

Affidavit for Proposed Initiative

I, Tim D. Eyman, declare as follows:
print name as registered to vote

1. I am over 18 years of age and competent to testify.

2. I am a registered voter residing at:

11913 59th Ave W Mukilteo WA 98275
street address city zip code

Snohomish 425-493-9127
county (area code) telephone number

3. I herewith submit a proposed Initiative to the:

People

Legislature

in the form appended hereto regarding the subject of protect initiative process

4. I request that the Secretary of State transmit a copy of the proposed Initiative to the Office of the Code Reviser. If I submit a final version of the proposed Initiative to the Secretary of State, along with a Certificate of Review issued by the Office of the Code Reviser, I request that the Secretary of State assign the proposed Initiative a number, and transmit a copy to the Attorney General for a ballot title.

5. I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct and of my own knowledge, and that I executed this declaration at

Mukilteo, Washington, in the County of Snohomish this
city county

_____ day of _____, 20__.

Tim D. Eyman
signature

Note: The Office of the Secretary of State posts information regarding proposed Initiatives on the agency's website, including contact information for each sponsor. If you would like alternate contact information to be posted, please provide that information below. Please be aware that all information on this affidavit is public record and is subject to public disclosure.

PO Box 10250 Spokane WA 99228
address city state zip code

~~jakatak@comcast.net~~ 425-493-8707 425-493-1027
email (area code) telephone number (area code) fax number

jakatak@comcast.net



State of Washington
AFFIDAVIT FOR PROPOSED INITIATIVE

State of Washington

County of SPOKANE

} ss.

I, Leo J. FAGAN, am a registered voter residing at: Enter your name as recorded on your voter registration—Please Print

N. 7020 WALL ST SPOKANE, WA 99208
STREET ADDRESS OR RURAL ROUTE CITY, WASHINGTON ZIP CODE
SPOKANE 509-467-5467
COUNTY TELEPHONE NO. (NW AREA CODE)

I herewith submit a proposed Initiative to the (check one)

People

Legislature

in the form appended hereto regarding the subject of protect initiative process and request that the Secretary of State file same and assign an Initiative number, and do further request that the Attorney General supply a ballot title.

Leo J. Fagan
SIGNATURE OF SPONSOR

I certify that I know or have satisfactory evidence that Leo J. Fagan is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

June 20, 2009
DATED
Barbara Smith
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
Oct 4, 2010
MY APPOINTMENT EXPIRES

Note: The Secretary of State routinely publishes lists of proposed initiatives, including sponsor addresses and telephone numbers. Initiative sponsors may have alternative contact information published by providing the information in the space below. Please keep in mind that all information provided in this affidavit is public record and is subject to public disclosure.

P.O. Box 18250 SPOKANE 99228
ADDRESS CITY, WASHINGTON ZIP CODE

425-493-8707 509-467-4323 JAKATAK@COMCAST.NET
TELEPHONE NO. (NW AREA CODE) FAX NO. (NW AREA CODE) E-MAIL



State of Washington

AFFIDAVIT FOR PROPOSED INITIATIVE

State of Washington

County of SPOKANE

I, Michael J. Falan, am a registered voter residing at: Enter your name as recorded on your voter registration - Please Print

1523 E. DALTON AVE. SPOKANE, WA 99207
STREET ADDRESS OR RURAL ROUTE CITY, WASHINGTON ZIP CODE

SPOKANE 509-991-4765
COUNTY TELEPHONE NO. (W/ AREA CODE)

I herewith submit a proposed Initiative to the (check one)

People

Legislature

in the form appended hereto regarding the subject of Protect initiative process and request that the Secretary of State file same and assign an Initiative number, and do further request that the Attorney General supply a ballot title.

[Signature]
SIGNATURE OF SPONSOR

I certify that I know or have satisfactory evidence that Michael J. Falan is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

June 20, 2009 DATED
[Signature] NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
Oct 4, 2010 MY AFFIDAVIT EXPIRES

Note: The Secretary of State routinely publishes lists of proposed initiatives, including sponsor addresses and telephone numbers. Initiative sponsors may have alternative contact information published by providing the information in the space below. Please keep in mind that all information provided in this affidavit is public record and is subject to public disclosure.

P.O. Box 18250 SPOKANE 99228
ADDRESS CITY, WASHINGTON ZIP CODE

425-493-8707 509-467-4323 info@ARMANENT-OFFENSE.org
TELEPHONE NO. (W/ AREA CODE) FAX NO. (W/ AREA CODE) E-MAIL

AN ACT Relating to establishing protections for citizens exercising their First Amendment rights and participating in the ballot measure process; amending RCW 9A.84.030, 29A.72.170, and 29A.72.030; adding new sections to chapter 29A.72 RCW; creating new sections; and prescribing penalties.

