# VOTERS' PAMPHLET

WASHINGTON STATE ELECTIONS

**GENERAL ELECTION**
**November 8**

## LOOK FOR YOUR BALLOT

BY OCTOBER 25

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**2016**

PUBLISHED BY THE OFFICE OF THE SECRETARY OF STATE

# A message from Assistant Secretary of State Mark Neary

On behalf of the Office of the Secretary of State, I'm pleased to present the 2016 General Election Voters' Pamphlet! We offer this comprehensive guide as a reference tool to help you find information on the candidates and statewide measures which appear on your ballot, as well as supplemental information required for the initiative and referendum process, which continues to play a popular role in our state's democracy.

This presidential-election year offers the opportunity for you and other voters in Washington to have a direct say in our government at the local, state and federal level, including who will be elected as our nation's next President. Please remember that to have your voice heard, you must be registered to vote with your county elections office by Monday, October 31, 2016. You can verify your registration status at www.myvote.wa.gov. For additional information, at vote.wa.gov, you will find a Video Voters' Guide that our office produced in partnership with TVW. And for up-to-the-minute election results on all the state races and ballot measures, download the Secretary of State Elections Results app.

The 2016 General Election includes many important and exciting races. In addition to President, a U.S. Senate race, all 10 of Washington's congressional seats, our nine statewide offices, three Supreme Court races, and other local judicial positions are on the ballot. In the State Legislature, all 98 seats in the House of Representatives and 26 of the 49 seats in the Senate are also up for election. Statewide ballot measures and local issues and races await your decision.

Once you have completed your ballot, it can be mailed or taken to a drop box (visit www.myvote.wa.gov to find a box near you). For those of you with mobile devices text ***Vote*** to GoVote (468-683) to find your closest voting center or drop box. Please remember that **all ballots must either be postmarked no later than November 8, 2016 or placed in a county elections drop box by 8 p.m. on November 8, 2016.**

Mark Neary
Assistant Secretary of State

November 8, 2016 General Election

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### Political parties

**Washington State Democrats**

PO Box 4027
Seattle, WA 98194
(206) 583-0664
info@wa-democrats.org
www.wa-democrats.org

**Washington State Republican Party**

11811 NE 1st St, Ste A306
Bellevue, WA 98005
(425) 460-0570
susan@wsrp.org
www.wsrp.org

### Who donates to campaigns?

View financial contributors for candidates and measures:

**Public Disclosure Commission**

www.pdc.wa.gov
Toll Free (877) 601-2828

# Voting in Washington State

## Qualifications

You must be at least 18 years old, a U.S. citizen, a resident of Washington State, and not under Department of Corrections supervision for a Washington State felony conviction.

## Register to vote & update your address

The deadline to update your voting address has passed. Contact your *former* county elections department to request a ballot at your new address.

**New voters** may register in person until October 31 at your county elections department.

**Military voters** are exempt from voter registration deadlines.

# Cast Your Ballot

1. Your ballot will be mailed to the address you provide in your voter registration.

2. Vote your ballot and sign your return envelope.

3. Return it by mail or to an official ballot drop box by **8 p.m.** on November 8.

## Where is my ballot?

Your ballot will be mailed by October 21.

If you need a replacement ballot, contact your county elections department listed at the end of this pamphlet.

**View**

## Election Results

**VOTE.WA.GOV**

**or get the mobile app**

*WA State Election Results*

# The Ballot Measure Process

## The Initiative

Any voter may propose an initiative to create a new state law or change an existing law.

**Initiatives to the People**
are proposed laws submitted directly to voters.

**Initiatives to the Legislature**
are proposed laws submitted to the Legislature.

## The Referendum

Any voter may demand that a law proposed by the Legislature be referred to voters before taking effect.

**Referendum Bills**
are proposed laws the Legislature has referred to voters.

**Referendum Measures**
are laws recently passed by the Legislature that voters have demanded be referred to the ballot.

## Laws by the People

Before an **Initiative to the People** or an **Initiative to the Legislature** can appear on the ballot, the sponsor must collect...

**246,372**
**VOTERS' SIGNATURES**

8% of all votes in the last Governor's race

Before a **Referendum Measure** can appear on the ballot, the sponsor must collect...

**123,186**
**VOTERS' SIGNATURES**

4% of all votes in the last Governor's race

**Initiatives & Referenda**
**BECOME LAW**
**with a simple**
**MAJORITY VOTE**

Initiative Measure No.

# 1433

Initiative Measure No. 1433 concerns labor standards.

This measure would increase the state minimum wage to $11.00 in 2017, $11.50 in 2018, $12.00 in 2019, and $13.50 in 2020, require employers to provide paid sick leave, and adopt related laws.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

# Explanatory Statement

Written by the Office of the Attorney General

## The Law as it Presently Exists

Washington's minimum wage for employees who are at least 18 years old is $9.47 per hour for 2016. For employees under 18 years old, the Washington Department of Labor and Industries sets the minimum wage. The Department has determined that workers who are 16 or 17 years old must receive the adult minimum wage. Workers who are under 16 years old may be paid 85% of the adult minimum wage, which for 2016 is $8.05 per hour. Employers must pay overtime wages of at least one and one-half an employee's regular rate of pay for hours worked in excess of 40 hours in a 7-day work week. Employers cannot use tips as credit toward minimum wages owed to a worker.

Some cities have adopted local laws that require a higher minimum wage within those cities. Where a higher local minimum wage applies, the employer must pay the higher minimum wage. If a federal or local law sets a lower minimum wage than the one required by state law, the higher state minimum wage is the one that applies.

The Department of Labor and Industries calculates a cost of living adjustment to the state minimum wage every fall, and the new rate takes effect the following January 1. The Department calculates the minimum wage increase according to the rate of inflation.

Most workers must be paid at least the minimum wage for all hours worked. But some workers are not currently covered by the state Minimum Wage Act. For example, people who are working as independent contractors, casual laborers, certain "white collar" professionals, and volunteers for qualified organizations are not covered.

There are currently no state laws that require an employer to provide paid sick leave. But some cities have passed local laws that require employers to provide paid sick leave. Absent a local law requiring it, paid sick leave is considered a benefit that an employer may choose to provide under an agreement or policy.

Under Washington's Family Care Act, if an employer offers paid leave, their employees can use earned paid leave to care for a sick family member. Covered family members include children, parents, spouses, registered domestic partners, parents-in-law, and grandparents.

In addition, there are federal and state laws that govern when a worker can take unpaid leave. The federal Family Medical Leave Act and the state Family Leave Act currently permit some workers to take up to 12 weeks of unpaid leave and still keep their jobs. To qualify, the worker must have worked at least 12 months for the employer for a total of at least 1,250 hours, and the employer must have 50 or more employees. The unpaid leave can be used to recover from the worker's own serious illness, to care for a child, spouse, or parent with a serious health condition, or to care for a newborn child, newly adopted child, or foster child.

Under Washington's domestic violence leave law, victims of domestic violence, sexual assault, or stalking and their family members can also take reasonable leave to take care of legal or law enforcement needs, to seek treatment, to obtain services, to relocate, or to take other action to ensure the victim's safety. The law does not require that domestic violence leave be paid leave, but an employee may choose to use paid leave if he or she has it.

The Department of Labor and Industries enforces Washington's Minimum Wage Act and state leave laws and adopts rules related to these laws.

## The Effect of the Proposed Measure if Approved

Initiative 1433 would increase the hourly minimum wage incrementally over four years and require employers to provide paid sick leave. The measure would also adopt related laws about earning and using paid sick leave.

Initiative 1433 would increase the hourly minimum wage for employees who are at least 18 years old to $11.00 on January 1, 2017; $11.50 on January 1, 2018; $12.00 on January 1, 2019; and $13.50 on January 1, 2020. The Department of Labor and Industries must still set the minimum wage for employees under 18 years old. Beginning on January 1, 2021, the minimum wage rate would again be adjusted each year according to the rate of inflation. If a local law requires a higher minimum wage within a city, the local minimum wage would apply.

Beginning on January 1, 2018, employers would be required to provide paid sick leave to employees covered by the Minimum Wage Act. Employers would be required to pay sick leave at the employee's pay rate or at the new minimum wage, whichever is higher. An employee would get at least one hour of paid sick leave for every 40 hours worked, but employers could provide more generous paid leave. The measure would require employers to allow use of paid sick leave after 90 days of employment. Sick leave could be used to meet an employee's own medical needs or to care for a family member's medical needs. Family members would include: a spouse or registered domestic partner; a child; a parent, step-parent, or legal guardian; a grandparent; a grandchild; and a brother or sister. Paid sick leave could also be used when the employee's place of business or their child's school or childcare is ordered to be closed for a health related reason. Paid sick leave could be used for domestic violence leave.

An employer could require employees to give reasonable notice when they want to take paid sick leave. Where an absence from work will last longer than three days, employers could also require verification that the employee is taking leave for an authorized purpose. An employer could not require an employee to search for or find a replacement worker in order to be able to take paid sick leave.

Employers would be required to provide their employees with regular notice about the amount of paid sick leave they have earned. Up to 40 hours of sick leave could be carried over to the following year, and employers could allow more carryover if they wish. Employers would not have to pay employees for their unused sick leave when the employee leaves. Where an employee leaves a job and is rehired by the same employer within one year, previously earned sick leave would have to be reinstated.

The measure would make the state Minimum Wage Act, including its minimum wage, overtime, and new paid sick leave requirements, expressly apply to people who contract with the Department of Social and Health Services to provide care to disabled people under certain programs. But the measure does not otherwise expand the state Minimum Wage Act to make it apply to other workers who are not currently covered.

Employers would not be allowed to discriminate or retaliate against an employee or impose discipline against an employee for proper use of paid sick leave. An employee could not agree to receive less than what he or she is entitled to under the initiative. The Department of Labor and Industries would enforce the new law and would have to adopt rules for implementing and enforcing it.

# Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

## Summary

Initiative 1433 would increase state revenues, and state and local government expenditures, during the next six fiscal years. State revenues would increase due to employers making Unemployment Insurance Trust Fund tax payments on higher wages. State General Fund expenditures would decrease in the first four fiscal years, but increase in the fifth and sixth fiscal years. Expenditures from all other funds would increase in each fiscal year. Increases exceed any decreases in State General Fund spending resulting from the initiative. Local school district expenditures would increase. Other local government expenditure impacts cannot be estimated.

## General Assumptions

- The initiative's effective date is January 1, 2017. However, the paid sick leave requirement becomes effective on January 1, 2018.
- Unless otherwise noted, estimates use the state's fiscal year of July 1 through June 30. For example, fiscal year (FY) 2018 is July 1, 2017, through June 30, 2018.
- Federal funds reported in this statement are only those that are included in the state budget.
- A calendar year (CY) is January 1 through December 31.
- A school year is September 1 through June 30.
- One full-time equivalent (FTE) employee equates to 2,080 hours of work for one calendar year.
- Three cities have enacted a higher minimum wage ordinance than is reflected in Initiative 1433 (I-1433). This fiscal impact statement does not address impacts of those ordinances.
- The cost of increases in the minimum wage is calculated based on the minimum wage rates set in I-1433, less the projected cost of increases in the current state minimum wage law. The Office of Financial Management projection of the minimum wage under current law is shown below, together with the required and projected amounts under I-1433.

| Date | Projected Hourly Rate Under Current Law | Hourly Rate Under I-1433 |
|---|---|---|
| January 1, 2017 | $9.55 | $11.00 |
| January 1, 2018 | $9.77 | $11.50 |
| January 1, 2019 | $10.02 | $12.00 |
| January 1, 2020 | $10.28 | $13.50 |
| January 1, 2021 | $10.56 | $13.86 |
| January 1, 2022 | $10.83 | $14.23 |

- The inflation projection for FY 2021 is assumed at 2.7 percent and for FY 2022 is assumed at 2.6 percent.

## State Revenue Assumptions

The Employment Security Department (ESD) collects taxes from employers for the Unemployment Insurance (UI) Trust Fund.

## State Revenue

Increasing the minimum wage expands the taxable wage base for many employers. This makes more wages subject to the UI Trust Fund tax. Table 1 provides fiscal year estimates of additional UI Trust Fund tax collections.

(See Table 1 on page 13)

## State Expenditure Assumptions

- No expenditure impact is assumed for agency employees covered under a current collective bargaining agreement that provides wages and benefits that exceed the initiative requirements.
- State agencies and local governments purchase goods and services through vendor contracts managed by the Department of Enterprise Services. If higher costs resulting from the initiative are passed onto the state, vendors would likely increase the cost of purchasing goods and services, but the amount of the increase cannot be estimated.
- Expenditures from the State General Fund may be used for any government purpose such as education; social, health and environmental services; and other general government activities.

## State Expenditures

I-1433 affects multiple state agencies and institutions of higher education. Impacts by agency for the minimum wage increase and paid sick leave requirements are summarized in Table 2. Additional detail and assumptions for each agency's estimated expenditures are explained under each agency heading.

(See Table 2 on page 13)

## Department of Labor and Industries

The Department of Labor and Industries (L&I) is required to adopt and implement rules to carry out and enforce I-1433. L&I will need an estimated 17.8 FTEs for such activities as investigating complaints for minimum wage and sick leave violations, as well as for retaliation and discrimination claims; conducting outreach and communication of new requirements to employers; programming information technology; and rule making.

Table 3 provides estimated FTEs and expenditures for L&I implementation costs.

(See Table 3 on page 14)

## Department of Social and Health Services

I-1433 impacts multiple programs at the Department of Social and Health Services (DSHS). Impacts are displayed by program. To administer and operate these programs, state expenditures are often matched with federal dollars so both state and federal expenditure impacts are displayed, where applicable. For purposes of the fiscal impact statement, only state expenditure impacts are considered in the totals in Table 2 and in the fiscal impact summary in Table 4.

The department contracts with a number of vendors who provide services to children for child care and behavioral rehabilitation; to individuals in nursing homes requiring care; to individuals who need long-term care; and to adults requiring assistance with personal care at home, among others. These include vendors who provide direct care to clients living in the community in a variety of settings. Many vendor contracts are paid on a performance-based deliverable basis or on an agreed-upon rate for a unit of service.

Table 4 summarizes impacts of I-1433 across all DSHS programs.

(See Table 4 on page 14)

## Economic Services Administration (DSHS)

I-1433 would result in fiscal impact to the Basic Food program and the Temporary Assistance for Needy Families (TANF) program. The Basic Food program (formerly known as food stamps) provides low-income individuals and families with food benefits. Approximately 2 percent of the Basic Food program funding is State General Fund, while the remaining 98 percent is federal funds. The TANF program provides temporary cash assistance for low-income families. Approximately 50 percent of the TANF program funding is State General Fund.

When an individual's or family's income increases, the benefit amounts may be reduced, applications for benefits may be denied and/or current recipients may be terminated from the program. Caseload impacts and cost savings are estimated using actual caseload counts and wage income data from December 2015. Tables 5 and 6 summarize the impacts of I-1433 by program.

(See Tables 5 and Table 6 on page 14)

## Developmental Disabilities Administration and Aging and Long-Term Care Administration (DSHS)

The Home and Community Services division in the Long-Term Care Administration develops and pays for long-term care services for persons with disabilities and the elderly, with priority given to low-income individuals and families. Under the 2015–17 collective bargaining agree-

ment with Service Employees International Union Healthcare 775NW, wages range from $12.00/hour to $15.65/hour for services from a contracted individual provider for children and adults assessed by DSHS and found eligible for Medicaid personal care. With respect to the wage differences provided in the initiative, the current collective bargaining agreement for SEIU Healthcare 775NW already meets or exceeds the amount required through 2019, as well as for Medicaid contracted home care agencies. Thus, there would be no fiscal impact for individual providers from FY 2017 through FY 2019.

Table 7 displays projected impacts after FY 2019 for individual providers.

(See Table 7 on page 14)

### Health Care Authority

I-1433 affects multiple Health Care Authority (HCA) programs. Table 8 provides a summary of all expected program impacts. These impacts are due to fewer people being eligible for benefits. Each program is explained in further detail that follows.

(See Table 8 on page 15)

HCA estimated the total impact to the affected Medicaid populations using the budgeted state fiscal year per-capita rate multiplied by the affected population change for each fiscal year. Per-capita rates are calculated twice a year. It is likely this estimate will change with adjustments to the Medicaid forecasted per-capita rates. Additionally, the FY 2017 per-capita rate does not assume any changes in caseload mix, inflation or other factors. Table 9 displays the HCA estimated impacts on all Medicaid programs. These impacts are due to fewer people being eligible for benefits. (Table 9 is a subset of Table 8.)

(See Table 9 on page 15)

### Family Medical Adults (HCA)

This program provides health care to adult caretakers with a modified adjusted gross income (MAGI) eligibility threshold of 54 percent of the federal poverty level (FPL). Increasing the state minimum wage may cause some clients now covered by this program to lose eligibility and then become eligible for the Newly Eligible Adult Group. Increasing the state minimum wage may also cause current clients to exceed the income eligibility limits and thus become eligible for non-Apple Health coverage through the Health Benefit Exchange. This would likely result in savings for the HCA. However, the full impacts will not be realized until 2019, when the minimum wage reaches $12.00 per hour. Any changes in the FPL and eligibility requirements could change the impact to HCA and the Medicaid program. Table 10 displays the impacts of the minimum wage on Family Medical expenditures.

(See Table 10 on page 15)

### Newly Eligible Adult Group (HCA)

This program provides health care to adults under the Affordable Care Act with income up to 138 percent of the FPL. Services for this population are largely federally funded, and any changes in population size will have a limited effect on state funds due to the small change in the federal match rate. The federal match is anticipated to change incrementally starting in 2017 until it reaches 90 percent in 2020. Any changes in the FPL and eligibility requirements could change the impact to the HCA and the Medicaid program. Table 11 shows the impact of the minimum wage increase on the Newly Eligible Adult population.

(See Table 11 on page 15)

### Various children's programs (HCA)

Children become ineligible for Medicaid above 312 percent FPL under MAGI limits. Families at that income range are less likely to be affected by a change in the minimum wage until 2020, when the wage reaches $13.50 per hour. Table 12 shows the impact of the minimum wage increase on children's programs.

(See Table 12 on page 15)

### Department of Early Learning

The Department of Early Learning contracts with a number of vendors to provide child care, preschool and early learning services directly to children and families. Many vendor contracts are paid on a performance-based deliverable basis or on an agreed-upon rate for a unit of service. In conjunction with state funds, many vendors receive federal funding and private funding to operate their full scope of business. Therefore, the potential impact for these vendor contracts and rates cannot be estimated.

### Institutions of Higher Education

The state higher education system comprises the baccalaureate sector (four-year institutions) and the community and technical college system (two-year schools). The baccalaureate sector is the University of Washington, Washington State University, Central Washington University, Eastern Washington University, The Evergreen State College and Western Washington University. The community and technical college sector is 34 colleges located across the state.

The vast majority of classified and professional employees working for four-year institutions are already earning wage and benefit levels above those required in I-1433.

Employees who would be affected by the initiative are primarily students, and temporary seasonal and hourly employees. At the University of Washington, 12 percent of employees potentially affected work in the University of Washington Medicine system.

### Higher Education Assumptions

For employees in institutions of higher education, the following assumptions are built into the expenditure estimates:

- Wage estimates include the increased cost of employee benefits (such as employer contributions for Social Security) that are based on pay.
- Cost estimates were calculated by the baccalaureate institutions and by the State Board for Community and Technical Colleges, each on its own behalf.
- Higher education employees generally earn eight hours of sick leave per month. They do not, however, accrue that leave based on each 40 hours of work.
- Sick leave estimates include only those positions that must be backfilled with a substitute worker when someone is absent from work. Most positions that would be affected by the initiative do not need to be backfilled when those employees are sick.

To implement I-1433, most four-year institutions would have some administrative costs, primarily for staff to track employee leave under the initiative's requirements. Table 13 provides cost estimates and FTEs by fiscal year.

(See Table 13 on page 15)

The costs of the minimum wage and sick leave backfill are displayed in Table 14.

(See Table 14 on page 16)

### K-12 education

The state allocates funding to school districts through formula-driven staff units and salaries, as defined in RCW 28A.150.260 and the omnibus appropriations act. I-1433 does not change the prototypical school staff ratios.

The current hourly salary allocation for certificated instructional staff is $24.79, for certificated administrative staff is $29.23 and for classified staff is $16.06. These allocations will continue to exceed the minimum hourly wages identified in I-1433.

Salary allocations for certificated instructional staff are for a full-time school year. Salary allocations for administrative and classified staff are for a full-time calendar year. The funding is for allocation purposes and is not adjusted based on actual days worked or number of days sick. Therefore, no change is expected in allocations to school districts related to the change in minimum wage or sick leave entitlement under the initiative.

### Employment Security Department

I-1433 will increase the average annual wage calculated by the Employment Security Department, per state law. As a result, minimum and maximum weekly unemployment benefit amounts will increase, meaning unemployment claimants could receive a higher weekly benefit amount.

Table 15 provides fiscal year estimates of increased benefits payments to claimants.

(See Table 15 on page 16)

The combination of additional taxes and benefit payments results in an overall impact to the UI Trust Fund. Note there is a four-year lag between collection of UI taxes from employers and benefit payments. The tax is based on a four-year experience rating factor (e.g., 2020 tax rates for employers are based on benefit charges between 2015 and 2019). However, the benefit payments are paid immediately. Also, when there is a change in the number of employers paying UI taxes into the Trust Fund, the cost of benefit payments is spread among all paying employers (called the social cost factor). The combination of the lag between taxes and benefit payment as well as the social cost factor leads to a net impact to the UI Trust Fund.

Table 16 provides the total fiscal year impact to the UI Trust Fund from the change in minimum wage.

(See Table 16 on page 16)

### State employee compensation

The state will incur costs for implementing the change to minimum wage, including increasing pay for those earning less than the minimum wage and the higher cost of employee benefits (such as employer contributions for Social Security) that are based on pay.

