

FORMATTING NOTE:

In initiatives, legislative bills and other proposed measures, language that is to be deleted from current statutes is represented by a "strikethrough" character and language that is to be added is underlined. Because these special characters cannot be formatted in all Internet browsers, a different set of symbols is used for presenting these proposals on-line. The symbols are as follows:

- Text that is surrounded by (({- text here -})) is text that will be DELETED FROM the existing statute if the proposed measure is approved.
- Text that is surrounded by {+ text here +} is text that will be ADDED TO the existing statute if the proposed measure is approved.
- {+ NEW SECTION+} (found at the beginning of a section or paragraph) indicates that ALL of the text in that section will become law if the proposed measure is approved.

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INITIATIVE 665

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 665 to the People is a true and correct copy as it was received by this office.

{+ Initiative Measure #665 +}

Ballot title: (proposed)

"Must all governments give understandable full disclosure of the law including the constitutional authority upon request?"

Ballot Measure Summary: (proposed)

This measure would: require understandable full disclosure of the law when questioned; require disclosure of government documents needing a signature; and require disclosure and proof of constitutional authority for an imposition of law.

{+ "L A W D I S C L O S U R E A C T" +}

AN ACT Requiring full disclosure of the law by governments operating or having authority within this state; adding a new chapter to Title 1 RCW.

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

{+ NEW SECTION. +} Sec. 1. DIRECTIVES BY THE PEOPLE. We the people of Washington state, in whom all authority over government remains, issue this directive to all governments operating within the borders of this state.

{+ NEW SECTION. +} Sec. 2. DIRECTIVE PURPOSE. Governments previously had little duty to inform, disclose the law and make the disclosure understandable. This directive creates that duty. People have a right to know the law and get questions answered about the law by governments who enforce them. All governments operating or having

authority within this state will be required to provide understandable full disclosure of the law and the application of the law upon request. The answers provided will be available for all to read and will be organized and digested into a disclosure of the law.

Also, when a government document is presented to individuals for signing, a list and brief description of all chapters of law relating to that document will be provided.

To clarify, this directive will apply to all government laws also including those that operate through businesses and agencies. "Law" is defined in section 9(1). See also section 10 for additional intent and purpose.

{+ NEW SECTION. +} Sec. 3. REQUESTS ABOUT THE LAW AND CHAPTER DISCLOSURES.

(1) When a request for clarification of a law is made in writing, at least a verbal answer shall be provided. If the question is not already answered in the chapter disclosure:

- (a) A written reply is required;
- (b) The clarification must be added to the chapter disclosure;
- (c) An index and factual record of all written requests must be maintained by subject and be available to the public.

(2) Information about a legal challenge to any law or chapter of law must be included in an index and factual record maintained by subject and be available to the public. Final determinations or decisions by a hearings officer or judge that are supplemental clarifications of the law must be added to chapter disclosures. "Chapter of law" is defined in section 9(3).

(3) The first clarification of a chapter of law will be the first entry in a chapter disclosure. When twenty or more clarifications are added to a chapter disclosure, the information of the clarifications must be included in a narrative digest to become the new chapter disclosure. The senior law official as designated by each governmental entity will be accountable for the organization, understandability, accuracy and completeness of that digest and may add additional clarification related to section 4 of this directive. If the chapter disclosure is not accurate, a legal demand can be made in the superior court for correction or more clarification.

(4) Chapter disclosures that are separate documents from the chapter of law must be readily available to the public for review in printed form and for purchase at the cost of reproduction. If chapter disclosure information exists in digital form, it must be made available in digital form at the cost of reproduction. New editions of a chapter of law must contain a note on the existence of a chapter disclosure.

(5) Requests for clarification of laws of governmental entities foreign to this state but operating or having authority within the borders of this state must be made through the Secretary of State. The Secretary of State will be responsible for this directive as it relates to those governmental entities except that the Attorney General is hereby designated the senior law official being accountable for the digest of subsection 3.

(6) The clarifications and chapter disclosures under this section may be used as a defense against a contrary imposition of law.

{+ NEW SECTION. +} Sec. 4. UNDERSTANDABLE FULL DISCLOSURE. A fully disclosed chapter of law must:

- (1) Include the intent of every aspect of the law; include the intent of changes and deletions;

(2) disclose the constitutional authority for any imposition and show precisely why and under what conditions it is valid for all those who will be expected to obey; disclose the individual rights being protected. See section 10 for more information.