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

POLICIES AND PURPOSES

NEW SECTION. **Sec. 1.** Citizens want to ensure their right to participate in the ballot measure process is protected. As guaranteed by the Washington state Constitution: "The first power reserved by the people is the initiative." The right of the people to petition and legislate through the initiative and referendum is a fundamental right protected by the Washington state Constitution. Citizens' participation in the legislative process by initiative and referendum has been subjected to hostility, interference, and threats of interference by private and governmental actions. Article I, section 4 of the Washington state Constitution and the First Amendment to the

United States Constitution recognizes the right of the people to petition the government. This act is intended to protect the rights provided by these constitutional provisions. This measure would establish protections for citizens exercising their First Amendment rights and participating in the ballot measure process. The people find that the people's right to participate in the ballot measure process needs to be protected.

**ESTABLISHING PROTECTIONS FOR CITIZENS
EXERCISING THEIR FIRST AMENDMENT
RIGHTS AND PARTICIPATING IN THE BALLOT MEASURE PROCESS**

NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.72 RCW to read as follows:

This section establishes protections for signature gathering. Interfering with signature gathering is illegal. Any person who is gathering signatures for an officially filed and processed initiative or referendum shall not have his or her right to petition infringed upon. Any person who is trying to sign a petition for an officially filed and processed initiative or referendum shall not have his or her right to sign a petition infringed upon. Any person who interferes with any person gathering signatures or interferes with any person trying to sign a petition is subject to the antiharassment procedures in chapter 10.14 RCW and civil penalties and is guilty of disorderly conduct under RCW 9A.84.030. For purposes of this section, "interfering with" includes, but is not limited to, pushing, shoving, touching, spitting, throwing objects, yelling, screaming, or being verbally abusive, or other tumultuous conduct, blocking or intimidating, or maintaining a presence within twenty-five feet of any person gathering signatures and any person trying to sign a petition. As the courts have consistently ruled, asking fellow citizens to sign a petition is core political speech, which is deserving of the highest levels of protection. Signature gathering for an officially filed and processed initiative or referendum shall be a legally protected

activity on public sidewalks and walkways, and all sidewalks and walkways that carry pedestrian traffic, and inside or outside public buildings such as public sports stadiums, convention/exhibition centers, and public fairs. Law enforcement must vigorously protect the rights of the people who want to sign initiative and referendum petitions, and people who collect voter signatures on initiative and referendum petitions, to ensure they are not inhibited or restricted in any way.

The people find that they must be able to safely, freely, and peacefully petition their government for change without fear of retaliation or intimidation. Without the right to petition and the right to sign petitions, there is no functioning initiative and referendum process. Maximum legal protections must be afforded persons gathering signatures and persons trying to sign petitions to protect them from interference, harassment, or threat. Maximum penalties must be imposed against persons who interfere with the constitutionally protected right to initiative and referendum.

Sec. 3. RCW 9A.84.030 and 2007 c 2 s 1 are each amended to read as follows:

(1) A person is guilty of disorderly conduct if the person:

(a) Uses abusive language and thereby intentionally creates a risk of assault;

(b) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;

(c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority; ((~~or~~))

(d)(i) Intentionally engages in fighting or in tumultuous conduct or makes unreasonable noise, within five hundred feet of:

(A) The location where a funeral or burial is being performed;

(B) A funeral home during the viewing of a deceased person;

(C) A funeral procession, if the person described in this subsection (1)(d) knows that the funeral procession is taking place;
or

(D) A building in which a funeral or memorial service is being conducted; and

(ii) Knows that the activity adversely affects the funeral, burial, viewing, funeral procession, or memorial service; or

(e) Interferes with a person collecting signatures or signing any initiative or referendum petition by pushing, shoving, touching, spitting, throwing objects, yelling, screaming, being verbally abusive, blocking or intimidating, or other tumultuous conduct, or maintaining an intimidating presence within twenty-five feet of any person gathering signatures or any person trying to sign any initiative or referendum petition.

(2) Disorderly conduct is a misdemeanor.

Sec. 4. RCW 29A.72.170 and 2003 c 111 s 1818 are each amended to read as follows:

The secretary of state may refuse to file any initiative or referendum petition being submitted only upon any of the following grounds:

(1) That the petition does not contain the information required by RCW 29A.72.110, 29A.72.120, or 29A.72.130.

(2) That the petition clearly bears insufficient signatures.

(3) That the time within which the petition may be filed has expired.

In case of such refusal, the secretary of state shall endorse on the petition the word "submitted" and the date, and retain the petition pending appeal.