State employees, except for higher education employees, generally earn eight hours of sick leave per month. They do not, however, accrue that leave based on each 40 hours of work. It is assumed that changes to the pattern of sick leave accrual to meet the requirements of I-1433 can be made without a measurable increase in the overall cost of sick leave, although there will likely be some administrative work to implement the initiative's requirements.

Table 17 displays the estimated impact for state employee compensation due to the increase in the minimum wage.

(See Table 17 on page 16)

## Local Government Revenue

There are no changes to local government revenue from I-1433.

## Local Government Expenditures

The expenditure impact of I-1433 on local governments is indeterminate. The jurisdictions that could experience the greatest expenditure impact from I-1433 are small local governments, such as towns, park districts and library districts. This is due to their size and reliance on seasonal or part-time employees whose current wage may be less than the hourly rates specified in the initiative and who may not currently accrue any sick leave.

For most jurisdictions, the impact of I-1433 is likely to be minor (less than $50,000) to moderate (between $100,000 and $250,000). However, each jurisdiction could experience a range of impacts depending upon the number of full- and part-time employees it employs and individual sick leave policies. Many, if not all, jurisdictions would have minor one-time costs to update policies and payroll systems.

Less information is available on sick leave accrual in local government in Washington. Data from the 2015 Association of Washington Cities Salary and Benefits Survey, which surveyed only permanent full-time local government employees, found that six jurisdictions, each a town with a population fewer than 500, did not meet the minimum accrual level of paid sick leave required under the initiative.

No data is available to estimate the expenditure impact of paid sick leave requirements for part-time and seasonal local government employees.

## Local School District Expenditure Assumptions

- School districts will continue to employ the same number of individuals for the same number of hours in future years.
- Current collective bargaining agreements offer more sick leave to employees than required under I-1433.

## Local School District Expenditures

In the 2015–16 school year, school districts employed 1,656 FTEs at hourly wages less than the minimum wage amounts identified in I-1433. Fringe benefits are included in the estimated costs to school districts. To increase salaries to the minimum wage identified in I-1433, school district expenditures will increase as shown in Table 18.

No additional expenditures are incurred to comply with sick leave requirements under I-1433.

(See Table 18 on page 16)

| Table 1 – Tax collections deposited in the Unemployment Insurance Trust Fund | | | | | |
|---|---|---|---|---|---|
| **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| $500,000 | $2,500,000 | $6,500,000 | $14,000,000 | $25,400,000 | $35,100,000 |

| Table 2 – Summary of state agency and institutions of higher education estimated expenditures | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Account** | **Agency** | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| General Fund-State | Department of Social and Health Services | ($394,150) | ($524,545) | ($640,581) | $1,463,263 | $6,003,012 | $11,799,679 |
| | Health Care Authority | ($5,484,000) | ($6,446,000) | ($6,812,000) | ($9,548,000) | ($9,636,000) | ($9,730,000) |
| | Higher education | $745,000 | $1,766,000 | $2,246,000 | $3,827,000 | $4,871,000 | $5,225,000 |
| | State employee compensation (excluding higher education) | $3,630 | $5,536 | $13,991 | $24,344 | $25,001 | $25,651 |
| | **Total State General Fund** | **($5,129,520)** | **($5,199,009)** | **($5,192,590)** | **($4,233,393)** | **$1,263,013** | **$7,320,330** |
| All Other Funds | Department of Labor and Industries | $0 | $2,823,500 | $1,598,000 | $1,499,000 | $1,499,000 | $1,499,000 |
| | Health Care Authority | $1,756,000 | ($1,799,000) | ($2,467,000) | ($8,487,000) | ($8,660,000) | ($8,765,000) |
| | Department of Social and Health Services | $0 | $0 | $0 | $3,271,000 | $9,179,000 | $16,407,000 |
| | Employment Security Department | $6,600,000 | $22,000,000 | $41,200,000 | $63,700,000 | $86,700,000 | $111,800,000 |
| | Higher education | $1,111,000 | $3,137,000 | $4,115,000 | $6,785,000 | $8,530,000 | $9,164,000 |
| | State employee compensation (excluding higher education) | $0 | $15 | $105,793 | $111,510 | $114,521 | $117,498 |
| | **Total other funds** | **$9,467,000** | **$26,161,515** | **$44,551,793** | **$66,879,510** | **$97,362,521** | **$130,222,498** |
| | **Total all funds** | **$4,337,480** | **$20,962,506** | **$39,359,203** | **$62,646,117** | **$98,625,534** | **$137,542,828** |

| Table 3 – Department of Labor and Industries implementation costs | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| FTEs | none | 17.8 | 15.3 | 14.2 | 14.2 | 14.2 |
| Other Funds Costs | $0 | $2,823,500 | $1,598,000 | $1,499,000 | $1,499,000 | $1,499,000 |

| Table 4 – Aggregate expenditure impacts on the Department of Social and Health Services | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| State costs | ($394,150) | ($524,545) | ($640,581) | $1,463,263 | $6,003,012 | $11,799,679 |
| Other costs | $0 | $0 | $0 | 3,271,000 | 9,179,000 | 16,407,000 |
| **Total** | **($394,150)** | **($524,545)** | **($640,581)** | **$4,734,263** | **$15,182,012** | **$28,206,679** |

| Table 5 – Basic Food program state fund expenditure impacts by caseload | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| Denials/ terminations (number of cases) | 558 | 835 | 1,847 | 3,870 | 3,870 | 3,870 |
| Benefit reductions (number of cases) | 32,029 | 37,728 | 40,248 | 46,894 | 46,894 | 46,894 |
| Total costs | ($170,585) | ($232,143) | ($292,688) | ($525,638) | ($577,435) | ($585,286) |

| Table 6 – TANF program expenditure impacts by caseload | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| Denials/ terminations (number of cases) | 23 | 37 | 48 | 97 | 97 | 96 |
| Benefit reductions (number of cases) | 498 | 545 | 575 | 628 | 625 | 622 |
| Total costs | ($233,565) | ($292,402) | ($347,893) | ($574,099) | ($761,553) | ($738,035) |

| Table 7 – Individual provider expenditure impacts | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| State costs | $0 | $0 | $0 | $2,563,000 | $7,342,000 | $13,123,000 |
| Federal costs | $0 | $0 | $0 | $3,271,000 | $9,179,000 | $16,407,000 |
| **Total** | **$0** | **$0** | **$0** | **$5,834,000** | **$16,521,000** | **$29,530,000** |

| Table 8 – HCA estimated impacts to all Health Care Authority programs | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| State costs | ($5,484,000) | ($6,446,000) | ($6,812,000) | ($9,548,000) | ($9,636,000) | ($9,730,000) |
| Federal costs | $1,756,000 | ($1,799,000) | ($2,467,000) | ($8,487,000) | ($8,660,000) | ($8,765,000) |
| **Total** | **($3,728,000)** | **($8,245,000)** | **($9,279,000)** | **($18,035,000)** | **($18,296,000)** | **($18,495,000)** |

| Table 9 – Total estimated impacts to Medicaid programs | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| State costs | ($2,742,000) | ($3,223,000) | ($3,406,000) | ($4,774,000) | ($4,818,000) | ($4,865,000) |
| Federal costs | $1,756,000 | ($1,799,000) | ($2,467,000) | ($8,487,000) | ($8,660,000) | ($8,765,000) |
| **Total** | **($986,000)** | **($5,022,000)** | **($5,873,000)** | **($13,261,000)** | **($13,478,000)** | **($13,630,000)** |

| Table 10 – Categorically needy Family Medical caseload and state cost impacts | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| Caseload impact (number of cases) | (15,205) | (16,916) | (17,673) | (18,699) | (18,794) | (18,890) |
| State costs | ($2,522,000) | ($2,806,000) | ($2,932,000) | ($3,102,000) | ($3,118,000) | ($3,134,000) |

| Table 11 – Newly Eligible Adult caseload and state cost impacts | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| Caseload impact (number of cases) | 12,862 | 3,698 | 2,180 | (15,013) | (15,255) | (15,500) |
| State costs | $235,000 | $81,000 | $56,000 | ($549,000) | ($557,000) | ($566,000) |

| Table 12 – Children's programs caseload and state cost impacts | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| Caseload impact (number of cases) | (3,485) | (3,800) | (4,027) | (8,842) | (9,010) | (9,182) |
| State costs | ($455,000) | ($498,000) | ($530,000) | ($1,123,000) | ($1,143,000) | ($1,165,000) |

| Table 13 – Higher education administrative implementation costs | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| FTEs | 0.0 | 2.9 | 5.3 | 5.3 | 5.3 | 5.3 |
| Costs | $0 | $268,000 | $315,000 | $315,000 | $315,000 | $315,000 |

| Table 14 – Higher education minimum wage and sick leave backfill costs | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| 4-year institution wage and benefit costs | $1,539,000 | $3,880,000 | $5,059,000 | $8,994,000 | $11,547,000 | $12,498,000 |
| 4-year sick leave backfill | $0 | $127,000 | $256,000 | $258,000 | $263,000 | $267,000 |
| Community and technical college minimum wage cost | $317,000 | $628,000 | $731,000 | $1,045,000 | $1,276,000 | $1,309,000 |

| Table 15 – Benefit payments from the Unemployment Insurance Trust Fund | | | | | |
|---|---|---|---|---|---|
| **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| $7,100,000 | $17,500,000 | $24,800,000 | $35,000,000 | $46,200,000 | $57,400,000 |

| Table 16 – Unemployment Insurance Trust Fund impact | | | | | |
|---|---|---|---|---|---|
| **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| $6,600,000 | $22,000,000 | $41,200,000 | $63,700,000 | $86,700,000 | $111,800,000 |

| Table 17 - State employees (nonhigher education) implementation costs | | | | | |
|---|---|---|---|---|---|
| **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| $3,630 | $5,551 | $119,784 | $135,854 | $139,522 | $143,149 |

| Table 18 – School district impacts of minimum wage | | | | | | |
|---|---|---|---|---|---|---|
| | **CY 2017** | **CY 2018** | **CY 2019** | **CY 2020** | **CY 2021** | **CY 2022** |
| Estimated Consumer Price Index | N/A | N/A | N/A | N/A | 1.9% | 1.9% |
| Salary increase | $447,670 | $679,744 | $976,906 | $3,316,619 | $4,084,651 | $4,867,277 |
| Classified staff fringe benefits at 22.72% | $101,711 | $154,438 | $221,953 | $753,536 | $928,033 | $1,105,845 |
| **Total CY cost** | **$549,381** | **$834,182** | **$1,198,859** | **$4,070,155** | **$5,012,684** | **$5,973,122** |
| **State FY cost** | **$274,690** | **$691,781** | **$1,016,520** | **$2,634,507** | **$4,541,419** | **$5,492,903** |

# Argument for

**Initiative 1433 is good for our workers, our families, and our economy**

Initiative 1433 ensures every Washington worker can earn paid sick and safe leave and phases in a $13.50 minimum wage by 2020.

**Putting our health and safety first**

Washingtonians should be able to take care of themselves or a sick child without having to choose between their family and a paycheck. *It's vitally important to pass a common sense law like paid sick leave to help prevent the spread of disease and keep customers, employees, children, the elderly, and our families safe*.

When restaurant, grocery, and childcare workers are forced to go to work sick they expose our communities to disease. In fact, 70% of food-related norovirus outbreaks are the result of sick food workers showing up to work.

**Creating more economic opportunity**

Initiative 1433 would boost the income of more than 730,000 low-wage workers, lifting families out of poverty and growing the economy. When workers have more money to spend, they spend it at local businesses. Initiative 1433 will inject nearly $2.5 billion into local economies. This demand, in turn, creates more good-paying jobs. That's why every state that raised the minimum wage in 2014 saw faster job growth than those that left wages stagnant. Put simply, *this initiative helps businesses, workers, and families across Washington thrive*.

By voting *"Yes"* on Initiative 1433, we can make Washington a better place to live, work, and raise a family.

## Rebuttal of argument against

Initiative 1433 puts our health and safety first by providing access to paid sick leave and creates economic opportunity. Study after study – from *independent economists* including the University of Washington – prove that prices do not rise when minimum wages increase. Initiative 1433 saves the state money and *does not create new taxes for anyone*. Instead, it grows our economy and creates jobs as working families have more money to spend in communities across the state.

## Written by

**Ariana Davis,** citizen sponsor and grocery worker, Renton; **Ron Cole,** registered nurse, Seattle; **Molly Moon,** business owner, Molly Moon's Homemade Ice Cream, Seattle; **Mary Bell,** emergency medical technician (EMT), Davenport; **Shahrokh Nikfar,** business owner, Café Affogato, Mediterrano restaurant, Spokane; **Don Orange,** business owner, Hoesly EcoAutomotive, Vancouver

**Contact:** (206) 709-1313; info@raiseupwa.com; www.RaiseUpWA.com

# Argument against

We do need a minimum wage that benefits everyone – workers, consumers and small businesses – a wage that considers different costs of living across the state, the unique pay structures of certain jobs, and the need for a training wage for new workers. *Unfortunately, I-1433 is a poorly crafted proposal that will do more harm than good for workers and the Washington economy*.

**Makes State Budget Problems Worse**

The initiative raises $85 million in new taxes, but will increase state spending by $363 million. The state is in contempt for failing to fund education and must find billions of dollars to fund our schools. This will make the problem worse.

**Seattle Hasn't Delivered**

Seattle passed a $15 per hour minimum wage. The City of Seattle's economists acknowledge the initial increase to $11 per hour has not benefitted workers. While average pay per hour rose, workers are getting fewer hours and there are fewer jobs available. Meanwhile, consumers are paying more for less. Small businesses are hurting.

A University of Washington study warned most communities around our state can't absorb a 30% wage increase. This means fewer jobs and small businesses, steeper prices in stores, and less opportunity for young people to obtain work experience.

**We Can't Afford The Risk**

Washington State already has the 8th highest minimum wage. This will make it more difficult for young people to find jobs. Adding new mandates and jumping the minimum wage by 30% is a risk that workers, consumers and small businesses can't afford.

## Rebuttal of argument for

I-1433 takes the wrong approach – harming workers and Washington's economy. This proposal would cost jobs in some communities while decreasing hours and take-home pay for other workers. It would increase prices and reduce opportunities for young people. Voters should be offended by the backers' use of scare tactics to distract from their hastily designed plan — Washington's food handlers already operate under strict laws requiring sick workers to stay home. Vote *no* on I-1433.

## Written by

**John Stuhlmiller,** CEO, Washington Farm Bureau; **Tammy Bailey,** Independent Grocery Store Owner, Bailey's IGA, Rochester; **Mike LaPlant,** Family Farmer, Farm Bureau President, Grant County; **Madelin White,** Merle Norman Cosmetics, Lacey; **Phil Costello,** Owner, Zip's Drive-In, Spokane; **Kristopher Johnson,** President & CEO, Association of Washington Business

**Contact:** (206) 504-2515; info@keepwacompetitive.com; www.keepwacompetitive.com

Initiative Measure No.

# 1464

Initiative Measure No. 1464 concerns campaign finance laws and lobbyists.

This measure would create a campaign-finance system; allow residents to direct state funds to candidates; repeal the non-resident sales-tax exemption; restrict lobbying employment by certain former public employees; and add enforcement requirements.

Should this measure be enacted into law?

[ ] Yes

[ ] No

**Explanatory Statement . . . . . 19**
**Fiscal Impact Statement . . . . . 21**
**Arguments For and Against . . . . . 25**

The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

# Explanatory Statement

Written by the Office of the Attorney General

## The Law as it Presently Exists

Candidates for elected offices pay for their campaigns through private contributions and their own money. State law limits some contribution amounts. These limits apply to contributions from individuals, corporations, unions, and political action committees. The contribution limit for legislative candidates is $1,000 per election. For statewide offices and judicial offices the contribution limit is $2,000 per election.

State law prohibits the use of public funds to finance political campaigns for state or school district offices. The statute does allow local governments to publicly finance local political campaigns under certain circumstances.

Political campaigns are required to report contributions and spending to the Public Disclosure Commission (PDC). Political advertising must also disclose the top five contributors to the campaign. Reports of contributions and expenditures are available to the public, including on the PDC's web site. Candidates are prohibited from coordinating their spending with other groups that support their campaigns.

Candidates are generally prohibited from using contributions for personal use. Campaigns may reimburse candidates for earnings lost as a result of campaigning and for direct out-of-pocket campaign expenses. If a candidate loans money to his or her campaign, the campaign may repay those loans up to a limit.

State law provides several ways campaigns may dispose of surplus funds when a campaign is over. Surplus funds may be returned to donors. They may also be used to reimburse the candidate for lost earnings. They may be transferred to a political party or caucus campaign committee, but may not be transferred to another candidate or political committee. They may also be donated to charity or to the state. The campaign may hold the funds for possible future use in another campaign for the same office. Finally, surplus funds may be used for expenses incurred in holding a public office that are not otherwise reimbursed.

The PDC enforces campaign contribution and expenditure laws. The PDC can do this through administrative orders. The PDC may also refer charges to the Attorney General, who may bring actions in superior court to enforce the law. An individual or entity found to have violated the law is subject to financial penalties and liability for the state's investigative costs and attorney fees.

Lobbyists are currently required to register with the PDC. Lobbyists are required to identify themselves and their employers, the amount they are paid, and the subjects on which they lobby. Lobbyists are also required to file monthly reports about their activities and compensation. They must also report all contributions they make to candidates, elected officials, and others.

Lobbyists and employers of lobbyists are required to inform the PDC if they employ certain people who remain employed by the state. These include members of the legislature, members of a state board or commission, and full-time state employees. The state ethics act prohibits all state employees from being paid by private parties for performing (or failing to perform) their job duties. State employees are not allowed to receive any outside compensation that is incompatible with their jobs.

People who don't live in Washington are exempt from paying sales taxes on items they buy in Washington for use out of state. This exemption applies only if they live in states or Canadian provinces that do not have their own sales taxes or that exempt Washington residents from their sales taxes.

## The Effect of the Proposed Measure if Approved

This measure would make a number of changes to the laws governing elections and lobbying.

It would establish a new program under which registered voters and certain other eligible Washington residents could make donations to campaigns for certain elected offices using public funds. The law calls such donations "democracy credit contributions." Each individual could designate up to three such "contributions" of $50 each to qualified candidates they select every election. The PDC could raise both the number and size of contributions in the future.

All Washington registered voters could choose candidates to receive contributions from public funds. Starting in 2020 the PDC may also verify others as eligible to choose candidates to receive such contributions. Only those eligible to make campaign contributions under state and federal law could be verified by the PDC as eligible. The right to designate contributions from public funds cannot be transferred, and selling the right to designate contributions would be a crime.

"Democracy credit contributions" would come from state funds. The measure would repeal the nonresident sales tax exemption and require nonresidents to pay the sales tax on retail purchases in the state. Revenue from those sales would be dedicated to funding the new program. Some revenue could also be used to enforce campaign finance laws. The measure would repeal the law that currently

prohibits using state funds for political campaigns.

The new public financing program would first apply only to candidates for the state legislature. In the future, the PDC could expand the program to statewide elected offices and to judicial offices. It could later be expanded to apply to candidates for federal office if the Attorney General concludes that such an expansion would be lawful. At first the program would apply only to elections held in even-numbered years. The PDC could later expand it to elections held in odd-numbered years.

To be eligible to receive public funding, candidates must meet certain qualifications. Candidates must collect at least 75 private contributions of at least $10. Candidates must promise not to ask for or accept private donations that exceed half of the maximum limit for the office they seek (e.g., if the law limits individual contributions for a particular office to $1,000, the candidate could only accept contributions up to $500). Candidates must also promise not to use more than $5,000 of their personal funds on their campaign. Candidates could use public funds only for specified campaign purposes. The total amount of public funds that any candidate could receive would be limited. Initial limits would be $150,000 total for candidates for the state House of Representatives and $250,000 for state Senate candidates. Those limits could change in the future. Candidates would stop being eligible to receive contributions if their campaign ends or if they violate program rules. At the end of a campaign, candidates would be required to give back to the state the proportionate part of the campaign's surplus funds that came from program contributions.

In addition to creating the new program concerning public financing of campaigns, the measure would change several state laws regarding campaign finance and lobbying.

The initiative would limit lobbyists' ability to hire officials who previously worked in state or local government. This includes elected officials, appointed officials, and public employees. They could not accept employment or receive compensation from any lobbyist who lobbied on any matter in which the official had any decision-making role for three years after the official left office or five years after the lobbying, whichever is sooner.

It would also restrict lobbying by former state or local elected or appointed officials. They could not be paid to lobby their prior office within three years of leaving office. And it would prohibit officers of a candidate's campaign from being paid to lobby the office to which their candidate was elected until three years after working for the campaign.

The initiative would add new restrictions on certain campaign contributions. Public contractors and prospective public contractors would have a lower contribution limit for contributing to candidates for an office having a decision-making role over the contract. The same would be true for lobbyists making contributions to candidates for offices responsible for matters they lobby about. Their contributions to such candidates would be limited to $100 per election. They would also be prohibited from gathering contributions from other people and giving them to the candidate. They would not be allowed to solicit other people for contributions for the candidate of more than $100 each or $500 total. They would also be prohibited from soliciting contributions for the candidate from their employees. And they would be prohibited from doing business with the candidate.