(3) disclose benefits including but not limited to all privileges, immunities, licenses, services, support, subsidies, assistance, grants, products;

(4) disclose the terms including but not limited to all real and implied contracts, obligations, conditions, duties, responsibilities, restrictions, regulations, liabilities, taxation, fees, costs imposed, penalties for non-compliance;

(5) disclose presumptions and assumptions and the steps for corrections;

(6) disclose precisely to whom benefits would be applicable and upon whom and under what conditions terms would be imposed;

(7) disclose the procedures for enforcement;

(8) be written in simple language using common words and be organized to be understandable at a 10th grade reading level;

(9) highlight or flag any word or phrase that has an uncommon meaning as used in the context of the disclosure. The specific legal meaning must be included in an attached glossary.

{+ NEW SECTION. +} Sec. 5. SIGNED GOVERNMENT DOCUMENTS. All noncommercial government documents for which a signature is required including but not limited to applications for licenses, permits or benefits must have disclosure. The minimum disclosure before signing will be a list and description of all chapters of law that relate to the document.

{+ NEW SECTION. +} Sec. 6. GOVERNMENT ENFORCEMENT RESTRICTION -- EXCEPTIONS. Government enforcement of a law upon an individual will be temporarily suspended under the following conditions:

(1) A written request for clarification of a law has been made;

(2) The question is not already clearly answered in the law or the chapter disclosure;

(3) It is a noncriminal matter.

Enforcement may resume 5 business days after the answer is mailed.

{+ NEW SECTION. +} Sec. 7. THE CONSTITUTIONAL APPLICATION OF LAW. If questioned, the constitutionality of an application of law cannot be presumed and must be disclosed. If legally challenged, the constitutionality of the application of law must be proved without any question or doubt by those imposing the law. For the purposes of this section, hearings and trials are types of legal challenges.

{+ NEW SECTION. +} Sec. 8. COURT CHALLENGES TO THIS DIRECTIVE. If any provision of this directive or it's application to any circumstance or dimension of government is found invalid, this directive's application to all other circumstances and dimensions is not affected. If any sentence or phrase of this directive is ever ruled unconstitutional, only that specific sentence or phrase can be declared invalid. All sentences and phrases not ruled unconstitutional will remain valid and carry with it the original intent of the whole directive.

{+ NEW SECTION. +} Sec. 9. GLOSSARY DEFINITIONS. The following are definitions that apply to this act:

(1) The word "law" means all law, both current and future, or that

which is enforced as law by all governments and governmental entities and also government impositions that are enforced through business.

(2) "Governmental entity" includes but is not limited to branches, subdivisions, districts, agencies, cities and municipal corporations.

(3) "Chapters of law" is meant to be subjects, topics and law areas. If, in a government entity, a law area is not grouped by the word "chapters" or if their word "chapter" is too fine of a breakdown for understandable full disclosure, their law can be regrouped into definable full disclosure areas.

{+ NEW SECTION. +} Sec. 10. This section shall be considered additional intent and purpose.

EPILOGUE. Government power is not magic. Any law without constitutional authority is void whether applied directly to an individual or indirectly through a business. We the people are we the neighbors. The authority of government can be no greater than that granted by the neighbors. The neighbors cannot grant authority that they in fact do not possess.

The following are some questions that have been asked about government power and authority: Is it because of a threat or cause of harm to others? Is it because of something related to a signed document? Is it because of a prohibited activity? Is it because of a business activity? Is it because of some type of nuisance that is real, imagined, or just arbitrarily declared? Is it because of some clause in a federal treaty with another country? Is it because of some type of emergency that is real, imagined, or just arbitrarily declared? Is it because of some innocent claim of a status such as residency, employment, marriage and the like? Is it because of some assumption or presumption? Is it because of some little understood voluntary agreement? Is it because of an involuntary agreement? Is it because of imposed benefits or terms? Is it valid authority? Is just a request being made or do threats, intimidation, and duress have valid authority that can lead to the use of force?

When the constitutional authority for an imposition on an individual is very general such as police power, clear and present danger, temporary national or state emergency, compelling state interest, and the like, the individual rights of the others that are being protected must also be detailed for the disclosure to be complete. See also RCW 42.17.251 to .260 for public records disclosure statutes.

{+ NEW SECTION. +} Sec. 11. Captions as used in this act do not constitute any part of the law.

{+ NEW SECTION. +} Sec. 12. This directive may be known and cited as the law disclosure act.

{+ NEW SECTION. +} Sec. 13. Sections 1 through 10 of this act shall constitute the new chapter 1.99 in Title 1 RCW.

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