If none of the grounds for refusal exists, the secretary of state must accept and file the petition.

Concerning individual voter signatures on an initiative or referendum petition, the secretary of state must accept and may not reject a valid voter signature as long as the requirements in subsections (1), (2), and (3) of this section are fulfilled. Actions or inactions by the person who gathered a voter's signature can never be used as a reason to reject a valid voter signature on a petition or to reject a petition. For purposes of this section, "valid voter signature" means

a voter's signature on an initiative or referendum petition sheet which matches, using the signature verification standard under WAC 434-379-020, the signature on file in the voter registration records. The people find that the secretary of state's policy, maintained for the past ninety years, to always count a valid voter signature is essential to ensure that voters are not disenfranchised and their right to petition, signature, and/or vote is not taken away from them.

NEW SECTION. **Sec. 5.** A new section is added to chapter 29A.72 RCW to read as follows:

To ensure the safety of individuals who collect signatures for initiatives and referenda and to protect them from, and make them less susceptible to, intimidation, retaliation, or harassment, such persons can never be required by any governmental entity to put their name, address, city, state, zip code, phone number, email address, or any other identification on the petition. Additionally, no governmental entity may register or require a license of any person or entity which collects signatures or coordinates the collection of signatures for any initiative or referendum. The people find that the voters are the ones who determine whether an initiative or referendum qualifies for the ballot and takes effect. The sponsor of the initiative or referendum or any person gathering signatures for an initiative or referendum is liable for his or her own actions but not those of others. Without people willing to ask voters to sign petitions, the initiative and referendum process does not function. The people find that any person who gathers signatures for an initiative or referendum deserves maximum legal protection to guarantee the initiative and referendum process is preserved. Requiring people who gather signatures to publicly identify themselves allows opponents of the initiative or referendum to abuse, harass, intimidate, and threaten them. The people find that the people's constitutional right to peacefully petition our government for change is essential to ensure the protection of the initiative and referendum process.

To ensure the safety of individuals who put their names, signatures, and addresses on petitions for initiatives and referenda

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and to protect them from, and make them less susceptible to, intimidation, retaliation, harassment, and identity theft, such persons' names, signatures, and addresses shall be redacted before any petition is the subject of a public documents request. Without people willing to sign petitions, the initiative and referendum process does not function. The people find that any person who signs an initiative or referendum deserves maximum legal protection to guarantee the initiative and referendum process is preserved. Requiring people who sign petitions to publicly identify themselves allows opponents of the initiative or referendum to abuse, harass, intimidate, and threaten them. The people find that the people's constitutional right to peacefully petition our government for change is essential to ensure the protection of the initiative and referendum process.

Sec. 6. RCW 29A.72.030 and 2003 c 111 s 1804 are each amended to read as follows:

Initiative measures proposed to be submitted to the people must be filed with the secretary of state within (~~ten~~) sixteen months prior to the election at which they are to be submitted, and the signature petitions must be filed with the secretary of state not less than four months before the next general statewide election.

Initiative measures proposed to be submitted to the legislature must be filed with the secretary of state within (~~ten~~) sixteen months prior to the next regular session of the legislature at which they are to be submitted, and the signature petitions must be filed with the secretary of state not less than ten days before such regular session of the legislature.

A referendum measure petition ordering that any act or part of an act passed by the legislature be referred to the people must be filed with the secretary of state within ninety days after the final adjournment of the legislative session at which the act was passed. It may be submitted at the next general statewide election or at a special election ordered by the legislature.

A proposed initiative or referendum measure may be filed no earlier than the opening of the secretary of state's office for
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business pursuant to RCW 42.04.060 on the first day filings are permitted, and any initiative or referendum petition must be filed not later than the close of business on the last business day in the specified period for submission of signatures. (~~If a filing deadline falls on a Saturday, the office of the secretary of state must be open for the transaction of business under this section from 8:00 a.m. to 5:00 p.m. on that Saturday.~~)

Opponents of ballot measures will sometimes try to interfere with the signature gathering process in the final months of the campaign, taking advantage of the limited time for the collection of signatures.

The people find that allowing more time for citizens to participate in the signature gathering process will deter such despicable tactics.

NEW SECTION. **Sec. 7.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. **Sec. 8.** This act shall be self-executing. If any part or parts of this act are found to be in conflict with federal law, the United States Constitution, or the Washington state Constitution, this act shall be implemented to the maximum extent that federal law, the United States Constitution, and the Washington state Constitution permit. Any provision held invalid shall be severable from the remaining portions of this act.

NEW SECTION. **Sec. 9.** This act shall be known and cited as the Protect the Initiative Process.