The measure would provide new ways to enforce the new and existing campaign finance laws. The penalties for candidates or campaigns that recklessly or intentionally violate campaign finance laws would be increased. The PDC would be authorized to require violators to take actions to remedy their violations, in addition to paying money. Penalty money would be directed half to the state treasury generally and half to the PDC. The half directed to the PDC would be designated for enforcement of campaign finance laws. The initiative would allow the PDC to assess costs of investigation and attorney fees against people who intentionally violate campaign finance laws. It would broaden the range of people who might be required to pay penalties for violations and restrict the use of campaign funds to pay penalties. It would shorten the notice period for private parties intending to file lawsuits alleging violations of campaign finance laws during the 60 days before an election. It would require the PDC to establish a telephone hotline for receiving tips of violations and require certain people to post notices of the hotline. It would establish new requirements for the PDC's web site. It would change requirements for online filing of reports with the PDC by government agencies and lobbyists.

The measure would also change the requirement for identifying the top five contributors in political advertising and other campaign communications. If the top five contributors include a political committee, then the top five contributors to the political committee must be identified and disclosed as if they had contributed directly to the sponsor of the advertising or communication.

The measure would modify the law against coordination of campaigns by candidates and other entities. It would create a presumption that candidates coordinate spending with others under certain circumstances.

# Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

## Summary

During the first six fiscal years, the estimated net new revenues to the state General Fund from the repeal of the nonresident retail sales tax exemption is $173.2 million. The estimated net impact of transfers and expenditures from the state General Fund is $171.5 million. Of this amount, $165.0 million represents transfers from the state General Fund to the Campaign Financing and Enforcement Fund for the Democracy Credit Program. Revenue for the Performance Audits of Government Account would increase by $279,000. Local tax revenue would increase by $67.3 million.

## General Assumptions

- The effective date of the initiative is December 8, 2016.
- Unless otherwise noted, estimates use the state's fiscal year (FY) of July 1 through June 30. For example, FY 2018 is July 1, 2017, through June 30, 2018.
- FY 2017 is a partial fiscal year: from December 8, 2016, through June 30, 2017.
- One full-time equivalent (FTE) employee equates to 2,080 hours of work for one calendar year.

## State Revenue Assumptions

- Businesses will fully comply with the elimination of the retail sales tax exemption for nonresidents beginning February 1, 2017.
- FY 2017 state retail sales tax revenue reflects four months of collections, from March 2017 through June 2017.

## State revenue impacts

Initiative 1464 (I-1464) repeals a retail sales tax exemption for certain nonresidents on purchases of tangible personal property, digital goods and digital codes that will not be used in the state. This would increase sales tax revenues deposited in the state General Fund and the Performance Audits of Government Account. Revenues deposited in the state General Fund may be used for any government purpose such as education; social, health and environmental services; and other general government activities.

In addition, the repeal of the nonresident retail sales tax exemption could affect the amount of goods purchased. This could cause price elasticity, which would affect state business and occupation (B&O) tax revenue. Price elasticity is a method used to calculate the change in consumption of a good when price increases or decreases. Due to price elasticity, state B&O tax revenue could decrease with the repeal of the retail sales tax exemption for nonresidents.

Table 1 provides estimates of the new revenue to the state General Fund, reflecting both increased sales tax revenue and decreased B&O tax revenue.

(See Table 1 on page 23)

A portion of state retail sales tax revenue is deposited in the state Performance Audits of Government Account (Performance Audit Account). Table 2 provides estimates of the increased retail sales tax revenue over the next six fiscal years to this account. State revenues deposited in the Performance Audit Account are used by the Washington State Auditor to conduct comprehensive performance audits required under RCW 43.09.470.

(See Table 2 on page 23)

## State Transfer and Expenditure Assumptions

- FY 2017 expenditures are for January 2017 through June 2017 only.
- 25 percent of the amount transferred to the Campaign Financing and Enforcement Fund (Fund) would be appropriated to cover Public Disclosure Commission (PDC) agency costs. If the amount needed from the Fund for PDC expenses is less than 25 percent of the transfer amount, the remaining amount would be available for the Democracy Credit Program.

## Transfers to the Campaign Financing and Enforcement Fund

I-1464 creates the Campaign Financing and Enforcement Fund (Fund). Funds in the account are subject to legislative appropriation and must be used for the Democracy Credit Program and the democracy credit contributions created by I-1464 and to support activities of the PDC.

The Department of Revenue (DOR) would estimate the amount of state revenue resulting from repealing the nonresident retail sales tax exemption and then certify the estimated amount to the State Treasurer. The DOR would make these estimates and certifications on March 1, 2017, and again on June 1, 2017. Subsequently, the DOR would make the estimate and certification by June 1 each year thereafter.

For FY 2017, the State Treasurer is required to transfer $15.0 million from the state General Fund to the Fund. Beginning in FY 2018 and for each fiscal year thereafter, the State Treasurer must transfer $30.0 million from the state General Fund to the Fund.

If repeal of the nonresident retail sales tax generates less revenue than what the State Treasurer is required to transfer, additional state General Fund dollars equal to the difference must be transferred. At least 75 percent of the money in the Fund must be used for democracy credit contribu-

tions. The remaining 25 percent may be appropriated by the Legislature to the PDC for program operating costs.

Table 3 shows the required transfers under I-1464 to the Fund and the net impact to the state General Fund before additional state expenditures.

(See Table 3 on page 23)

## State Expenditures

I-1464 would change current campaign finance disclosure laws, set new contribution limits and create the Democracy Credit Program. These changes would result in additional expenditures for the PDC and the Office of the Attorney General (ATG). The greater workload for these agencies would result in higher expenditures, though costs would decrease in the future. The DOR would have higher expenditures in the first two years of implementation. Table 4 summarizes these estimated expenditures by fiscal year.

(See Table 4 on page 23)

## Public Disclosure Commission

The PDC would have higher expenditures to implement and operate the Democracy Credit Program and to implement and enforce new lobbying and campaign finance requirements. Table 5 summarizes these estimated expenditures.

(See Table 5 on page 24)

Based on PDC estimated expenditures and the assumption that up to 25 percent of the Fund transfer amount shown in Table 3 would be used to cover these expenditures, there would be a need for additional state General Fund expenditures in FY 2018 of $1.2 million.

## Expenditures for additional staff

Staff expenditures include campaign finance specialists, investigators, regulatory analysts, a records and rules coordinator, a graphic designer, communications consultants, budget and fiscal analysts, IT specialists, customer service specialists, managers and administrative assistants. As the PDC's current office space is not large enough to accommodate current and new staff, it would need to lease additional office space in Thurston County.

## Expenditures for new lobbying and campaign finance requirements

I-1464 establishes new restrictions on lobbying and lobbyists, on campaign contributions and expenditures, and on disclosure of campaign finance information. It would permit anonymous reporting of violations, requiring the PDC to maintain a telephone tip hotline. I-1464 also requires the PDC and the ATG to prioritize timely enforcement of campaign finance laws and rules.

## Expenditures for the Democracy Credit Program

Each even-numbered year, the PDC would mail personalized materials about the program to each registered voter. Currently, there are more than 4 million registered voters in Washington. After the first mailing, and up to 10 days before the general election, the PDC would mail program materials to each newly registered voter. I-1464 sets detailed requirements for what must be included in the mailing. These requirements, and the large number of voters who will receive the materials, contribute to the cost of conducting the mailing. The mailing would require expenditures for paper, printing informational materials and official PDC envelopes, and postage.

Section 16 of I-1464 directs the PDC to contract for the development and implementation of a secure electronic system for conducting all technical aspects of the program. The system must be internet accessible and run on computers and mobile devices. Eligible individuals would use it to make secure democracy credit contributions. Building the system would cost an estimated $2.0 million. This estimate includes contracts with a qualified information technology development firm, IT consultant services, IT quality assurance services and the first year of system maintenance.

The PDC would also have higher expenditures for hiring additional staff to operate the program, conducting the required public outreach and education efforts, maintaining a website for the program that complies with the initiative, maintaining a telephone hotline, auditing the campaign finances of at least 2 percent of the state candidates participating in the program, developing administrative rules and enforcing program requirements. These expenses are included in Table 4 – FTE Costs and Other Costs.

## Office of the Attorney General

As the provider of legal services to the PDC, the ATG would have additional expenditures for legal advice, litigation costs and rule making related to the new enforcement mechanisms provided to the PDC, including:

- Increases in the number of complaints for rules violations submitted to the PDC.
- Increases in the number of citizen action complaints to the PDC.
- Rule making to take effect for the 2017 campaign season.

Table 6 provides estimates of the costs of providing these legal services to implement the initiative.

(See Table 6 on page 24)

Section 14(2) of I-1464 requires the ATG to provide an opinion about whether the program can be lawfully expanded

in FY 2022. About 90 hours of an Assistant Attorney General's time (0.05 FTE) to develop and issue the legal opinion is estimated.

### Department of Revenue

The DOR would incur expenditures of $64,000 in FY 2017 and $19,000 in FY 2018 to implement repeal of the nonresident sales tax exemption. These expenditures would be used to create a special notice to and provide assistance for affected taxpayers.

### Local government revenue

Local governments assess a local retail sales tax on purchases. Local government revenue would increase from the repeal of the nonresident sales tax exemption. Table 7 provides estimates of increased retail sales tax revenues to local governments.

(See Table 7 on page 24)

### Local government expenditures

No local government expenditures are expected.

**Table 1 – Estimated new revenue deposited in the state General Fund**

| | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
|---|---|---|---|---|---|---|
| Increases in retail sales tax revenue | $9,912,000 | $30,813,000 | $31,868,000 | $32,917,000 | $33,904,000 | $35,241,000 |
| Decreases in B&O tax revenue | ($83,000) | ($258,000) | ($267,000) | ($275,000) | ($284,000) | ($295,000) |
| Net new state General Fund revenue | $9,829,000 | $30,555,000 | $31,601,000 | $32,642,000 | $33,620,000 | $34,946,000 |

**Table 2 – Estimated new revenue deposited in the Performance Audit Account**

| FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
|---|---|---|---|---|---|
| $16,000 | $49,000 | $51,000 | $53,000 | $54,000 | $56,000 |

**Table 3 – Estimated transfers to the Campaign Financing and Enforcement Fund and net impact to the state General Fund**

| | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
|---|---|---|---|---|---|---|
| Net new state General Fund revenue (from Table 1) | $9,829,000 | $30,555,000 | 31,601,000 | $32,642,000 | $33,620,000 | $34,946,000 |
| Required transfer to the Campaign Financing and Enforcement Fund | $15,000,000 | $30,000,000 | $30,000,000 | $30,000,000 | $30,000,000 | $30,000,000 |
| Net impact to the state General Fund | ($5,171,000) | $555,000 | $1,601,000 | $2,642,000 | $3,620,000 | $4,946,000 |

**Table 4 – Estimated state expenditures for I-1464**

| | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
|---|---|---|---|---|---|---|
| PDC (including ATG costs) | $2,086,000 | $8,867,000 | $3,983,000 | $6,344,000 | $3,563,000 | $6,385,000 |
| DOR | $64,000 | $19,000 | $0 | $0 | $0 | $0 |
| **Total** | **$2,150,000** | **$8,886,000** | **$3,983,000** | **$6,344,000** | **$3,563,000** | **$6,385,000** |

| Table 5 – PDC's estimated expenditures for staff (FTE) and expenditures by fiscal year | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| FTEs | 37.0 | 37.0 | 37.0 | 34.0 | 34.0 | 34.0 |
| Agency costs | $1,548,000 | $7,844,000 | $3,068,000 | $5,429,000 | $2,648,000 | $5,459,000 |
| ATG costs | $538,000 | $1,023,000 | $915,000 | $915,000 | $915,000 | $926,000 |
| **Total Costs** | **$2,086,000** | **$8,867,000** | **$3,983,000** | **$6,344,000** | **$3,563,000** | **$6,385,000** |

| Table 6 – ATG's estimated expenditures for staff (FTEs) to provide legal services to the PDC | | | | | | |
|---|---|---|---|---|---|---|
| | **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| FTEs | 4.0 | 7.5 | 6.8 | 6.8 | 6.8 | 6.8 |
| Dollar costs (from Table 5 paid by the PDC) | $538,000 | $1,023,000 | $915,000 | $915,000 | $915,000 | $926,000 |

| Table 7 – Estimated local government retail sales tax revenue | | | | | |
|---|---|---|---|---|---|
| **FY 2017** | **FY 2018** | **FY 2019** | **FY 2020** | **FY 2021** | **FY 2022** |
| $3,817,000 | $11,865,000 | $12,272,000 | $12,676,000 | $13,056,000 | $13,570,000 |


# Election results mobile app

**Free! Available for iPhone and Android.**

Search for **"WA State Election Results"** in the app store on iTunes or Google Play Store.

Results are announced after 8 p.m. on Election Day and are updated frequently.

*Results are not final or official until certified.*

# Argument for

Big money interests and lobbyists have too much control over our political system, while regular people have very little. Initiative 1464 implements concrete, achievable reforms to make politicians and government more accountable to the people.

**Transparency and Accountability**
Initiative 1464 sheds light on dark money and SuperPACs by requiring political ads say who is really paying for them. It requires online public reporting of lobbyist activity, spending and compensation.

**Limits Big Money Influence**
Initiative 1464 bars lobbyists and public contractors from making big campaign contributions. It stops the revolving door of government officials taking jobs as lobbyists as soon as they leave office. It toughens enforcement of ethics and campaign finance laws, and strengthens penalties for those who break them.

**Empowers Voters**
Initiative 1464 gives regular people a stronger voice by enabling each person to decide if they want to direct some of their own tax dollars to support candidates of their choice. This also helps new types of candidates run for office even if they aren't wealthy or well-connected to big donors.

**A Big Step for Washington**
If we want things to change, we have to reform the campaign finance system so regular people have more power in politics. Initiative 1464 makes commonsense reforms proven to work in other states and pays for itself by closing a tax loophole. We can't fix every problem or get all money out of politics, but if we do nothing, nothing will change. This is a big step in the right direction.

## Rebuttal of argument against

Initiative 1464 requires transparency and accountability, limits big money influence, strengthens rules on all lobbyists and politicians, and empowers each taxpayer to decide *whether* or *not* to direct funds to candidates. The fiscal impact statement and Washington Budget and Policy Center agree: It doesn't take money from schools and doesn't hurt jobs. Sadly, the lobbyists who wrote the arguments against 1464 are not required to tell the truth. Read about 1464 and decide for yourself.

## Written by

**Ann Murphy,** President, League of Women Voters of Washington; **Ben Stuckart,** President, Spokane City Council; **Greg Moon,** Republican, co-founder, Seattle Tea Party Patriots; **Noel Frame,** State Representative, 36th Legislative District, Democrat; **Alice Woldt,** former Director, Fix Democracy First, Faith Action Network; **Terry Bergeson,** former State Superintendent of Public Instruction

**Contact:** Info@IntegrityWashington.org; IntegrityWashington.org

# Argument against

Initiative 1464 uses your tax dollars to tilt the political system in favor of politicians and out of state special interests, while depriving our schools of resources to fully fund education. *We shouldn't put politicians before our kids.*

**Benefits Politicians and Political Consultants**
The initiative allows politicians to pay themselves for "lost wages" using public funds. Taxpayer dollars will be used to *pay politicians to run for office*. The system will be ripe for abuse. It's no surprise the initiative is sponsored by politicians and political consultants who will personally benefit from the use of taxpayer funds. It is funded by billionaires and out-of-state special interests trying to create an uneven playing field in their favor.

**Wrong Priorities**
Our state is under court order to fully fund education and is subject to a $100,000 per day fine. Instead of funding our schools, the initiative gives *$285 million in taxpayer money to political consultants and politicians* to spend on mudslinging and negative attack ads.

The initiative allows people living in Washington who are *non-citizens* to contribute taxpayer dollars to politicians, even though they can't vote.

**Hurts Small Businesses, But Exempts Special Interests**
The initiative hurts Washington small businesses by raising $285 million in taxes on their customers over the next ten years. *This will hurt tourism and kill jobs.* The initiative also restricts free speech for minority-owned small businesses but provides exemptions for corporate lobbyists. Powerful special interests get special treatment. Vote *no* on this bad idea.

## Rebuttal of argument for

Despite claims by I-1464's out-of-state backers, Washington is already nationally recognized as being a leader on transparency and ethical reporting. I-1464 would wreck that. The initiative pours money into politics, giving $285 million in taxpayer dollars to politicians instead of our schools. It will raise taxes on Washington businesses, hurt our tourism industry and attack the rights of minority small business owners while providing loopholes for corporate lobbyists. Reject this bad idea.

## Written by

**Brian Sonntag,** former Washington State Auditor, Democrat; **Rob McKenna,** former Washington State Attorney General, Republican; **Sam Jackson,** Democratic Party activist concerned about education funding, Seattle; **Slade Gorton,** former U.S. Senator and Attorney General; **Darlene Johnson,** small business owner, Clark County; **Sam Reed,** former Washington State Secretary of State, Olympia

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Initiative Measure No.

# 1491

Initiative Measure No. 1491 concerns court-issued extreme risk protection orders temporarily preventing access to firearms.

This measure would allow police, family, or household members to obtain court orders temporarily preventing firearms access by persons exhibiting mental illness, violent or other behavior indicating they may harm themselves or others.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

# Explanatory Statement

Written by the Office of the Attorney General

## The Law as it Presently Exists

Washington law provides for civil protection orders in certain circumstances. These orders restrict one person from contacting another person. Civil protection orders are mostly entered in family law cases, such as divorce proceedings, where domestic violence is alleged. Protection orders also can be issued to protect victims during criminal cases and in other circumstances where a person can show he or she is in danger from another person.

A person subject to a protection order may be required to surrender his or her firearms, dangerous weapons, and concealed pistol license while the order is in place. This can happen if four conditions are met: (1) the order restrains the person from harassing, stalking, or threatening an intimate partner, a child of an intimate partner, or the person's own child (an "intimate partner" is a current or former spouse or domestic partner, a person with whom the restrained person has a child in common, or a person with whom the restrained person shares or shared a residence in a dating relationship); (2) the order includes a finding that the restrained person is a credible threat to the physical safety of the intimate partner or the child; (3) the order specifically restrains the person from using or threatening physical force against the intimate partner or child; and (4) the restrained person was given notice and an opportunity to participate in a hearing before the order issued. It is a crime for a person restrained by such an order to possess a firearm.

A court sometimes may order the temporary surrender of firearms before a hearing and without prior notice. The court may do so only if convinced that "irreparable injury" could result before the scheduled hearing. This option is available to the court only for protection orders addressing sexual assault, stalking, harassment, domestic violence, dissolution of marriage, parental rights, and child support.

There are other situations where a court may order a person to surrender firearms, dangerous weapons, and a concealed pistol license. A court may order surrender if it finds that the person used, displayed, or threatened to use them in a felony. The court also may order surrender if the person committed fourth degree assault, coercion, stalking, reckless endangerment, or first degree criminal trespass against a family or household member. If the evidence is clear and convincing, the court must order the surrender.

A person who has been involuntarily committed for mental health treatment is barred from possessing a firearm. After treatment, that person's right to possess a firearm may be restored by court order. But the law does not authorize a court to restrict access to firearms by a person experiencing a mental health crisis or exhibiting threatening behavior unless that person is subject to one of the civil protection orders summarized above.

## The Effect of the Proposed Measure if Approved

The measure would allow courts to issue "extreme risk protection orders." These orders would prevent a person who poses a significant danger to himself/herself or others from possessing or accessing firearms. The measure refers to such a person as the "respondent."

The measure would create two kinds of court orders. The first type of order is called an "extreme risk protection order." A member of the respondent's family or household or a person in a dating relationship with the respondent could petition a superior court for an extreme risk protection order. The measure defines who is a family or household member and it lists specific information that must be contained in the petition. The petition must be accompanied by a statement made under oath. That statement must explain the specific facts that show a reasonable fear of future dangerous acts by the respondent. The petition would be served on the respondent by a law enforcement officer.

A law enforcement officer or agency also could file a petition, along with the required factual statement made under oath. The officer or agency must make a good faith attempt to notify a member of the respondent's family or household. They also must try to notify any other known person who may be at risk of violence by the respondent. Each notice must state that the officer or agency is petitioning for an extreme risk protection order. It also must include referrals to mental health, domestic violence, counseling, or similar resources.

The superior court must hold a hearing on the petition for the protection order. The court may issue the order only if it finds, based on the evidence, that the respondent "poses a significant danger of causing personal injury to self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm."

If the superior court issues an extreme risk protection order, the order is served on the respondent by a law enforcement officer. The order would require the respondent to immediately surrender all firearms and any concealed pistol license to the local law enforcement agency. The order would bar the respondent from obtaining or possessing firearms while an order is in effect. If the respondent does not comply, the court would be authorized to issue a warrant to compel the surrender of these items.

An extreme risk protection order would last for one year.

The same persons who may seek an order in the first place may ask the court to renew the order for another year. The same procedures and requirements apply to a renewal request as to the original request, and the court applies the same standard.

The respondent could request a hearing to demonstrate that the order should be terminated. The respondent could file one termination request during each 12-month period the order is in effect. The respondent then must demonstrate at the hearing that he or she does not pose a significant danger of causing personal injury to the respondent or others by having a firearm. The person who petitioned for the order must be notified of the request and hearing.

The second type of order, called an "ex parte extreme risk protection order," would be more immediate. "Ex parte" is a legal term that refers to a hearing held without notice to the other side. This type of order would be available where there is a showing of a significant risk of personal injury in the near future. A petition for this order could be filed in municipal court, district court, or superior court. The court must hold a hearing on the day the petition is filed or on the court's next business day. If the court issues the ex parte order, it would last only until there is a hearing in superior court on whether a one-year "extreme risk protection order" should be issued. That hearing must be held within 14 days. All the requirements for issuing a one-year "extreme risk protection order" explained above would apply at that hearing.

The measure would impose the same notice and surrender requirements for an ex parte extreme risk protection order as for the one-year order. The measure imposes the same consequences for failure to comply. Like the one-year order, the ex parte order also would be served on the respondent by a law enforcement officer.

The measure makes it a crime to file a false or intentionally harassing petition. It also makes it a crime to violate either type of extreme risk protection order.

