soliciting persons to sign initiative petitions.

i. It shall be a gross misdemeanor, punishable by a fine of not more than one thousand dollars, or by imprisonment in a county jail for not more than ninety days, or by both such fine and imprisonment is a misdemeanor for any non-resident signature gatherer attempting or actively seeking to get petitions signed under RCW 9.20.010, sec 2.

3) No initiative petition signature gatherers may be compensated in any manner or form.

i. It shall be a gross misdemeanor, punishable by a fine of not more than one thousand dollars, or by imprisonment in a county jail for not more than ninety days, or by both such fine and imprisonment is a misdemeanor under RCW 9.20.010, sec 2. for any initiative petition signature gatherer to accept any form of compensation.

ii. Any person, persons, companies and or LLC's offering to pay or compensate initiative petition signature gatherers shall be guilty of a class # felony (Find/insert class here and insert panalties under RCW)

DONE

Dan, change Sec 3(8) to "Driver's license or identification card." Lots of non-drivers out there... I'm one of 'em.

Sec 5 change:

Any Washington State legally registered voter and resident of Washington State, creating an initiative for submission to the State per chapter 29A.72 RCW, must be ~~created~~ by any of the following;

DONE but # 2 would never pass muster. #1 would probably only pass if the gatherer was a gross misdemeanor.

I would like to see another section on paid or otherwise compensated signature gathering which 1) makes such activity a felony for both the person gathering the signatures and the organizations and their honchos who pay for the activity with a penalty that includes mandatory prison time of at least a year, plus fines; and 2) immediately invalidates any initiative that uses paid gatherers for that voting cycle.

NEW SECTION. **Sec. 17.** This act takes effect July 1, 2020.

NEW SECTION. **Sec. 19.** If any provision of this act or its application to any person or circumstance is held invalid or preempted by federal law, the remainder of the act or the application of the provision to other persons or circumstances is not affected