If an extreme risk protection order expires or is terminated, the surrendered firearms must be returned to the respondent, but only if the law enforcement agency holding the firearms confirms that the respondent is currently eligible to possess firearms under federal and state law.

# Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

## Summary

Initiative 1491 authorizes the court to issue extreme risk protection orders that require the respondent to surrender his/her firearms and concealed pistol license. Total expenditures for state and local government cannot be determined. The impact depends on the number of petitions filed and granted, and the number of violations of a granted order, which cannot be estimated. This fiscal impact statement uses data from similar types of protection orders to provide estimated costs that could result from the initiative. There would be an unknown revenue increase from assessed fines.

## General Assumptions

- The effective date of the initiative is December 8, 2016.
- Unless otherwise noted, estimates use the state's fiscal year (FY) of July 1 through June 30. For example, FY 2018 is July 1, 2017, through June 30, 2018.
- FY 2017 is a partial fiscal year: from December 8, 2016, through June 30, 2017.
- One full-time equivalent (FTE) employee equates to 2,080 hours of work for one calendar year.

## State and Local Government Expenditure Assumptions

- Initiative 1491 (I-1491) creates the authority for a court to issue a new protection order, known as an extreme risk protection order (ERPO).
- No data is available to determine the number of cases that will be filed with the court and the number of orders that will subsequently be issued.
- In some instances, information on similar protection orders may be available. These data may be used to estimate some expected costs.

## State Expenditures

I-1491 would result in indeterminate fiscal impacts to the Department of Licensing, the Department of Corrections and the Administrative Office of the Courts.

## Department of Licensing

Section 12 of I-1491 requires the Department of Licensing (DOL), upon the receipt of an ERPO from the court, to determine if the respondent has a concealed pistol license. If the respondent has a concealed pistol license, the DOL is required to immediately notify the license-issuing authority in order to revoke the license. This work is similar to work already conducted by the DOL and would require less than

0.1 FTE and less than $7,000 per year to accomplish. In addition, the printing and postage costs for notification to license-issuing authorities of issuance of an ERPO are estimated to be $1 per ERPO. There is no data to estimate the number of ERPOs that would be issued.

### Department of Corrections

I-1491 creates a new felony offense for a person who is convicted of violating an ERPO and has two or more previous convictions for violating an ERPO. The creation of this new felony may increase the offender population. As an unranked class C felony, this crime is punishable by a standard range term of confinement of zero to 12 months in jail unless an aggravated exceptional sentence is imposed. Sentences for this new offense would likely affect only county jail facilities. There would be no increase in state expenditures in cases where the sentence is served in a county jail facility.

Depending on the circumstances, a judge may impose an aggravated exceptional sentence. There is no data to estimate the increase to the prison offender population resulting from this action. However, the cost estimate to the state for one offender is $13,422 annually, which includes staffing in the housing units, food and health care.

### Administrative Office of the Courts

I-1491 creates a new protection order and establishes new crimes, both the above-referenced felony and misdemeanors for violation of the order and for filing petitions with false information. There is insufficient judicial data to determine how many cases would be filed each year as a result of this initiative. The Administrative Office of the Courts (AOC) used data for similar cases to provide estimated costs that may result from the initiative. Based upon these comparisons, the AOC assumes that I-1491 would result in indeterminate expenditures greater than $100,000.

### Domestic violence protection orders

An average of 17,435 domestic violence protection orders are filed annually. The AOC assumes that the number of new cases filed for an ERPO will be approximately 5 percent of the number of domestic violence protection order cases. Therefore, the AOC assumes there will be 872 new cases filed in superior court each year for an ERPO. Superior court expenditures are funded by state and local funds. The state costs for the assumed number of new cases are estimated to be $63,593 per fiscal year.

### Stalking protection orders

An average of 386 petitions for stalking protection orders are filed annually. The AOC assumes there will be approximately the same number of ERPOs. The state costs for the assumed number of new cases are estimated to be $28,150 per fiscal year.

### New crimes and more cases filed

Section 13 of the initiative creates a new gross misdemeanor for providing false information in a petition and for a person possessing firearms with knowledge that the respondent is prohibited from doing so by an ERPO. Section 13 also creates a class C felony on the third instance of violating the provisions of an ERPO. This would amend the felony of unlawful possession of a firearm in the second degree to include those who possess a firearm when subject to this new protection order.

There is no judicial data available to estimate how many cases would be filed each year as a result of this initiative. If 50 more criminal cases are filed, the superior courts would see higher expenditures. The state costs are estimated to be $5,926 per fiscal year.

### Forms and informational materials

Section 16 of the initiative requires the AOC to develop and prepare instructions; informational brochures; standard petitions and extreme risk protection order forms; and a court staff handbook on the ERPO process. These materials must be prepared in consultation with gun violence prevention groups, judges and law enforcement personnel. Forms, brochures and handbooks would be distributed to elected clerks and court administrators in superior, district and municipal courts in electronic format.

Development of instructional materials and translation costs are estimated at $25,000, depending on final word counts, cost per word per language and number of required languages for translation.

### System modifications

The initiative requires modification to the Judicial Information System to add codes for the protection order and new crimes created by this initiative. The modifications are estimated to take 239 hours of staff time, resulting in a one-time cost of $13,000.

## Local Government Expenditures

### Law enforcement costs

Local government may have higher costs to fulfill duties in the initiative. However, due to the lack of data to determine the level of activity, the expenditure impact to local governments cannot be determined. Based on data from domestic violence protection orders, local governments estimate that new misdemeanor violations of ERPOs would cost approximately $300,000 statewide annually. The cost for most jurisdictions is estimated to be less than $50,000 annually.

According to the Washington Association of Sheriffs and Police Chiefs, 9,883 instances of violations of no contact/

protection orders involved domestic violence in 2015. An officer may spend up to four hours to arrest an individual charged with a domestic violence crime, at an average cost of $31 per hour. Additional work for prosecutors when charging and appearing at the sentencing for an offender typically takes three hours, at an average cost of $62 per hour. Local governments assume ERPO violations would compose approximately 5 percent of domestic violence protection orders, resulting in 494 ERPOs annually.

- Total cost to law enforcement: $61,256 annually (4 hours x 494 violations x $31 hourly wage)
- Related prosecution costs: $91,884 annually (3 hours x 494 violations x $62 hourly wage)

For a person with two or more previous convictions for violating an ERPO, the third convicted violation constitutes a class C felony. It is not possible to determine the number of felonies that would result from this initiative. However, local governments estimate the number would be low and result in costs of less than $50,000.

The new class C felony charge and misdemeanor charges that may result from this legislation create an indeterminate cost to county jails. Misdemeanor charges carry jail sentences of 0 to 90 days. Sentences of less than one year in length are typically served in county jails. The average cost of a jail bed is $104 per day. The new class C felony charge that would result from three ERPO violation convictions may be punishable by a range of one to three months in jail and 51 to 68 months in prison.

### Judicial costs

I-1491 would result in indeterminate fiscal impacts to local courts, based on information from the AOC and using the same comparisons to similar types of protection orders. Assuming the number of ERPOs would be 5 percent of domestic violence protection orders, and equal to the number of stalking protection orders, the cost to local courts would be $401,205. Due to new crimes and more cases filed, local superior courts could see an additional increase of $25,917 per fiscal year. Based on these assumptions, the total expenditure increase to local courts may be $427,122 per fiscal year.

### State and Local Revenues

Section 13 creates two new misdemeanors and a new felony. A person convicted of filing a petition knowing the information is false, or convicted of possessing or purchasing a firearm with knowledge that he or she is prohibited from doing so (gross misdemeanors), may be subject to a fine of up to $5,000. A person convicted of violating an ERPO who has two or more previous ERPO violation convictions, which is a class C felony, may be subject to a fine of up to $10,000. Fines may be assessed, reduced or waived at the discretion of the judge. Therefore, revenue from these fines cannot be estimated.

# Argument for

Washington State has taken important steps to keep guns out of dangerous hands. But there are still gaps in our laws that make it hard to keep guns away from people threatening violence against themselves or others. We know that the majority of mass shooters and individuals who attempt suicide show signs of their intentions, but current law leaves families and law enforcement - often first to see those warning signs - unable to take life-saving action.

**Initiative 1491: Empower Families, Prevent Gun Violence**
Initiative 1491 empowers families and law enforcement to prevent tragedy -- giving them a chance to remove guns from a dangerous situation when they know someone is a threat to themselves or others. Parents of shooters at Isla Vista, Seattle's Cafe Racer, and other tragedies have said they could have used this type of law to prevent senseless violence. Initiative 1491 would also expand protections that keep guns out of the hands of domestic abusers. Similar laws in other states have been shown to prevent some suicides.

**Initiative 1491: Respect Due Process**
Initiative 1491 closely follows existing process for other civil protection orders. Both parties may present evidence in court. A judge determines whether evidence of danger is sufficient and issues an order, effective for one year. There are criminal penalties for false petitions.

**Initiative 1491: Community Support**
Endorsed by Washington State Public Health Association, League of Women Voters, Faith Action Network, Everytown for Gun Safety, law enforcement, domestic violence experts, gun owners, and gun violence survivors.

## Rebuttal of argument against

Initiative 1491 fills a critical need in Washington's proven, established protection order system. It simply gives families a tool to save lives— keeping guns from loved ones who are likely to use them for violence to themselves or others. Initiative 1491 is a targeted, tested way to keep guns out of dangerous hands and respect due process—endorsed by mental health professionals, law enforcement and suicide prevention advocates.

## Written by

**Marilyn Balcerak,** Gun violence survivor, Bonney Lake; **Stephanie Holten,** Domestic abuse and gun violence survivor, Spokane; **John Urquhart,** King County Sheriff; **Regina Malveaux,** CEO, YWCA of Spokane; **Ken Taylor,** CEO, Valley Cities Behavioral Health Care; **Bobbe Bridge,** Washington State Supreme Court Justice (retired)

**Contact:** office@wagunresponsibility.org; http://gunresponsibility.org/solution/extreme-risk-protection-orders/

# Argument against

**I-1491 Duplicates Existing Laws**

I-1491 disregards existing state laws that already require treatment and restriction of potentially dangerous individuals. I-1491 doesn't require evaluation, treatment, or monitoring and does nothing to address underlying issues. Recently implemented laws actually provide early detection and intervention of persons at danger to themselves or others.

**Stigmatizes Mental Illness**

I-1491 associates mental illness with mass shootings and violent crime. Statistics show that only 3%-5% of violent acts are committed by people with serious mental illness. The *vast majority of people with mental illness are not violent* and are ten times more likely to be victims of violent crime than the general population.

**Violates Rights**

A broadly defined set of people, including former roommates and police, can file a petition against you. Due process is undermined by allowing immediate ex parte orders; hearings and judgments *without notice* to the accused person. The definition of "Extreme Risk" is unclear. A judge can issue an order based on *arbitrary factors* and reported behaviors including simply purchasing a gun legally. To be released from an order, *a person must prove* he/she is not a danger to themselves or others *and* pay for the tremendous cost of their own defense.

**Gives False Sense of Security**

There is *no evidence* that such orders reduce mass shootings and violent crime.

Restrictions on firearm ownership should not be based on ideological agendas manipulating public fears and misconceptions about gun violence. I-1491 is a targeted, discriminatory abridgement of Second Amendment rights. *Vote No!*

## Rebuttal of argument for

*Ineffective!* We all want to reduce tragedy, but I-1491 doesn't include treatment of allegedly dangerous people, and doesn't remove other dangerous items (vehicles, knives…). *Misdirected!* I-1491 ignores that 95-97% of violent crimes are not related to mental illness. *Deceptive!* In Isla Vista, the parents told police they "found it difficult to believe their son either owned weapons or would actually hurt anyone." *Unintended consequences!* Confiscating firearms doesn't make someone stable, it makes them mad.

## Written by

**David Combs**, Mental Health Advocate, Redmond; **Linda Sherry,** Mother, Educator, Support Group Facilitator, Woodinville; **Dean Takko**, State Senator, Democrat, Longview; **Matt Shea**, State Representative, Republican, Army Veteran, Spokane Valley; **Dave Workman**, Journalist, North Bend

**Contact:** know1491@gmail.com; www.know1491.org

Initiative Measure No.

# 1501

Initiative Measure No. 1501 concerns seniors and vulnerable individuals.

This measure would increase the penalties for criminal identity theft and civil consumer fraud targeted at seniors or vulnerable individuals; and exempt certain information of vulnerable individuals and in-home caregivers from public disclosure.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

# Explanatory Statement

Written by the Office of the Attorney General

## The Law as it Presently Exists

It is currently a crime in Washington to knowingly obtain, possess, use, or transfer a means of identification or financial information of another person, living or dead, with the intent to commit any crime. In other words, it is illegal to have or use another person's identity or financial information to commit a crime. This crime is known as identity theft and is punishable as a class C felony. If, however, the identity theft involves obtaining credit, money, goods, services, or anything else valued over $1,500, it is considered a class B felony and is punishable with a longer maximum prison sentence and higher potential fines.

A person who is a victim of consumer fraud may be able to sue the wrongdoer in court to recover money or obtain other relief. Several state laws authorize these types of lawsuits and each law establishes the criteria for bringing a lawsuit and the remedies available. For example, the Consumer Protection Act permits a person who is injured by an unfair or deceptive action by a business to sue the business to stop the harm and recover damages caused by the unfair or deceptive act.

The Public Records Act generally requires government agencies to provide public records to anyone who asks for them. However, some types of records may not be disclosed by government agencies. For example, there are limitations on disclosure of certain types of financial information, including credit or debit card numbers and social security numbers. Some types of personal information may not be disclosed if the information would violate an individual's personal privacy. Disclosure of information violates personal privacy if it would be highly offensive to a reasonable person and the information is not of concern to the public. Generally, an individual's name, telephone number, and address are not considered personal information.

## The Effect of the Proposed Measure if Approved

This measure would change criminal and civil laws that apply when vulnerable individuals or seniors are targets of identity theft or consumer fraud. The measure would define a "senior" as any person over the age of sixty-five. The definition of "vulnerable individual" would include a person (1) sixty years of age or older who cannot take care of himself or herself; (2) found by a court to be unable to take care of himself or herself; or (3) receiving home care services.

The measure would increase the criminal penalty for identity theft when a senior or vulnerable individual, as defined, is targeted. If a defendant were found guilty of knowingly targeting a senior or vulnerable individual when committing the crime of identity theft, the crime would be considered identity theft in the first degree and be punishable as a class B felony.

The measure would also increase civil penalties for consumer fraud that targets a senior or vulnerable individual, as defined. Any person who commits consumer fraud that targets such individuals would be subject to civil penalties of three times the amount of the actual damages.

The measure would change the Public Records Act to prohibit disclosing "sensitive personal information" of both vulnerable individuals and "in-home caregivers of vulnerable populations." The measure defines "sensitive personal information" to include names, addresses, GPS coordinates, telephone numbers, email addresses, social security numbers, driver's license numbers, or other personally identifying information. It would apply to the sensitive personal information of care providers contracted by the Department of Social and Health Services, home care aides, and certain family childcare providers. The measure provides specific circumstances when the government may disclose such information. For example, the measure would allow the information to be released to other government agencies or to a certified collective bargaining representative.

The measure also requires the Department of Social and Health Services to report to the Governor and Attorney General about any additional records that should be made exempt from public disclosure to protect seniors and vulnerable individuals against fraud, identity theft, and other forms of victimization.

# Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

## Summary

Initiative 1501 would have no significant fiscal impact on state or local governments.

## General Assumptions

- The effective date of the initiative is December 8, 2016.

## Assumptions for Expenditure Analysis

### Increasing criminal penalties for identity theft

Initiative 1501 (I-1501) increases the criminal penalties for the crime of identity theft to when the accused knowingly targets a senior or vulnerable individual when knowingly obtaining, possessing, using or transferring means of identification or financial information of another person with the intent to commit, or aid or abet, any crime. No new expenditures have been identified.

### Increasing civil penalties for consumer fraud

I-1501 increases civil penalties for consumer fraud targeting seniors or vulnerable individuals, as defined in the initiative. Any consumer fraud that targets a senior or vulnerable individual would be subject to civil penalties of three times the amount of actual damages. No new expenditures have been identified.

### Public records exemption

I-1501 provides a new exemption from public disclosure laws for sensitive personal information of vulnerable individuals and their in-home caregivers, as defined in the initiative. I-1501 would add the requirement that individual names, addresses, GPS coordinates, telephone numbers, email addresses, social security numbers, driver's license numbers and other personally identifying information be protected, and thus be redacted before disclosure. These additional redactions would result in little change to workload in responding to public records requests. It is assumed the initiative would not result in a significant increase or decrease in the number of public records requests. Minimal fiscal impact to the state or local governments is anticipated as a result of the new exemption.

### Department of Social and Health Services report

I-1501 would require the Department of Social and Health Services (DSHS) to report to the Governor and the Attorney General "about any additional records that should be made exempt from public disclosure to provide greater protection to seniors and vulnerable individuals against fraud, identity theft, and other forms of victimization." Reporting would be required within 180 days of the effective date of the initiative. DSHS assumes the cost of reporting will be minimal and can be absorbed with current resources.

### State agency prohibition on release of sensitive personal information

Subject to outlined exceptions, I-1501 would prohibit state agencies from releasing sensitive personal information, as defined in the initiative, of vulnerable individuals or their in-home caregivers. This prohibition is expected to have a minimal fiscal impact to the state as the additional redactions required under the initiative will result in an insignificant change to workload in responding to public records requests.

# Argument for

**Consumer Fraud and Identity Theft Hurt Us All**
You have heard the news and stories from family and friends targeted in scams. They often start with a telemarketer impersonating the IRS or a relative in distress, demanding money or personal information. With basic information, criminals can steal an identity, causing emotional stress, devastating personal finances and ruining credit. Fraud and identity theft hurt all of us and cause real financial and emotional damage.

**We Need to Protect Seniors and Other Vulnerable People**
According to a recent study, over half of scam victims are over age 50. In fact, financial exploitation of seniors costs them $2.9 billion every year. For every case that is reported, it is estimated that 43 others are not.

As caregivers, advocates for seniors and retired people, and a public safety official, our priority is the health, safety and protection of our state's most vulnerable populations. We cannot let fraudulent telemarketers and other criminals continue to prey on them. We need the protections offered by I-1501 for their peace of mind and safety.

**Increase Penalties and Prevent Release of Personal Information**
I-1501 increases penalties on criminals who prey on senior citizens and other vulnerable people. It prevents the government from releasing information that could help identity thieves targeting seniors and the vulnerable. And it protects the personal information of caregivers.

Initiative 1501 is endorsed by consumer advocates, caregivers, law enforcement and public safety officials, and other community leaders. Please join us in approving Initiative 1501.

## Rebuttal of argument against

Senior citizens, vulnerable people, and their caregivers are not special interests. When they are the victims of fraud or identity theft, they deserve justice in the form of increased penalties on the perpetrators of their crimes. I-1501 will discourage fraudulent telemarketers and scam artists from profiting on our personal information and increase penalties when they do. I-1501 is supported by the Washington State Senior Citizens' Lobby because they recognize we all need its protections.

## Written by

**Martha Corona,** child care provider in Yakima; **Vera Kandrashuk,** in-home caregiver in Spokane; **Jerry Reilly,** Elder advocate in Olympia; **Robby Stern,** Puget Sound Advocates for Retirement Action; **John Urquhart,** King County Sheriff

**Contact:** (360) 329-2812; info@yeson1501.com; www.yeson1501.com

# Argument against

Please vote no. Initiative 1501 isn't what it claims to be. It was given an innocent-sounding title to deceive voters as to its true purpose. Initiative 1501 is an attack on vulnerable individuals by a powerful special interest that has poured over $1.2 million into funding it.

Initiative 1501 was written by the Service Employees International Union (SEIU). Its goal is to rewrite the Public Records Act to prevent in-home caregivers and childcare providers from learning they no longer can be forced to pay dues to the union.

Through Initiative 1501, SEIU ensures that it, and only it, will still receive caregivers' information — even Social Security numbers — so it can continue capturing over $20 million in dues from these individuals every year. Caregivers have the right to stop paying SEIU, but the State isn't informing them of their right. If Initiative 1501 passes, caregivers will not even be able to contact each other to discuss issues of common concern.

Initiative 1501 is a shameless attempt by a powerful special interest to diminish government transparency and the rights of hard-working caregivers. Our strong government transparency laws should not be weakened to oppress low wage workers. Every person deserves to know his or her rights. Initiative 1501 empowers only the already-powerful.

Our Public Records Act, one of the best in the nation, shouldn't be manipulated for the enrichment of a wealthy special interest and for the purpose of keeping in-home caregivers and childcare workers in the dark.

## Rebuttal of argument for

Don't be deceived. The only two caregivers who helped draft the I-1501 pro statement are SEIU activists, not ordinary workers. That's because the measure only benefits union executives, not hard-working caregivers. It has nothing to do with protecting seniors from identity theft. It's all about keeping caregivers from discovering they no longer have to share their paychecks with the union. Follow the money. I-1501 protects union bosses' wallets while hurting workers and vulnerable individuals.

## Written by

**Brad Boardman,** in-home caregiver who left SEIU; **Mary Jane Aurdal-Olson,** in-home caregiver who left SEIU; **Tim Benn,** family child care co-owner and advocate; **Deborah Thurber,** Spokane area family child care provider and advocate; **Toby Nixon,** President of Washington Coalition for Open Government; **Maxford Nelsen,** Director of Labor Policy, Freedom Foundation

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Initiative Measure No.

# 732

Initiative Measure No. 732 concerns taxes.

This measure would impose a carbon emission tax on certain fossil fuels and fossil-fuel-generated electricity, reduce the sales tax by one percentage point and increase a low-income exemption, and reduce certain manufacturing taxes.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

# Explanatory Statement

Written by the Office of the Attorney General

## The Law as it Presently Exists

The sales tax is imposed on retail sales of most articles of personal property, digital products, and some services. The current state sales tax rate is 6.5 percent, though some local governments impose their own sales taxes that make the rate paid by purchasers higher.

The state business and occupation tax is imposed on the gross income of business activities conducted in Washington. The business and occupation tax rate varies by the type of business or occupation. Most manufacturing businesses are taxed at a rate of 0.484 percent of their gross income, but some manufacturers pay lower rates.

Burning fossil fuels (such as coal, oil, and natural gas) produces carbon dioxide, which can trap heat in the Earth's atmosphere. There is no state tax on carbon dioxide emissions in Washington.

## The Effect of the Proposed Measure if Approved

This measure would create a new tax and reduce certain existing taxes. It would impose a new "carbon emission tax" that applies to the sale or use of certain fossil fuels and electricity generated from fossil fuels. It also would reduce the state sales tax rate, reduce the business and occupation tax rate on manufacturing, and fund a partial sales tax exemption for low-income families.

New Carbon Emission Tax

A new carbon emission tax would start July 1, 2017. It would apply when fossil fuels are burned in Washington. The tax would be collected by the first person or company in Washington who sells or burns the coal, oil, or other fossil fuel. The measure includes provisions to avoid double-taxing a fuel. For most fossil fuels, the tax rate would start at $15 per metric ton of carbon dioxide emitted. Then, the tax rate would rise to $25 per metric ton on July 1, 2018. After that, it would increase by 3.5 percent plus inflation each year until the tax rate reaches a maximum of $100 per metric ton, adjusted for inflation. The state Department of Revenue would adopt rules for calculating the amount of carbon dioxide emitted for each type of fuel and fuel use and for paying the tax. The carbon emission tax would apply to electricity producers, but only on the proportion of electricity produced using fossil fuels. It would not apply to electricity produced using hydroelectric dams, nuclear power, wind, or solar power. Certain industries that obtain electricity generated outside Washington also may be required to pay the tax.

The carbon emission tax would be phased in more slowly for some kinds of fuel used for specific purposes. These fuels include certain fuels used solely for agricultural purposes; fuel purchased for public transportation or by a private nonprofit transportation provider; fuel purchased by the Washington state ferry system for use in its ferries; and fuel purchased for school buses. For these fuels, the initial tax rate would be 5 percent of the tax rate imposed on other fuels. On July 1, 2019, the tax rate would increase to 10 percent of the tax rate imposed on other fuels. The rate would increase in 5 percent increments every two years after that until July 1, 2055, when it would be the same as the carbon emission tax rate imposed on other fuels.

Reductions in Existing Taxes

This measure also would reduce some taxes. On July 1, 2017, the state sales tax rate would be reduced from 6.5 percent to 6.0 percent. On July 1, 2018, it would be reduced again, to 5.5 percent. The state business and occupation tax rate for manufacturing would be reduced to 0.001 percent on July 1, 2017, from the current rate of 0.484 percent for most manufacturers.

Working Family Tax Exemption

Finally, the measure would expand and fund a working family tax exemption. That exemption would allow low-income taxpayers (those who qualify for the federal earned income tax credit) to receive a refund for some of the state sales taxes they paid during the year. In 2017, an eligible applicant would receive 15 percent of the federal earned income tax credit or $100, whichever is larger. Starting in 2018, the refund amount would be 25 percent of the federal earned income tax credit or $100, whichever is larger.

Other Provisions

The state would adopt rules needed to implement the measure. The measure also requires reports to the Governor and Legislature on how the measure is affecting state revenues. The reports would be submitted every year from 2017 through 2027, and every two years after that.

# Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

## Summary

During the first six fiscal years, state General Fund revenue would decrease by a net amount of $797.2 million. This results from implementing a new carbon tax, reducing the state retail sales tax rate by 1 percentage point and reducing certain manufacturing business and occupation taxes. The Working Families Tax Exemption Program would be funded. Sales tax revenue for the state Performance Audits of Government Account would decrease by $8.9 million. Local tax revenue would increase by $156.1 million. State expenditures would increase by $37.4 million.

## General assumptions

- The effective date of the initiative is July 1, 2017.
- Estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2016 is July 1, 2015, to June 30, 2016.
- The provisions of the initiative apply prospectively, not retroactively.

## State revenue assumptions

- Revenue estimates are based on the February 2016 Economic and Revenue Forecast, Department of Revenue tax return data and the Washington State Department of Commerce, State Energy Office, Carbon Tax Assessment Model (CTAM) – version 3.1c.

## State revenue impacts

The initiative contains four provisions that affect state revenue — increased revenues from a new carbon tax, reduced state revenue from a 1 percentage point retail sales tax rate reduction, reduced state revenues from a business and occupation (B&O) tax reduction for certain manufacturing taxpayers and decreased revenues from expansion of the Working Families Tax Exemption Program.

## Carbon tax

Estimates are based on the CTAM and the Global Insight forecast for the consumer price index for all urban areas (CPI-U), November 2015. The Department of Commerce periodically updates data in the CTAM. Any data updates to the CTAM made between preparation and publication of this fiscal impact statement are not reflected in the estimates displayed here.

Revenue assumptions:

- The carbon tax rate is equal to $15 per metric ton of carbon dioxide as of July 1, 2017.
- The carbon tax rate is equal to $25 per metric ton of carbon dioxide as of July 1, 2018, and increases by 3.5 percent, plus the inflation rate, each year thereafter.
- The inflation rate is equal to the CPI-U.
- The phased-in tax rates associated with several fuel uses are not reflected in this analysis, although lowering the carbon tax rate for the specific fuel uses outlined in the bill would result in lower carbon tax revenues.
- No carbon tax reductions or refunds are made for long-term storage of carbon emissions (qualified sequestration).
- No credits are granted for payment of a similar carbon tax in another state.
- The following assumptions are made in the CTAM for modeling purposes:
    - Year One is set to calendar year 2017 to most closely correspond to the July 1, 2017, effective date of the proposed carbon tax.
    - The baseline reference energy forecast (option A) is specified in the CTAM.
    - Industrial process emissions are not included.
    - Jet fuels are not exempted.
    - Marine fuels are not exempted.
    - "Transition coal" is not exempted.
    - The additional 11.9 cents of state gasoline/diesel taxes that became law in 2015 are included in the model as a supplemental fuel tax, as the CTAM does not include this in its current baseline assumptions.

The carbon tax increases revenues that are deposited in the state General Fund. Table 1 provides estimates of the carbon tax revenue during the next six fiscal years to the state General Fund. Revenues deposited in the state General Fund may be used for any government purpose such as education; social, health and environmental services; and other general government activities.

(See Table 1 on page 41)

## Business and occupation tax

The state B&O tax is a gross receipts tax measured on the value of products, gross proceeds of sales or gross income of the business.

Revenue assumptions:

- The following B&O tax classifications are reduced to a rate of 0.001 percent:
    - Manufacturing
    - Manufacturing Dairy/Biodiesel/Alcohol/Split Peas/Fresh Fruit & Vegetables

  - Slaughter-Breaking-Processing Perishable Meat Wholesaling and Manufacturing
  - Manufacturing Commercial Airplanes, Components & Aero Tooling
  - Wholesaling Commercial Airplanes, Components & Aero Tooling
  - Retailing Commercial Airplanes, Components & Aero Tooling
  - Processing for Hire Timber Products
  - Manufacturing of Timber Products
  - Manufacturing of Semiconductors
- As a result of these tax rate changes, the multiple activities tax credit has been recalculated and factored into this analysis.
- The growth rate mirrors the total B&O taxable activity forecast reflected in the Economic and Revenue Forecast Council's February 2016 forecast.
- All B&O tax rate changes are effective July 1, 2017, and none of these changes is retroactive.

Table 2 provides estimates of the decrease in state B&O tax revenue for the next six fiscal years to the state General Fund, rounded to the nearest $1,000.

(See Table 2 on page 41)

## Sales tax

The state retail sales tax rate decreases from 6.5 percent to 6.0 percent on July 1, 2017, and from 6.0 percent to 5.5 percent on July 1, 2018. This change reduces revenues deposited in two funds: the state General Fund and the state Performance Audits of Government Account.

In addition, changes in the state retail sales tax rate could affect the amount of goods purchased, which would affect state and local tax revenue. The Department of Revenue prepared the revenue estimates assuming a price elasticity of 1.01. Price elasticity is a method used to calculate the change in consumption of a good when price increases or decreases. Due to price elasticity, state B&O tax revenue could increase with the change in the state retail sales tax rate.

Table 3 provides estimates of the decrease in state retail sales tax revenue for the next six fiscal years to the state General Fund.

(See Table 3 on page 41)

Table 4 provides estimates of the decrease in state retail sales tax revenue for the next six fiscal years to the state Performance Audits of Government Account. This account is used by the Washington State Auditor to conduct comprehensive performance audits required under RCW 43.09.470.

(See Table 4 on page 41)

Table 5 provides estimates of the increase in state B&O tax revenue deposited in the state General Fund over the next six fiscal years.

(See Table 5 on page 41)

## Working Families Tax Exemption

Estimates are based on 2013 individual income tax returns filed with the Internal Revenue Service. The initiative modifies the Working Families Tax Exemption Program, which is an exemption in the form of a refund for eligible taxpayers. Under current law, the exemption amount for a qualified taxpayer for the prior federal tax year is the greater of 10 percent of the federal earned income tax credit (EITC) or $50. The initiative increases that amount to the greater of 15 percent of the EITC or $100 for exemptions claimed in 2017, and the greater of 25 percent of the EITC or $100 for exemptions claimed in 2018 and thereafter.

Revenue assumptions:

- Applications for calendar year 2016 would be received beginning July 1, 2017.
- Applications for calendar year 2017 would be received beginning Jan. 1, 2018.
- Calendar year 2016 and calendar year 2017 refunds would both be paid during fiscal year 2018.
- The participation rate in the Working Families Tax Exemption Program is assumed at 90 percent in the first year, 93 percent in the second year and 95 percent in the third year and thereafter.
- The Working Families Tax Exemption is based on the EITC from the prior year.
- The number of qualified applicants grows 3 percent annually.
- All refunds are paid by June 30 of the year that the Working Families Tax Exemption is claimed. However, applications for the first year cannot be submitted until July 1, 2017. This estimate assumes refunds for calendar year 2016 (requested in 2017) will be paid by Dec. 31, 2017.

Table 6 provides estimates of the decrease in state General Fund revenues due to the changes in the Working Families Tax Exemption Program.

(See Table 6 on page 41)

## Local government revenue

Due to price elasticity from the change in the state retail sales tax rate, local retail sales tax revenue could increase. Table 7 provides estimates of the increased local government revenues collected during the next six fiscal years.

(See Table 7 on page 41)

## State expenditure assumptions

- Expenditures for staff salaries reflect a general wage increase of 1.8 percent effective July 1, 2016, and corresponding adjustments to benefits reflecting 30 percent of the salary adjustment.
- One full-time equivalent (FTE) employee equates to 2,080 hours of work for one calendar year.

## State expenditures

To implement the initiative, the Department of Revenue will incur expenditures of about $37.4 million and need additional FTEs during the first six fiscal years. Table 8 provides cost estimates and FTEs by fiscal year. Expenditures are rounded to the nearest $1,000.

(See Table 8 on page 41)

About 200,000 taxpayers are affected by changes in the retail sales tax rate and about 12,000 taxpayers are affected by changes in manufacturing B&O tax rates. Costs for implementing the B&O tax and retail sales tax changes include:

- Programming and testing computer system changes.
- Creating a special notice for affected taxpayers and updating publications and web pages.
- Printing and mailing special notices to affected taxpayers who do not file electronically.
- Responding to questions from affected taxpayers.

About 1,500 taxpayers are affected by the carbon tax. Costs for implementing the carbon tax include:

- Programming and testing computer system changes, including new addenda for calculation of the carbon tax and a new software application to submit fuel mix reports.
- Creating new educational and informational materials for affected taxpayers in hard copy and electronic formats, including updates to these materials, as needed.
- Responding to questions and assisting affected taxpayers with return preparation and other compliance assistance.
- Technical advice for implementation, including procedures, forms, worksheets and guidance documents, and development of the carbon calculation.
- Additional work with affected parties and coordinating implementation among several state agencies during the startup process.
- Preparation of required reports to the governor and Legislature.
- Adoption of two new administrative rules.

For the Working Families Tax Exemption, the initiative modifies several provisions affecting program administration by the Department of Revenue. The Department of Revenue assumes 460,600 individuals will file a claim the first year applications are accepted, beginning July 1, 2017. Costs to operate the program will change if the number of claims increases or decreases substantially.

The Department of Revenue is in the middle of its tax and licensing system replacement project. The timing of the initiative means only a minimum level of functionality of the new system is in place by July 1, 2017, to accept Working Families Tax Exemption applications. Other costs for implementing the Working Families Tax Exemption provisions of the initiative include:

- Programming (through contracting with third-party programmers) to set up, test and verify the computer systems to process refund applications for payment, including an Internet-based application process, processing queues, tracking, imaging and electronic funds transfers.
- Creating printed materials, Web information and media advertising.
- Designing and developing forms and other materials to process exemption claims.
- Organizing a group to receive and process claims for remittance.
- Responding to questions and assisting affected taxpayers.
- Preparing and training new staff to begin processing applications July 1, 2017.
- Adopting one new administrative rule.
- Printing and mailing notices to those who would qualify for the Working Families Tax Exemption, based on the best available information.
- Processing applications, including verification of claims.
- Processing and sending refund checks to eligible claimants.
- Collecting refunds processed in error or fraudulently filed.

| Table 1 – Carbon tax revenues deposited in the state General Fund | | | | | |
|---|---|---|---|---|---|
| FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| $0 | $0 | $1,455,135,000 | $1,972,166,000 | $2,089,715,000 | $2,189,309,000 |

| Table 2 – Reductions in state B&O tax revenues deposited in the state General Fund | | | | | |
|---|---|---|---|---|---|
| FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| $0 | $0 | ($371,907,000) | ($426,871,000) | ($449,128,000) | ($472,545,000) |

| Table 3 – Reductions in state retail sales tax revenues deposited in the state General Fund | | | | | |
|---|---|---|---|---|---|
| FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| $0 | $0 | ($678,294,000) | ($1,493,684,000) | ($1,638,849,000) | ($1,716,348,000) |

| Table 4 – Reductions in state retail sales tax revenues deposited in the Performance Audits of Government Account | | | | | |
|---|---|---|---|---|---|
| FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| $0 | $0 | ($1,087,000) | ($2,394,000) | ($2,626,000) | ($2,751,000) |

| Table 5 – Increases in state B&O tax revenues deposited in the state General Fund | | | | | |
|---|---|---|---|---|---|
| FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| $0 | $0 | $3,404,000 | $7,458,000 | $8,181,000 | $8,568,000 |

| Table 6 – Decreases in state General Fund revenues due to changes in the Working Families Tax Exemption Program | | | | | |
|---|---|---|---|---|---|
| FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| $0 | $0 | ($420,639,000) | ($279,150,000) | ($287,525,000) | ($296,151,000) |

| Table 7 – Increases in local retail sales tax revenue | | | | | |
|---|---|---|---|---|---|
| FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| $0 | $0 | $19,245,000 | $42,165,000 | $46,251,000 | $48,439,000 |

| Table 8 – Department of Revenue implementation costs | | | | | | |
|---|---|---|---|---|---|---|
| | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 |
| FTEs | 0.0 | 49.6 | 72.8 | 60.1 | 58.7 | 60.4 |
| Dollars | $0 | $7,380,000 | $11,435,000 | $6,204,000 | $6,078,000 | $6,256,000 |

# Argument for

**Yes On I-732: Act *Now* for Clean Energy**

Dirty fossil fuels pollute our air and water, threaten our forests, harm our kids, and damage our climate. I-732 *makes polluters pay.* It accelerates the shift to clean energy like solar, wind, and hydropower. And it returns the money polluters pay to *everyone's* pocket by lowering other taxes.

**Clean Air, Clean Water, Healthy Forests**

Washington families and kids deserve a safe environment with clean air and water and healthy forests. I-732 puts a price on carbon pollution from fossil fuels like coal and oil, but not on clean energy like solar and wind. It accelerates clean energy, creating good, local jobs, while driving down the burning of fossil fuels and the pollution, asthma, and smog they cause.

**Fights Pollution and Climate Change**

I-732 fights climate change by *making big polluters pay.* It's an effective, bipartisan policy similar to one that's been working successfully in British Columbia since 2008.

**Makes Polluters Pay. Protects Working Families.**

Our current tax system hits lower- and middle-income families hardest. I-732 changes that. It uses the money *polluters* pay to *lower* sales taxes, saving the average family hundreds of dollars a year. And it sends tax refunds to hundreds of thousands of working families. It makes Washington's taxes *fairer* as it makes our state *cleaner*.

Protecting our air, water, and climate *just can't wait*. We have a moral obligation to leave our kids a healthier, cleaner Washington! Vote Yes on I-732.

## Rebuttal of argument against

I-732 taxes polluters and uses that money to lower sales taxes on working families. Our opponents' main argument, *based on a disputed analysis*, is that tax revenue over 6 years *might* decline less than 1%. Our main argument is that droughts, fires, and floods from climate change will *definitely* threaten our environment, our economy, and our kids' futures. I-732 *reduces pollution* and *boosts clean energy* with a proven, bipartisan approach. Vote Yes!

## Written by

**Cliff Mass,** Professor of Atmospheric Sciences, University of Washington; **Howard Behar,** Former President, Starbucks; **Sharon Nelson,** Former Chairman, Washington Utility Commission and Consumer Reports; **Bill Finkbeiner,** Former Washington State Senate Majority Leader (R); **Rogers Weed,** Washington State Department of Commerce Director 2009-2012; **Ramez Naam,** Author, Energy and Environment Co-Chair, Singularity University

**Contact:** yeson732.org; communications@carbonwa.org

# Argument against

**State Deficit**

I-732 will make Washington's budget mess worse. A Department of Revenue analysis found I-732 will cut funding available for education, health care, and other vital services by $797 million over the next six years. Our state faces a $5 billion deficit and court orders to meet basic education and mental health needs. I-732 makes this situation worse.

**Climate and Jobs**

Climate policy must be comprehensive, so it doesn't harm people and kill jobs. I-732 fails this test. A clean-energy economy can reduce carbon emissions and reverse climate change while also creating family-wage jobs, rebuilding crumbling infrastructure, investing in areas hardest hit by pollution, and providing a "Just Transition" for workers and communities. I-732 doesn't do any of this.

Instead, I-732 imposes an accelerating carbon tax on businesses, with no provisions for compliance flexibility or energy-efficiency incentives. Some businesses will simply move their jobs and pollution across state lines.

**Equity**

Vulnerable families in communities near pollution hot spots and workers in energy intensive industries are hardest hit by pollution. But I-732's "Working Families Tax Exemption" provides less than half of this population with any relief from increased energy costs. These communities will need investments and jobs to make an equitable transition to a forward-thinking clean-energy economy. I-732 ignores this.

At a time when we are struggling to maintain good jobs and fund basic services, I-732 would send Washington in the wrong direction. *Vote no*.

## Rebuttal of argument for

We need to get climate policy right. I-732 has too many unintended consequences. I-732 gives tax breaks to polluters without any accountability and fails to invest in clean air and water, jobs and clean energy, or healthy forests and communities. I-732 further strips our state budget, harming education and infrastructure programs our communities need. This accelerating carbon tax will only push jobs and businesses elsewhere, and will not significantly address climate change.

## Written by

**Rich Stolz,** Executive Director, One America; **Jill Mangaliman**, Executive Director, Got Green; **Jeffrey Johnson,** President, Washington State Labor Council, AFL-CIO; **Rosalinda Guillen,** Executive Director, Community to Community; **De'Sean Quinn,** Tukwila City Council member; **Rebecca Saldana,** Executive Director, Puget Sound SAGE

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Initiative Measure No.

# 735

Initiative Measure No. 735 concerns a proposed amendment to the federal constitution.

This measure would urge the Washington state congressional delegation to propose a federal constitutional amendment that constitutional rights belong only to individuals, not corporations, and constitutionally-protected free speech excludes the spending of money.

Should this measure be enacted into law?

[ ] Yes

[ ] No

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The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

# Explanatory Statement

Written by the Office of the Attorney General

## The Law as it Presently Exists

The United States Supreme Court has held that the First Amendment to the United States Constitution protects the right of individuals to contribute money to candidates running for office and to spend money independently to support or oppose candidates. In 2010, the Court held in a case called *Citizens United v. Federal Election Commission,* 558 U.S. 310 (2010), that the First Amendment also gives corporations a right to independently spend money to support or oppose candidates.

An amendment changing the United States Constitution may be proposed either by the United States Congress or by a constitutional convention called for by two-thirds of the States' legislatures. A proposed amendment becomes a part of the Constitution if it is ratified by three-fourths of the States. The amendment process is described in Article V of the United States Constitution.

## The Effect of the Proposed Measure if Approved

The measure would urge Washington's current and future members of Congress to propose a joint resolution to amend the United States Constitution. The proposed amendment would state that constitutional rights belong only to individual human beings; that spending money is not free speech under the First Amendment; that governments are fully empowered to regulate political contributions and expenditures to prevent undue influence on government; and that political contributions and expenditures must be promptly disclosed to the public.

The measure would urge Washington's members of Congress to choose an amendment ratification method that will best ensure that the people are heard and represented during the ratification process. It would also urge current and future Washington legislatures to ratify such an amendment when passed by the United States Congress and delivered to the States for ratification.

Finally, the measure would provide that immediately after the measure is enacted, the Washington Secretary of State is directed to deliver copies of the measure to the Washington State Governor, all current members of the Washington State Legislature, all current members of the United States Congress, and the President of the United States.

# Fiscal Impact Statement

Written by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

Initiative 735 would have no significant fiscal impact on state or local governments. The initiative requires the Secretary of State to immediately deliver copies of the initiative when enacted to listed elected officials, which would cost approximately $325.

## Assumptions for Analysis of Initiative 735

The initiative is a request to Washington's current and future congressional delegation to propose a joint resolution for an amendment to the U.S. Constitution clarifying five items:

1. Constitutional rights are rights only to human beings.
2. The judiciary may not equate spending money with freedom of speech.
3. All political contributions and expenditures must be disclosed prior to elections.
4. Governments may regulate political contributions and expenditures to prevent undue influence.
5. This act does not limit the people's rights under the First Amendment of the U.S. Constitution.

When enacted, the Secretary of State is directed to immediately deliver copies of the initiative to the governor, all current member of the state Legislature, all current members of the U.S. Congress and the president of the United States, which totals approximately 684 people. Assuming the initiative is delivered by first class postage at $.47 per piece of mail, the cost to fulfill this provision is estimated at $325.

# Argument for

**Big Money is Corrupting Our Political System**

The 2010 Supreme Court decision in *Citizens United v. FEC* and other cases have unleashed unlimited, anonymous campaign dollars from mega-wealthy individuals, corporations, unions, and other special interests. SuperPACs and interest groups spent more than $1 billion on campaigns in 2012 – almost 3 times more than 2008! This year will be even worse.

Instead of representing the people who elected them, many politicians spend their time courting big donors who expect favors in return. Where does that leave the voice and concerns of the average citizen?

**Congress Will Only Act If We Demand It**

Although 80% of Republicans and 83% of Democrats support overturning *Citizens United*, Congress will not act on its own -- politicians profit from business as usual. But when we voters put our voices on record, we hold Congress accountable for inaction. Sixteen states and over 650 municipalities have already passed measures like ours. By adding Washington to the list, we will tell our elected representatives that we want change now.

**A New Constitutional Amendment**

Initiative 735 calls on Congress to initiate a Constitutional amendment overturning *Citizens United* and stipulating that spending money is not protected political speech. The amendment would ensure that contributions are regulated and publicly disclosed. It would also clarify that only people have Constitutional rights -- not corporations or special interest groups.

This is about restoring the power of "We the People." Let's send a clear message to the other Washington. Vote "yes" on Initiative 735!

## Rebuttal of argument against

Initiative 735 will not limit freedom of speech or freedom of the press. It will keep moneyed special interests from having a louder voice than *"We the People."* We support Initiative 735 because we believe in freedom of speech for everyone, not just Super PACs, corporations, and wealthy individuals who monopolize the media with attack ads and misinformation. Spending unlimited, secret campaign money is legalized bribery. If you cherish free speech, *vote "Yes" on 735!*

## Written by

**Cindy Black,** Coordinator, Washington Coalition to Amend the Constitution (WAmend); **Alice Woldt,** Executive Director, Fix Democracy First; **Ben Stuckart,** President, Spokane City Council; **Jim Street,** Former Superior Court Judge; **Lyda Pierce,** Rev. Dr. Latino/Hispanic Ministries United Methodist Church; **Pramila Jayapal,** State Senator 37th District, founder One America

**Contact:** (206) 547-9961; info@wamend.org; WAmend.org

# Argument against

Initiative 735 is a dangerous proposal to allow government censorship. This would be the first Constitutional amendment since prohibition to take rights away.

**Silencing speech is undemocratic**

Citizens should have as much opportunity to share and receive information as possible. Silencing certain speakers is counterproductive. Forbidding citizens from spending their money spreading their beliefs is totalitarian, not democratic. We can, we must, find solutions that expand, instead of taking away, our rights. Vote no I-735.

**Initiative 735 opens Pandora's Box**

Initiative 735 allows censorship of both profit and nonprofit corporations. Government would be free to censor news, books, movies, music, and your favorite charity. If a corporation made it, government could censor it. Should we empower congressional Republicans to censor corporations including Planned Parenthood, Playboy, PETA and WashPIRG? Absolutely not. Should we empower congressional Democrats to censor CareNet, Fox News, National Organization for Marriage and the NRA? Absolutely not. Vote no I-735.

**We need more speech, not less**

To prohibit spending money on speech would severely hamper public discourse. The Founders wisely protected freedom of speech and press, even though the historic printing press cost money. The best protection for diverse speech is keeping centralized regulators like Congress from controlling the marketplace of ideas. Vote no I-735.

**We can require disclosures**

The Citizens United ruling allows government to require disclosure of political contributions. We can bolster disclosure requirements without amending the Constitution. Vote no I-735.

## Rebuttal of argument for

"Amendment I. Congress shall make no law …. abridging the freedom of speech, or of the press….." I-735 seeks to destroy freedom of speech by amending the Constitution. I-735 seeks to censor corporations such as the Seattle Times, the Tacoma News Tribune, the Spokane Spokesman-Review, Disney/ABC, Comcast/NBC, Time Warner/CNN, CBS, the New York Times, Planned Parenthood, the Sierra Club, Facebook, Twitter, Google and the Corporation for Public Broadcasting. Vote No on I-735.

## Written by

**Rebecca Faust,** First Amendment defender; **Kelly Houghton,** First Amendment defender

**Contact:** firstamendmentdefenders@protonmail.com; www.firstamendmentdefenders.weebly.com

# ADVISORY VOTES

## What's an advisory vote?

Advisory votes are non-binding. The results will **not** change the law.

## Repeal or maintain?

You are advising the Legislature to repeal or maintain a tax increase.

**Repeal** - you *don't favor* the tax increase.

**Maintain** - you *favor* the tax increase.

## Want more info?

**Contact your legislator.** Their contact information is on the following pages.

View the complete text of the bill at **www.vote.wa.gov/completetext.**

View additional cost information at **www.ofm.wa.gov/ballot.**

Advisory votes are the result of Initiative 960, approved by voters in 2007.

Advisory Vote No.

# 14

## House Bill 2768

The legislature extended, without a vote of the people, the insurance premium tax to some insurance for stand-alone family dental plans, costing an indeterminate amount in the first ten years, for government spending.

This tax increase should be:

[ ] Repealed

[ ] Maintained

## Ten-Year Projection

Provided by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

**House Bill 2768 (HB 2768)**

This bill authorizes the Health Benefit Exchange (HBE) to charge carrier assessments and the Office of the Insurance Commissioner to charge premium taxes on Family Qualified Dental Plans (QDPs) for QDPs listed on the HBE. The assessments are estimated to range from $25 to $50 per member per month. Depending on the actual premiums paid, the HBE assessment will be set at a level needed to meet the HBE's costs for offering Family QDPs through the Exchange. Without more certainty about the QDP premium amounts, the carrier assessment and premium tax revenues cannot be estimated; hence, the overall ten-year cost to fee payers is indeterminate.

## Final Votes Cast by the Legislature

**Senate:** Yeas, 44; Nays, 4; Absent, 0; Excused, 1
**House:** Yeas, 91; Nays, 7; Absent, 0; Excused, 0

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Advisory Vote No.

# 15

## Second Engrossed Substitute House Bill 2778

The legislature imposed, without a vote of the people, certain limitations on the retail sales and use tax exemptions for clean alternative-fuel vehicles, costing $2,000,000 in the first ten years, for government spending.

This tax increase should be:

[ ] Repealed

[ ] Maintained

## Ten-Year Projection

Provided by the Office of Financial Management
For more information visit **www.ofm.wa.gov/ballot**

**Second Engrossed Substitute House Bill 2778 (2ESHB 2778)**

| Fiscal Year | Retail Sales Tax |
|---|---|
| 2016 | |
| 2017 | $ 1,696,000 |
| 2018 | 74,000 |
| 2019 | 2,035,000 |
| 2020 | -1,408,000 |
| 2021 | -859,000 |
| 2022 | |
| 2023 | |
| 2024 | |
| 2025 | |
| **Total:** | **$ 1,538,000** |

## Final Votes Cast by the Legislature

**Senate:** Yeas, 28; Nays, 15; Absent, 0; Excused, 6
**House:** Yeas, 66; Nays, 29; Absent, 0; Excused, 3

# Final Votes Cast by Each Legislator

District 1
**Sen. Rosemary McAuliffe**
(D, Bothell), (360) 786-7600
rosemary.mcauliffe@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Derek Stanford**
(D, Bothell), (360) 786-7928
derek.stanford@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Luis Moscoso**
(D, Mountlake Terrace), (360) 786-7900
luis.moscoso@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

District 2
**Sen. Randi Becker**
(R, Eatonville), (360) 786-7602
randi.becker@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Andrew Barkis**
(R, Olympia), (360) 786-7824
andrew.barkis@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. J.T. Wilcox**
(R, Yelm), (360) 786-7912
jt.wilcox@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 3
**Sen. Andy Billig**
(D, Spokane), (360) 786-7604
andy.billig@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Marcus Riccelli**
(D, Spokane), (360) 786-7888
marcus.riccelli@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Timm Ormsby**
(D, Spokane), (360) 786-7946
timm.ormsby@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 4
**Sen. Mike Padden**
(R, Spokane Valley), (360) 786-7606
mike.padden@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

**Rep. Bob McCaslin**
(R, Spokane Valley), (360) 786-7820
bob.mccaslin@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

**Rep. Matt Shea**
(R, Spokane Valley), (360) 786-7984
matt.shea@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

District 5
**Sen. Mark Mullet**
(D, Issaquah), (360) 786-7608
mark.mullet@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Jay Rodne**
(R, Snoqualmie), (360) 786-7852
jay.rodne@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Chad Magendanz**
(R, Issaquah), (360) 786-7876
chad.magendanz@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 6
**Sen. Michael Baumgartner**
(R, Spokane), (360) 786-7610
michael.baumgartner@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

**Rep. Kevin Parker**
(R, Spokane), (360) 786-7922
kevin.parker@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Jeff Holy**
(R, Cheney), (360) 786-7962
jeff.holy@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

District 7
**Sen. Brian Dansel**
(R, Republic), (360) 786-7612
brian.dansel@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

**Rep. Shelly Short**
(R, Addy), (360) 786-7908
shelly.short@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Joel Kretz**
(R, Wauconda), (360) 786-7988
joel.kretz@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 8
**Sen. Sharon Brown**
(R, Kennewick), (360) 786-7614
sharon.brown@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Brad Klippert**
(R, Kennewick), (360) 786-7882
brad.klippert@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Larry Haler**
(R, Richland), (360) 786-7986
larry.haler@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 9
**Sen. Mark Schoesler**
(R, Ritzville), (360) 786-7620
mark.schoesler@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Mary Dye**
(R, Pomeroy), (360) 786-7942
mary.dye@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Joe Schmick**
(R, Colfax), (360) 786-7844
joe.schmick@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 10
**Sen. Barbara Bailey**
(R, Oak Harbor), (360) 786-7618
barbara.bailey@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Norma Smith**
(R, Clinton), (360) 786-7884
norma.smith@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Dave Hayes**
(R, Camano Island), (360) 786-7914
dave.hayes@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 11
**Sen. Bob Hasegawa**
(D, Seattle), (360) 786-7616
bob.hasegawa@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Zack Hudgins**
(D, Tukwila), (360) 786-7956
zack.hudgins@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Steve Bergquist**
(D, Renton), (360) 786-7862
steve.bergquist@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 12
**Sen. Linda Evans Parlette**
(R, Wenatchee), (360) 786-7622
linda.parlette@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Cary Condotta**
(R, Chelan), (360) 786-7954
cary.condotta@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Brad Hawkins**
(R, Wenatchee), (360) 786-7832
brad.hawkins@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

Initiative 960, approved by voters in 2007, requires a list of every Legislator, their party preference, hometown, contact information, and how they voted on each bill resulting in an Advisory Vote.

District 13
**Sen. Judy Warnick**
(R, Moses Lake), (360) 786-7624
judy.warnick@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Tom Dent**
(R, Moses Lake), (360) 786-7932
tom.dent@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Matt Manweller**
(R, Ellensburg), (360) 786-7808
matt.manweller@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 14
**Sen. Curtis King**
(R, Yakima), (360) 786-7626
curtis.king@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Norm Johnson**
(R, Yakima), (360) 786-7810
norm.johnson@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Gina McCabe**
(R, Goldendale), (360) 786-7856
gina.mccabe@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 15
**Sen. Jim Honeyford**
(R, Sunnyside), (360) 786-7684
jim.honeyford@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Bruce Chandler**
(R, Granger), (360) 786-7960
bruce.chandler@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. David Taylor**
(R, Moxee), (360) 786-7874
david.taylor@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

District 16
**Sen. Mike Hewitt**
(R, Walla Walla), (360) 786-7630
mike.hewitt@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Maureen Walsh**
(R, Walla Walla), (360) 786-7836
maureen.walsh@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Terry Nealey**
(R, Dayton), (360) 786-7828
terry.nealey@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 17
**Sen. Don Benton**
(R, Vancouver), (360) 786-7632
don.benton@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

**Rep. Lynda Wilson**
(R, Vancouver), (360) 786-7994
lynda.wilson@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Paul Harris**
(R, Vancouver), (360) 786-7976
paul.harris@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 18
**Sen. Ann Rivers**
(R, La Center), (360) 786-7634
ann.rivers@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Brandon Vick**
(R, Felida), (360) 786-7850
brandon.vick@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Liz Pike**
(R, Camas), (360) 786-7812
liz.pike@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

District 19
**Sen. Dean Takko**
(D, Longview), (360) 786-7636
dean.takko@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. JD Rossetti**
(D, Longview), (360) 786-7806
jd.rossetti@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Brian Blake**
(D, Aberdeen), (360) 786-7870
brian.blake@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 20
**Sen. John Braun**
(R, Chehalis), (360) 786-7638
john.braun@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Richard DeBolt**
(R, Chehalis), (360) 786-7896
richard.debolt@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Ed Orcutt**
(R, Kalama), (360) 786-7990
ed.orcutt@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 21
**Sen. Marko Liias**
(D, Everett), (360) 786-7640
marko.liias@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Strom Peterson**
(D, Edmonds), (360) 786-7950
strom.peterson@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Lillian Ortiz-Self**
(D, Mukilteo), (360) 786-7972
lillian.ortiz-self@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 22
**Sen. Karen Fraser**
(D, Olympia), (360) 786-7642
karen.fraser@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Chris Reykdal**
(D, Tumwater), (360) 786-7940
chris.reykdal@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Sam Hunt**
(D, Olympia), (360) 786-7992
sam.hunt@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 23
**Sen. Christine Rolfes**
(D, Bainbridge Island), (360) 786-7644
christine.rolfes@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Sherry Appleton**
(D, Poulsbo), (360) 786-7934
sherry.appleton@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Drew Hansen**
(D, Bainbridge Island), (360) 786-7842
drew.hansen@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 24
**Sen. Jim Hargrove**
(D, Hoquiam), (360) 786-7646
jim.hargrove@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

**Rep. Kevin Van De Wege**
(D, Sequim), (360) 786-7916
kevin.vandewege@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Steve Tharinger**
(D, Dungeness), (360) 786-7904
steve.tharinger@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Don't know which legislative district you live in?**
Call the legislative hotline at **(800) 562-6000** or visit **www.leg.wa.gov.**

District 25
**Sen. Bruce Dammeier**
(R, Puyallup), (360) 786-7648
bruce.dammeier@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Melanie Stambaugh**
(R, Puyallup), (360) 786-7948
melanie.stambaugh@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Hans Zeiger**
(R, Puyallup), (360) 786-7968
hans.zeiger@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 26
**Sen. Jan Angel**
(R, Port Orchard), (360) 786-7650
jan.angel@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Jesse Young**
(R, Gig Harbor), (360) 786-7964
jesse.young@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Michelle Caldier**
(R, Port Orchard), (360) 786-7802
michelle.caldier@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 27
**Sen. Jeannie Darneille**
(D, Tacoma), (360) 786-7652
j.darneille@leg.wa.gov
HB 2768 (AV14): Excused
2ESHB 2778 (AV15): Yea

**Rep. Laurie Jinkins**
(D, Tacoma), (360) 786-7930
laurie.jinkins@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Jake Fey**
(D, Tacoma), (360) 786-7974
jake.fey@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 28
**Sen. Steve O'Ban**
(R, Lakewood), (360) 786-7654
steve.oban@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

**Rep. Dick Muri**
(R, Steilacoom), (360) 786-7890
dick.muri@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Christine Kilduff**
(D, University Place), (360) 786-7958
christine.kilduff@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 29
**Sen. Steve Conway**
(D, Tacoma), (360) 786-7656
steve.conway@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. David Sawyer**
(D, Lakewood), (360) 786-7906
david.sawyer@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Steve Kirby**
(D, Tacoma), (360) 786-7996
steve.kirby@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 30
**Sen. Mark Miloscia**
(R, Federal Way), (360) 786-7658
mark.miloscia@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Linda Kochmar**
(R, Federal Way), (360) 786-7898
linda.kochmar@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Teri Hickel**
(R, Federal Way), (360) 786-7830
terk.hickel@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 31
**Sen. Pam Roach**
(R, Auburn), (360) 786-7660
pam.roach@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Drew Stokesbary**
(R, Auburn), (360) 786-7846
drew.stokesbary@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Christopher Hurst**
(D, Enumclaw), (360) 786-7866
christopher.hurst@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

District 32
**Sen. Maralyn Chase**
(D, Edmonds), (360) 786-7662
maralyn.chase@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

**Rep. Cindy Ryu**
(D, Shoreline), (360) 786-7880
cindy.ryu@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Ruth Kagi**
(D, Seattle), (360) 786-7910
ruth.kagi@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 33
**Sen. Karen Keiser**
(D, Des Moines), (360) 786-7664
karen.keiser@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Tina Orwall**
(D, Des Moines), (360) 786-7834
tina.orwall@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Mia Gregerson**
(D, SeaTac), (360) 786-7868
mia.gregerson@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 34
**Sen. Sharon Nelson**
(D, Maury Island), (360) 786-7667
sharon.nelson@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Eileen Cody**
(D, Seattle), (360) 786-7978
eileen.cody@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Joe Fitzgibbon**
(D, Burien), (360) 786-7952
joe.fitzgibbon@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 35
**Sen. Tim Sheldon**
(D, Potlatch), (360) 786-7668
timothy.sheldon@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Dan Griffey**
(R, Allyn), (360) 786-7966
dan.griffey@leg.wa.gov
HB 2768 (AV14): Yea
ESSB 6138 (AV13): Yea

**Rep. Drew MacEwen**
(R, Union), (360) 786-7902
drew.macewen@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 36
**Sen. Reuven Carlyle**
(D, Seattle), (360) 786-7670
reuven.carlyle@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Noel Frame**
(D, Seattle), (360) 786-7814
noel.frame@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Gael Tarleton**
(D, Seattle), (360) 786-7860
gael.tarleton@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

Initiative 960, approved by voters in 2007, requires a list of every Legislator, their party preference, hometown, contact information, and how they voted on each bill resulting in an Advisory Vote.

District 37
**Sen. Pramila Jayapal**
(D, Seattle), (360) 786-7688
pramila.jayapal@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

**Rep. Sharon Tomiko Santos**
(D, Seattle), (360) 786-7944
sharontomiko.santos@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Eric Pettigrew**
(D, Seattle), (360) 786-7838
eric.pettigrew@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 38
**Sen. John McCoy**
(D, Tulalip), (360) 786-7674
john.mccoy@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. June Robinson**
(D, Everett), (360) 786-7864
june.robinson@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Mike Sells**
(D, Everett), (360) 786-7840
mike.sells@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 39
**Sen. Kirk Pearson**
(R, Monroe), (360) 786-7676
kirk.pearson@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Dan Kristiansen**
(R, Snohomish), (360) 786-7967
dan.kristiansen@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Elizabeth Scott**
(R, Monroe), (360) 786-7816
elizabeth.scott@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

District 40
**Sen. Kevin Ranker**
(D, Orcas Island), (360) 786-7678
kevin.ranker@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Excused

**Rep. Kristine Lytton**
(D, Anacortes), (360) 786-7800
kristine.lytton@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Jeff Morris**
(D, Mount Vernon), (360) 786-7970
jeff.morris@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 41
**Sen. Steve Litzow**
(R, Mercer Island), (360) 786-7641
steve.litzow@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Tana Senn**
(D, Mercer Island), (360) 786-7894
tana.senn@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Judy Clibborn**
(D, Mercer Island), (360) 786-7926
judy.clibborn@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 42
**Sen. Doug Ericksen**
(R, Ferndale), (360) 786-7682
doug.ericksen@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

**Rep. Luanne Van Werven**
(R, Lynden), (360) 786-7980
luanne.vanwerven@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Vincent Buys**
(R, Lynden), (360) 786-7854
vincent.buys@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Nay

District 43
**Sen. Jamie Pedersen**
(D, Seattle), (360) 786-7628
jamie.pedersen@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Brady Walkinshaw**
(D, Seattle), (360) 786-7826
brady.walkinshaw@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Frank Chopp**
(D, Seattle), (360) 786-7920
frank.chopp@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 44
**Sen. Steve Hobbs**
(D, Lake Stevens), (360) 786-7686
steve.hobbs@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Hans Dunshee**
(D, Snohomish), (360) 786-7804
hans.dunshee@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Mark Harmsworth**
(R, Mill Creek), (360) 786-7892
mark.harmsworth@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 45
**Sen. Andy Hill**
(R, Redmond), (360) 786-7672
andy.hill@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Roger Goodman**
(D, Kirkland), (360) 786-7878
roger.goodman@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Larry Springer**
(D, Kirkland), (360) 786-7822
larry.springer@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 46
**Sen. David Frockt**
(D, Seattle), (360) 786-7690
david.frockt@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Nay

**Rep. Gerry Pollet**
(D, Seattle), (360) 786-7886
gerry.pollet@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Jessyn Farrell**
(D, Seattle), (360) 786-7818
jessyn.farrell@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 47
**Sen. Joe Fain**
(R, Auburn), (360) 786-7692
joe.fain@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Mark Hargrove**
(R, Covington), (360) 786-7918
mark.hargrove@leg.wa.gov
HB 2768 (AV14): Nay
2ESHB 2778 (AV15): Excused

**Rep. Pat Sullivan**
(D, Covington), (360) 786-7858
pat.sullivan@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

District 48
**Sen. Cyrus Habib**
(D, Bellevue), (360) 786-7694
cyrus.habib@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Patty Kuderer**
(D, Clyde Hill), (360) 786-7936
patty.kuderer@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Joan McBride**
(D, Kirkland), (360) 786-7848
joan.mcbride@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Don't know which legislative district you live in?**
Call the legislative hotline at **(800) 562-6000** or visit **www.leg.wa.gov.**

District 49

**Sen. Annette Cleveland**
(D, Vancouver), (360) 786-7696
annette.cleveland@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Sharon Wylie**
(D, Vancouver), (360) 786-7924
sharon.wylie@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**Rep. Jim Moeller**
(D, Vancouver), (360) 786-7872
jim.moeller@leg.wa.gov
HB 2768 (AV14): Yea
2ESHB 2778 (AV15): Yea

**view ballot status**

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MyVote

**Address confidentiality for crime survivors**

**Keep your voting address confidential**

The Address Confidentiality Program can register participants to vote without creating a public record.

To enroll, you must:

- be a survivor of domestic violence, sexual assault, trafficking or stalking, or be employed in criminal justice and a target of felony harassment on the job
- have recently moved to a new location that is unknown to the offender and undocumented in public records
- meet with a victim advocate who can assist with threat assessment, safety planning, and the program application

Call (800) 822-1065 or visit **www.sos.wa.gov/acp.**

Senate Joint Resolution No.

# 8210

The legislature has proposed a constitutional amendment on the deadline for completing state legislative and congressional redistricting.

This amendment would require the state redistricting commission to complete redistricting for state legislative and congressional districts by November 15 of each year ending in a one, 46 days earlier than currently required.

Should this constitutional amendment be:

[ ] Approved

[ ] Rejected

**Explanatory Statement . . . . . 54**
**Arguments For and Against . . . . . 55**

The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

# Explanatory Statement

Written by the Office of the Attorney General

### The Constitutional Provision as it Presently Exists

Article II, section 43 of the Washington State Constitution requires that a commission be established every ten years to redistrict state legislative and congressional districts. Redistricting means determining the geographic boundaries of state legislative and congressional districts for election purposes. The commission must be established in January of each year ending in a one. The commission is required to approve a redistricting plan by no later than January 1 of each year ending in a two. If the commission does not approve a plan by January 1 of a year ending in a two, the Washington Supreme Court must adopt a plan by April 30 of that year. The Legislature may amend the redistricting plan by two-thirds vote within the first 30 days of the first legislative session convened after the commission submits its plan to the Legislature.

### The Effect of the Proposed Amendment if Approved

The amendment would require the state redistricting commission to approve a redistricting plan for state legislative and congressional districts by November 15 of each year ending in a one. This would, in effect, shorten the time for the commission to complete a redistricting plan by 46 days (for example, the commission would need to approve the next redistricting plan by November 15, 2021, rather than the current deadline of January 1, 2022). All other deadlines for redistricting would remain the same.

# Fiscal Impact Statement

Not required by law

# Final Votes Cast by the Legislature

**Senate:** Yeas, 46; Nays, 0; Absent, 1; Excused, 2
**House:** Yeas, 97; Nays, 0; Absent, 0; Excused, 1

# Argument for

**Washington has one of the nation's best redistricting systems – SJR 8210 makes it better**

Thirty years ago, Washington voters established a bipartisan commission to redraw political boundaries every ten years as the population grows and shifts. This system avoids controversial, partisan redistricting and has become a model followed by numerous states.

SJR 8210 acknowledges that digital technology now enables the commission to work more efficiently. This simple yet important change shortens a year-long process by six weeks, offering benefits to voters and taxpayers alike.

**Increased Public Input: SJR 8210 ensures new boundaries are adopted before busy year-end holidays**

The public plays a vital role in the drawing of legislative and congressional districts. Yet the past three redistricting plans were adopted during year-end holidays, limiting public feedback and input. SJR 8210 sets a final deadline of November 15, ensuring the plan is adopted when the public is better able to provide feedback.

**Good Government: SJR 8210 allows adequate time to implement new boundaries, saves taxpayer dollars**

The current January 1 deadline leaves county officials little time to implement new boundaries before spring elections; a November 15 deadline resolves this and closes the redistricting office many weeks sooner, saving taxpayers thousands of dollars.

**Common Sense: Overwhelming bipartisan support for SJR 8210**

This common-sense reform passed the Legislature unanimously this year. Please Vote Yes!

---

### Written by

**Mark Schoesler,** State Senator, Republican, Ritzville; **Sharon Nelson,** State Senator, Democrat, Maury Island; **Sam Hunt,** State Representative, Democrat, Olympia; **Jeff Holy,** State Representative, Republican, Spokane; **Ralph Munro,** former State Secretary of State

**Contact:** SJR8210ballot@gmail.com

# Argument against

State law requires that the arguments against a constitutional amendment be written by one or more members appointed by the Speaker of the House of Representatives, the President of the State Senate, and the Secretary of State. No individual or group known to oppose Senate Joint Resolution 8210 consented to write an argument against the measure for publication in this pamphlet.

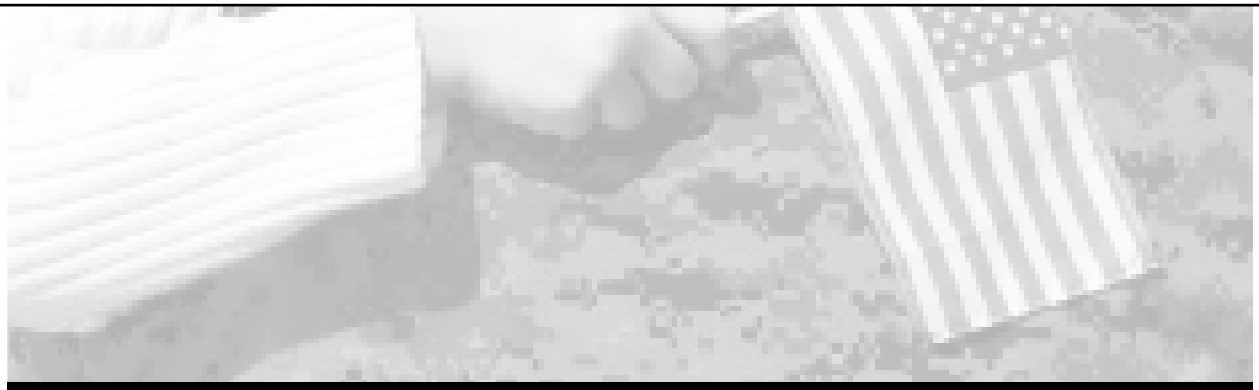
# Vote in Honor of a Vet

Our right to vote is protected by the extraordinary men and women of the U.S. Armed Forces. Now is your chance to thank them for their service!

The Office of the Secretary of State invites you to recognize active military and veterans from Washington State by posting a personal story and a photo. We'll send you a pin to wear proudly in respect and gratitude for your veteran.

## You can participate in 3 easy steps

1. Visit our website vote.wa.gov/vet
2. Upload your story and a picture
3. You will receive a pin to wear on Election Day



## Share your story!

**vote.wa.gov/vet**

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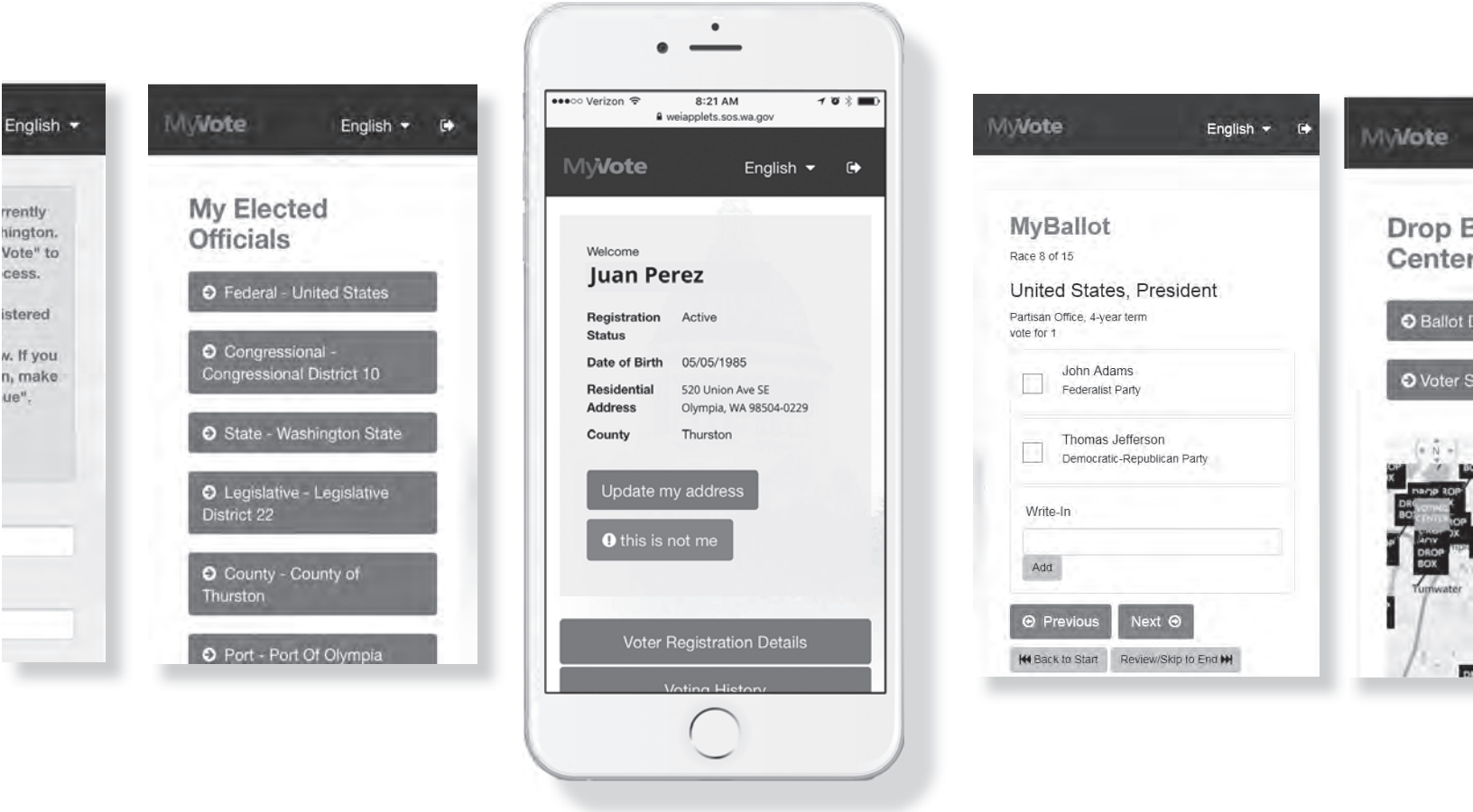


# Federal Qualifications & Responsibilities

Except for the President and Vice President, all federal officials elected in Washington must be registered voters of the state. Only federal offices have age requirements above and beyond being a registered voter.

## President & Vice President

The President must be at least 35 years old and a natural born U.S. citizen. Voters indirectly elect the President through the Electoral College. The President is elected to a four-year term and cannot serve more than two elected terms.

The chief duty of the President is to ensure the laws of the nation are faithfully executed. This duty is largely performed through appointments for thousands of federal positions, including secretaries of cabinet-level agencies and federal judges (subject to confirmation by the Senate). The President is the Commander-in-Chief of the U.S. Armed Forces, has the power to sign and veto (reject) laws passed by Congress, and makes treaties with foreign governments (with Senate approval).

The Vice President serves as the presiding officer of the Senate. The Vice President becomes President if the office is vacated.

## Congress

The U.S. Senate and House of Representatives have equal responsibility for declaring war, maintaining the armed forces, assessing taxes, borrowing money, minting currency, regulating commerce, and making all laws and budgets necessary for the operation of government.

### U.S. Senator

Senators must be at least 30 years old and citizens of the U.S. for at least nine years. Senators serve six-year terms. The Senate has 100 members; two from each state.

The Senate has several exclusive powers, including consenting to treaties, confirming federal appointments made by the President, and trying federal officials impeached by the House of Representatives.

### U.S. Representative

Representatives must be at least 25 years old and citizens of the U.S. for at least seven years. Representatives are not required to be registered voters of their district, but must be registered voters of the state. Representatives serve two-year terms.

The House of Representatives has 435 members, all of whom are up for election in even-numbered years. Each state has a different number of members based on population. After the 2010 Census, Washington was given a 10th Congressional District.

**Who donates to campaigns?**

View financial contributors for federal candidates:

**Federal Election Commission**

www.fec.gov
Toll Free (800) 424-9530

Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.

Hillary
# Clinton

Democratic Party Nominee
**President**

**Elected Experience**
U.S. Senator, New York

**Other Professional Experience**
U.S. Secretary of State; First Lady of the United States; First Lady of Arkansas; Attorney; Assistant Professor, University of Arkansas School of Law; Director, University of Arkansas Legal Aid Clinic; Children's Defense Fund

**Education**
Wellesley College; Yale Law School

**Community Service**
Chair, American Bar Association Commission on Women in the Profession; Co-Founder, Arkansas Advocates for Children and Families; Chair, Legal Services Corporation; Co-Author, Handbook on Legal Rights for Arkansas Women

Tim
# Kaine

Democratic Party Nominee
**Vice President**

**Elected Experience**
U.S. Senator, Virginia; Governor of Virginia; Lieutenant Governor of Virginia; Mayor of Richmond; City Councilman, Richmond

**Other Professional Experience**
Democratic National Committee Chairman; Civil Rights Attorney; Part-Time Professor, University of Richmond Law School

**Education**
University of Missouri; Harvard Law School

**Community Service**
Board Member, Housing Opportunities Made Equal (HOME); Board Member, Myotonic Dystrophy Foundation; Honorary Member, Virginia Foundation for Community College Education; Honorary Chair, United States Spain Council

**Statement**
Our campaign is based on the notion that Americans are stronger together. We're stronger when everyone can contribute to the economy and share in its growth. We're stronger when we work with each other – and with allies around the world – to keep America secure. And we're stronger when we're united, not divided; when we come together to overcome the challenges we face.

If we win this November, in our first 100 days, we'll make the biggest investment in good-paying jobs since World War II. We'll invest in infrastructure, manufacturing, and small businesses. We'll make America the clean energy superpower of the 21st century to take on the threat of climate change, and create jobs in the process. And we'll pay for our plans by making Wall Street, corporations, and the super-wealthy pay their fair share in taxes.

We'll make college debt-free for all and tuition-free for the middle class, while helping millions of people with student debt. We'll crack down on companies that ship jobs overseas, and we'll reward companies that share profits with their employees. We'll create policies that help people balance work and family. And we'll bring opportunity to communities that have been left out and left behind.

Beyond the economy, we'll take on other urgent challenges—from reforming our broken criminal justice and immigration systems to ending the epidemic of gun violence to getting unaccountable money out of politics.

Americans aren't just electing a president; we're also choosing a Commander-in-Chief. We've laid out a comprehensive strategy to keep America safe by defeating ISIS, standing with our allies, and respecting those who serve our country.

We know that America's best days are still ahead of us. When Americans come together, there's nothing we can't do. That's what our campaign is all about.

**Contact**
(646) 854-1432; info@hillaryclinton.com;
www.hillaryclinton.com

continue

Donald J.

# Trump

Republican Party Nominee

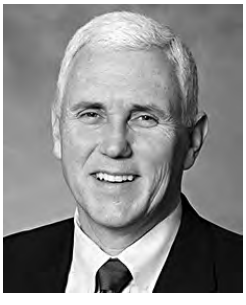
**President**

**Elected Experience**
None

**Other Professional Experience**
Donald J. Trump is the very definition of the American success story, continually setting the standards of excellence while expanding his interests in real estate, sports and entertainment. He is a graduate of the Wharton School of Finance. An accomplished author, Mr. Trump has authored over 15 bestsellers, and his first book, "The Art of the Deal," is considered a business classic and one of the most successful business books of all time.

**Education**
Wharton School of Finance

**Community Service**
Mr. Trump has long been a devoted supporter of veteran causes, raising millions of dollars for veterans.



Michael R.

# Pence

Republican Party Nominee

**Vice President**

**Elected Experience**
Governor, State of Indiana, 2012-present; Member, United States House of Representatives, 2000-2012

**Other Professional Experience**
Talk Show Host, Network Indiana, 1994-2000; Television Host, 1995-1999; President, Indiana Policy Review Foundation, 1991-1994; Attorney, Private Practice, 1986-1990; Admissions Counselor, Hanover College, 1981-1983

**Education**
Hanover College, Indiana University School of Law

**Community Service**
A strong supporter of the military, Pence has made a priority of reducing veteran unemployment and, while in Congress, he visited Hoosier soldiers in Iraq and/or Afghanistan every year since hostilities began.

**Statement**
Donald J. Trump is the very definition of the American success story, continually setting the standards of excellence while expanding his interests in real estate, sports and entertainment. He is a graduate of the Wharton School of Finance. An accomplished author, Mr. Trump has authored over 15 bestsellers, and his first book, "The Art of the Deal," is considered a business classic and one of the most successful business books of all time.

As the Republican Presidential nominee with a record number of votes in the primary season, Mr. Trump has over 20 million followers on social media, and devotes much of his time to media interviews in order to advocate for tougher law enforcement, stopping illegal immigration and bringing back jobs so we can Make America Great Again. He also believes strongly that we mustpromote a free market, rebuild our military, and maintain our country's sacred obligation to take care of our veterans and their families.

Mr. Trump has long been a devoted supporter of veteran causes, raising millions of dollars for veterans. In 1996, Mr. Trump was honored in the Pentagon during a lunch with the Secretary of Defense and the Joint Chiefs of Staff for working as Grand Marshal of the 1996 annual New York City Veterans Day Parade that drew 25,000 veterans marching in front of an audience of 1.4 million viewers, up from approximately 100 the year before.

In New York City, the Trump signature is synonymous with the most prestigious of addresses, among them the world-renowned Fifth Avenue skyscraper, Trump Tower-and his ever-expanding collection of award-winning golf courses (18 thus far in the U.S. and worldwide.)

Mr. Trump is married to Melania Knauss, has five beautiful children including Donald Jr., Ivanka, Eric, Tiffany and Barron, and eight grandchildren.

**Contact**
(646) 736-1779; info@donaldtrump.com;
www.donaldjtrump.com

continue

Alyson
# Kennedy
Socialist Workers Party Nominee
**President**

**Elected Experience**
Kennedy is an elected member of the Socialist Workers Party National Committee.

**Other Professional Experience**
Kennedy was a leader in a United Mine Workers organizing drive of mostly Mexican immigrant miners in Utah. The workers fought to unify workers regardless of where they came from

**Education**
As a coal miner, Kennedy was part of the Coal Employment Project to champion women's fights to get hired in the mines.

**Community Service**
Kennedy walked picket lines with Machinists on strike at Triumph Composites in Spokane. She has also physically defended clinics from those who oppose a woman's right to choose abortion.

Osborne
# Hart
Socialist Workers Party Nominee
**Vice President**

**Elected Experience**
Hart, 63 ran for mayor of Philadelphia in 2015. He fought for Black Rights for many decades and participates in Black Lives Matter protests against police killings.

**Other Professional Experience**
Hart has actively protested the U.S. war in Vietnam.

**Education**
He has joined protests in Philadelphia against the slashing of funds for public schools and assaults on the union's wages and benefits.

**Community Service**
He joined United Steelworker members at refineries and steel plants where the union has been fighting concessions, speed-up and job cuts. He demands an end to the U.S. embargo against Cuba and return of the U.S. naval base at Guantanamo.

**Statement**
For the working class, the greatest of all battles ahead is to throw off the image of ourselves that we do not have the capacity to organize and to learn, to transform ourselves and all social and human relations as we fight to end capitalist rule and establish workers power. The capitalists fear what's building up amongst working people to their slow burning global depression.

To meet this challenge we have joined protests against police brutality demanding cops who kill- from Alton Sterling in Baton Rouge, to Philando Castile in Minnesota to cattle rancher Jack Yantis in Council, Idaho to Robert Lavoy Finicum in Oregon- be charged and jailed. We demand free political prisoners from Puerto Rican independence fighter, Oscar Lopez, to Leonard Peltier and Mumia Abu-Jamal. We are part of the fight for a government funded public works program at union scale wages, for $15 and a union; for free and medical care for all; to guarantee women the right to abortion. We demand an end to Washington's colonial rule of Puerto Rico.

We speak out against Washington's imperialist military wars- from Iraq to Afghanistan and Syria. We fight the rulers' efforts to use workers revulsion at Islamic State's terrorist acts to scapegoat Muslims. We speak out against Jew-hatred which seeks to divert workers attention away from the real enemy- the capitalist system.

The Cuban revolution sent volunteers to beat back apartheid South Africa's' invasion of Angola and sent doctors to fight Ebola. The revolution shows the solidarity achieved when workers and farmers over throw the capitalist class and end their dog eat dog system.

The capitalists rule through their Democratic and Republican parties as well the Libertarian and Green parties. We need a party of the working class. Our party is your party, join us.

**Contact**
(646) 922-8186; swp2016campaign@gmail.com; www.themilitant.com

continue

Gloria Estela
## La Riva
Socialism & Liberation Party Nominee
**President**

**Elected Experience**
Candidate for Mayor of San Francisco, 1983 and 1991; Candidate for Governor of California, 1994, 1998; Candidate for U.S. President, 2008

**Other Professional Experience**
Elected Vice President, Pacific Media Guild, CWA; Graphic Artist; Award Winning Video Producer, "Genocide by Sanctions" (Iraq 1998). "NATO Targets" (Yugoslavia 1999)

**Education**
Attended Brandeis University

**Community Service**
Founder, Farmworkers Emergency Relief; Founder and Coordinator, National Committee to Free the Cuban Five; Organizer, ANSWER Coalition-Act Now to Stop War & End Racism; Organizer of numerous protests against war and occupation in Central America, Middle East; Activist in movements against racism and police abuse and in support of women's and LGBTQ rights.

Eugene
## Puryear
Socialism & Liberation Party Nominee
**Vice President**

**Elected Experience**
Candidate of Statehood-Green Party for District Council, Washington D.C., 2014; Party for Socialism and Liberation candidate for Vice President, 2008

**Other Professional Experience**
Author*, Shackled and Chained: Mass Incarceration in Capitalist America*; Radio talk show host; Blogger for Liberation News.

**Education**
Graduate, Howard University

**Community Service**
A founder of the Jobs Not Jails Coalition and co-founder of the DCFerguson Movement, a Black Lives Matter organization in Washington, D.C.; key organizer of many marches and rallies against wars in Iraq and Afghanistan and in solidarity with Palestinian rights; frequent lecturer at colleges and universities on issues of racism, police brutality and mass incarceration.

**Statement**
I am a labor, community and anti-war activist. Born in Albuquerque, N.M., my father was a letter carrier, my mother, a Mexican immigrant and garment worker. I am a union activist and elected delegate to the San Francisco Labor Council.

Today, 62% of the U.S. population lives paycheck to paycheck, while the super rich accrue obscene wealth. When the capitalist bankers torched the economy the federal government bailed them out with the trillions of dollars of our money. Today, the criminal bankers are richer than ever while millions have been plunged into poverty.

*The capitalist system cannot be fixed. The multiple crises of inequality, injustice, endless war, environmental destruction and more can only be resolved by replacing profit-driven capitalism with a system based on meeting people's needs – socialism. Socialism means the workers have economic and political power; the economy is planned to benefit the people and the planet.*

My party's10-point program begins: *For the earth to live, capitalism must end.* A job or income, healthcare, education from preschool through university, adequate food and affordable housing--*all should be Constitutional rights*. We call for *shutting down* all U.S. military bases around the world and bringing all U.S. armed forces home; *ending* U.S. aid to Israel and self-determination for the Palestinian people; *lifting the blockade* on Cuba; independence for Puerto Rico; *ending racism* and the epidemic of police brutality and mass incarceration; freeing Leonard Peltier, Mumia Abu Jamal, Oscar Lopez Rivera and all political prisoners; honoring Native treaties; defending unions and a *$20/hr minimum wage*; equal rights for women including full reproductive rights; full equality for LGBTQ people; full rights for all immigrants; *nationalizing the banks and corporations and using their vast stolen wealth to provide for people's needs*; and jailing Wall St. criminals.

*Vote Socialist!*

**Contact**
(206) 367-3820; seattle@pslweb.org;
http://www.glorialariva4president.com

continue

Jill
# Stein

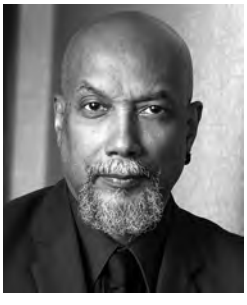
Green Party Nominee
**President**

**Elected Experience**
Lexington Town Meeting

**Other Professional Experience**
Physician

**Education**
MD, Harvard Medical School, 1979; BA, Psychology-Sociology-Anthropology, Harvard University, 1973

**Community Service**
Dr. Jill Stein is a mother, housewife, physician, longtime teacher of internal medicine, and pioneering environmental-health advocate. She served in elected leadership roles with the Coalition for Healthy Communities, Citizens for Voter Choice and the national Physicians for Social Responsibility. She won several awards including Clean Water Action's Not in Anyone's Backyard Award, the Children's Health Hero Award, and the Toxic Action Center's Citizen Award. In 2002, she ran for governor against Mitt Romney. In 2012 she was the Green Party's candidate for President.



Ajamu
# Baraka

Green Party Nominee
**Vice President**

**Elected Experience**
NA

**Other Professional Experience**
Founding Director US Human Rights Network (2004-2011) with 300 organization and 1500 individual members working on the full spectrum of US human rights issues. Taught political science at Clark Atlanta University, Spelman College and others, guest lecturer at academic institutions throughout the US, authored several articles on international human rights.

**Education**
University of South Florida, Clark Atlanta University

**Community Service**
Served on boards of Amnesty International (USA), National Center for Human Rights Education, Center for Constitutional Rights, Africa Action, Latin American Caribbean Community Center, Diaspora Afrique, and Mississippi Workers' Center for Human Rights. Currently on boards of Praxis Project and Cooperation Jackson.

**Statement**
After a career in clinical medicine, I am now practicing political medicine, running for President to help heal our ailing nation. In this historic moment, people are standing up like we haven't seen for generations, calling for an America and a world that works for us all. We face unprecedented crises that need transformational solutions that put people, planet and peace over profit. We must break the stranglehold of billionaires and their parties that have thrown us under the bus.

We the people have the power to end unemployment, poverty, and rampant inequality; to liberate a generation trapped in predatory student debt; create a welcoming path to citizenship; and end racism in policing and beyond.

We can create a Green New Deal establishing 20 million living wage jobs that provide 100% clean renewable energy by 2030 - reviving the economy, halting climate change, and making wars for oil obsolete. We can create an improved Medicare for All system, public higher education as a right, and save trillions ending corporate welfare, catastrophic wars, and tax favors for the wealthy. We can protect women's rights, Indigenous and LGBT people, our civil liberties and the Internet. And create a foreign policy based on international law and human rights.

My running mate, Ajamu Baraka, is a human rights defender whose experience spans four decades of domestic and international education and activism. He is a veteran grassroots organizer whose roots are in the Black Liberation Movement and anti-apartheid and Central American solidarity struggles.

It's time to vote for what we believe, not against what we fear. To reject the lesser evil and fight for the greater good, like our lives depend on it. Because they do.

The power to create this new world is in our hands! Learn more at Jill2016.com .

**Contact**
(781) 382-5658; hq@jill2016.com; www.jill2016.com

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Darrell L.

## Castle

Constitution Party Nominee

**President**

**Elected Experience**
none

**Other Professional Experience**
Darrell Castle and Associates Law Firm, based in Memphis, Tennessee, 1984 – present, works with poor and injured people.

**Education**
Graduate of Ketron High School in Kingsport, Tennessee. B.A. in Political Science and B.A. in History, East Tennessee State University, 1970. Juris Doctorate, Memphis State University, 1979.

**Community Service**
ROTC at East Tennessee State University. USMC Combat Officer, Viet Nam, 1971 – 1973. Founder of Mia's Children Foundation, which provides services to homeless gypsy children in Bucharest, Romania. Local church leader.

Scott N.

## Bradley

Constitution Party Nominee

**Vice President**

**Elected Experience**
United States Senate Candidate 2006 and 2010

**Other Professional Experience**
Currently a business owner, author, and lecturer on American's founding principles. Previously fulfilled positions in corporate management and university administration.

**Education**
Bachelor of Science, Masters in Public Administration, PhD in Constitutional Law.

**Community Service**
Founder and Chairman of the Constitution Commemoration Foundation, an organization seeking to foster increased understanding and application of the original intent of the Founders of our Constitution. Formerly Executive Director of Trapper Trails Council of Boy Scouts of America. Author of book and lecture series titled: "To Preserve the Nation," a work intended to illuminate the principles of sound government and liberty.

**Statement**
As President of the United States, Mr. Castle's priority will be to strictly adhere to the Constitution in any proposed legislation or federal government policies, including the ending of unconstitutional wars and unconstitutional foreign aid. He will work to make sure that America's veterans and military personnel receive the care and support they need for injuries and hardships they have incurred while serving in the armed forces.

He will work to withdraw the United States from the United Nations and restore American Sovereignty. He will also work to end the Federal Reserve System and restore the gold standard to strengthen the dollar, both home and abroad.

He will work to withdraw the federal government from international legislation such as Agenda 21 and begin the process of handing control of their lives and property back to the local people.

Another priority of a Castle presidency will be to work towards the ending of abortion in America by vetoing any funding for abortion providers such as Planned Parenthood, as well as recommending to Congress (and working to make it happen) that they remove all jurisdiction over such matters from the Supreme Court.

Darrell Castle believes that "It is the nature of the State to seek dominance over the population. Freedom will not ultimately remain intact if we leave it unattended. America needs forward thinking leaders. Self-hatred and appeasement only foster more disrespect. We must find a way to chart our own course in the world as free and independent people."

**Contact**
(901) 481-5441; info@castle2016.com;
www.castle2016.com

continue

Gary
# Johnson

Libertarian Party Nominee
**President**

**Elected Experience**
Gov. of New Mexico, 1995-2003

**Other Professional Experience**
Despite his two terms as Governor, Gary Johnson still prefers to call himself an entrepreneur. To pay for college, he started a door-to-door handyman business. Twenty years later, the one-man-shop had grown into one of the largest construction companies in New Mexico, with more than 1,000 employees.

**Education**
B.S., University of New Mexico

**Community Service**
Governor Johnson has been and remains involved in a range of volunteer activities and organizations both in his home state of New Mexico and nationally. Areas of particular interest involve drug policy reform and environmental stewardship.

Bill
# Weld

Libertarian Party Nominee
**Vice President**

**Elected Experience**
Gov. of Massachusetts, 1991-1997

**Other Professional Experience**
Assistant US Attorney General in charge of the Criminal Division of the Justice Department. U.S. Attorney for Massachusetts, 1981-1986. Staff member in both houses of Congress.

**Education**
Harvard Law School (JD, cum laude); Harvard College (BA, summa cum laude); Oxford University (DegreeEP, with distinction)

**Community Service**
Throughout his career, Governor Weld has been involved in many civic and national organizations.

**Statement**
Gary Johnson is no stranger to taking on partisan political forces. He was elected Governor of New Mexico as a Republican in an overwhelming Democratic state – and re-elected to a second term by a wide margin despite being challenged by a popular and well-known Democrat.

As a businessman, Gary Johnson ran for Governor with no prior political resume other than his college political science degree and a passion for helping people.

Gary Johnson has always believed that good public policy should be based on a practical cost/benefit analysis, rather than strict ideology.

Johnson is best known for resisting the temptation to solve every problem with government spending and regulation, having vetoed more than 750 bills during his time in office — probably more than all other governors combined. He also cut taxes 14 times while never raising them. He balanced the state's budget, and left New Mexico with a billion-dollar surplus.

Yet, despite cutting taxes and the size of government, he improved New Mexico schools, executed a major infrastructure overhaul, and earned national accolades for his leadership in handling the devastating Cerro Grande Fire that swept across the state in 2000.

An avid skier, adventurer, ironman, and bicyclist, Gary Johnson has scaled the highest peak on each of the seven continents, including Mt. Everest.

**Contact**
www.JohnsonWeld.com

end

Patty
# Murray
(Prefers Democratic Party)

**Elected Experience**
Shoreline School Board, State Senator, United States Senator

**Other Professional Experience**
Shoreline Community College Cooperative Preschool Teacher

**Education**
Graduate, Washington State University

**Community Service**
No information submitted

**Statement**
Our country isn't working for people the way it should be. And most days, Congress does very little to confront the challenges we face.

Despite the obstacles, I work hard to break through the gridlock and dysfunction and move us toward a country and state that works for all families, not just the wealthiest few.

I know you want a Senator committed to getting results. That's why, after the Tea Party shut down the government in 2013, I led bipartisan negotiations to reopen the government and restore important investments in education, jobs, and other local priorities. After I heard from parents and teachers that No Child Left Behind wasn't working for our students, I wrote a bill to finally fix this broken law, help end the reliance on overtesting, and put our students first. My bipartisan bill was signed into law, and NCLB is finally ending.

I am running for reelection because there is so much more Congress should be doing to help workers, veterans, families, and the economy—and I want to keep up the fight and make sure Washington state families have a strong voice at the table who will stand up for their values and priorities.

I am running to keep fighting to create jobs and grow the economy in a way that actually helps local families. Instead of tax cuts for the rich, I think we should give tax cuts to working families and invest in college affordability, student loan debt reduction, affordable childcare, increasing the minimum wage, helping veterans transition to the workforce—and more. And I'm going to keep fighting back against those who would hurt our workers, turn back the clock on women's health, and divide our country.

I ask for your vote to keep fighting for you and all Washington state families.

**Contact**
(206) 659-4915; campmail@pattymurray.com; pattymurray.com

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Chris
# Vance

(Prefers Republican Party)

**Elected Experience**
Elected twice to the Washington State House of Representatives, and twice to the Metropolitan King County Council

**Other Professional Experience**
Currently: Adjunct professor, University of Washington. Public affairs consultant and small business owner. Special Assistant, Office of the Superintendent of Public Instruction

**Education**
Bachelor of Arts, Political Science, Western Washington University

**Community Service**
Chris and Ann Vance are regular volunteers with *Reach Out Federal Way*, a program to serve the homeless in South King County. Chris coached youth sports for many years and is the past President of the Auburn Youth Soccer Association.

**Statement**
I'm running for the Senate because, probably like you, I'm fed up. I'm fed up with the gridlock in Congress and the politicians in both parties who won't tell the American people the truth about the challenges we face.

The truth is, the gap between rich and poor is widening because our economy is not producing enough good middle class jobs. We are over $19 trillion in debt, and Social Security and Medicare are on the road to insolvency. There are solutions to these problems but Republicans and Democrats refuse to compromise and work together.

To address our debt crisis I support a bipartisan plan that includes limits on discretionary spending, structural changes that will strengthen Social Security and Medicare, and pro-growth tax reform. These steps would create jobs and reduce our debt.

To keep the peace I will always vote to keep America's defenses strong. We must do whatever it takes to protect our homeland from terrorism, and the United States must lead the fight to destroy ISIS in Syria and Iraq and deny them the territory they need to recruit and train followers. The Iran nuclear deal was a dangerous and destabilizing mistake.

It's time for a big change, and that will never happen as long as we keep sending the same people to Washington, D.C. year after year. I believe with new leadership we can bring Republicans and Democrats together to solve America's problems. I would appreciate your vote.

*Chris Vance and his wife, Ann, have been married for 28 years. They have two children: Adam, age 24, a recent graduate of the University of Washington, and Natalie, age 20, a sophomore at Washington State University. The Vances live in Auburn.*

**Contact**
(253) 326-0816; info@chrisvanceforsenate.com;
www.chrisvanceforsenate.com

end

Derek
# Kilmer

(Prefers Democratic Party)

**Elected Experience**
U.S. Representative: 2013-Present, Appropriations Committee; Listed in *Washington Post* as one of the Five Most Effective Democrats in Congress; AMVETS American Veterans Silver Helmet Award; Retail Federation Hero of Main Street; NPCA Friend of the National Parks; State Legislator: 2005-2012

**Other Professional Experience**
Former Vice President, Economic Development Board for Tacoma-Pierce County; Former Management Consultant, McKinsey & Company

**Education**
Port Angeles High School; Bachelor's Degree, Princeton University; Doctoral Degree, University of Oxford

**Community Service**
Former Trustee, Tacoma Community College; Former Board Member, Gig Harbor Chamber of Commerce; Former Board Member, Peninsula Schools Education Foundation; Member, Rotary; Member, Gig Harbor United Methodist Church

**Statement**
As a new representative, my focus has been getting our economy and Congress on track.

*We need to fix a broken political system.* I'm leading by example. When some in Congress forced a government shutdown, I gave up my own pay. I'm part of a coalition of Democrats and Republicans working to set aside partisan bickering and focus on progress. I've championed bills to reduce the influence of big money and special interests in elections and authored bipartisan legislation to crack down on politicians who violate campaign finance rules.

*We need an economy that works for everyone.* Having grown up on the Olympic Peninsula and having worked for a decade in economic development in Tacoma, I'm focused on supporting small businesses and growing opportunities all across our region. I've introduced legislation to make it tougher to offshore jobs and led efforts to ensure shipyard workers don't take a pay cut when they travel for work. I'm fighting to protect Social Security and Medicare so seniors like my 106-year-old grandmother can count on the benefits they've earned.

*We need strong schools and a skilled workforce.* As the son of two schoolteachers and as a dad, I've consistently supported funding for public schools. It's too hard for middle-class families to afford college, so I've authored legislation to boost financial aid and reduce student debt.

*We need to protect our environment for future generations*. I've been working to clean up Puget Sound and protect National Parks and areas that make our region special.

*We need to support military families and veterans.* I've sponsored bills to help transitioning veterans and fix problems at the VA. If you serve our country, we should have your back. I ask for your vote so I can keep working to get things on track.

**Contact**
(253) 572-4355; info@derekkilmer.com;
www.derekkilmer.com

continue

Todd A.
# Bloom
(Prefers Republican Party)

**Elected Experience**
First office sought

**Other Professional Experience**
Navy officer with eleven years' post-9/11 active service; Big Four experience working with national/global public companies and private wealth clients; Sectors: Energy, finance, construction; licensed CPA, CFA, CFP and attorney (Louisiana)

**Education**
MA - Naval War College; LLM, Tax - UW; JD, MBA - Tulane (Freeman Fellowship); BA – Simpson College (Epsilon Sigma honor society)

**Community Service**
Judicial experience as FINRA Arbitrator; CFA Institute - Examination Program; Adjunct Faculty – University of New Orleans, Tulane, UW (Milgard School); Volunteer – Louisiana Bar, Client Protection Fund; Officer – CFA Society of Louisiana; Finance Committee – HNJ Parish (New Orleans)

**Statement**
As a Naval Officer, I'm sworn to support and defend the constitution; now I'm asking Sixth District voters, for the honor of representing our military- and veteran-heavy district in Congress. I offer fresh leadership to support the district's important military presence. In addition, I offer practical real-world business experience to focus on tax and regulatory reforms to stimulate our economy.

National security is naturally a top concern: terrorism, self-radicalized attackers and the grave threats emanating from an unstable Middle East. We are also seeing the increasing belligerence of historic rivals such as Russia and China. In Afghanistan, our soldiers are unable to act against a resurgent Taliban due to restrictive rules of engagement, and our sailors are humiliated by Iran. This should not be--we have the world's most powerful military. I strongly opposed the Iran deal that gives billions to an untrustworthy Iranian regime. The incumbent voted in favor of this deal.

Rosy reports of economic activity do not reflect our daily experience. We have the lowest labor participation in decades. Although we have been in "economic recovery" for over six years, household incomes have continued to stagnate, lower than they were two decades ago. Especially hard-hit are recent college graduates, who can't find suitable jobs, seasoned, skilled employees laid off during the recession who are unable to gain reemployment in their fields; and our military who were sent home due to this administration's downsizing. I'll work to protect Puget Sound shipyard workers from cuts to per diem, and stop VA education cuts.

I respectfully request your vote: to restore strong economic growth by reforming taxes, streamlining regulations and reducing burdens on small business; to give our veterans the support they need and deserve; and to provide the national defense to keep America safe.

**Contact**
(253) 213-1982; electtoddbloom@gmail.com;
www.electtoddbloom.com

end

# Executive Qualifications & Responsibilities

Statewide-elected executives must be registered Washington voters and are elected to four-year terms.

## Governor

The Governor is the chief executive officer of the state and makes appointments for hundreds of state positions, including directors of state agencies (subject to confirmation by the Senate). The Governor has the power to sign or veto (reject) legislation, and annually submits a budget recommendation and reports on state affairs to the Legislature.

## Lieutenant Governor

The Lieutenant Governor is elected independent of the Governor, and serves as the presiding officer of the state Senate. The Lieutenant Governor is first in line of succession for Governor, and acts as Governor if he or she is unable to perform the duties of the office.

## Secretary of State

The Secretary of State certifies election results, files and certifies initiatives and referenda to the ballot, publishes the state Voters' Pamphlet, registers corporations, limited partnerships, trademarks, and charitable organizations, and collects and preserves historical records of the state. The Secretary of State is second in line of succession for Governor.

## Treasurer

As the state's finance officer, the Treasurer manages and disperses all funds and accounts, is responsible for the safekeeping and interest of all state investments, accounts for and makes payments of interest and principal on all state bonded indebtedness, and maintains a statewide revenue collection system for the purpose of expediting the deposit of state funds into the Treasury.

## Auditor

The Auditor works with state and local governments to conduct independent financial and performance audits. The Auditor investigates state employee whistleblower claims about agencies and reports of fraud, waste, and abuse of public resources received through its citizen hotline. Results are made public.

## Attorney General

The Attorney General serves as legal counsel to the Governor, members of the Legislature, state officials, and roughly 200 state agencies, boards, commissions, colleges, and universities. The Office of the Attorney General enforces consumer protection statutes and provides public information about consumer rights and fraudulent business practices.

## Superintendent of Public Instruction

Superintendent of Public Instruction is the only nonpartisan state elected executive. The Superintendent heads the state education agency and is chief executive officer of the state Board of Education. The Superintendent is responsible for the administration of the state's kindergarten through twelfth grade education program. The office certifies teaching personnel, approves and accredits programs, and apportions state and local funds.

## Commissioner of Public Lands

The Commissioner of Public Lands is the head of the Department of Natural Resources, overseeing management of more than 5.6 million acres of state forest, agricultural, range, aquatic, and commercial lands. These lands generate more than $200 million a year to support schools, state institutions, and county services. The land is also managed to protect wildlife habitats, water, and public access.

## Insurance Commissioner

The Insurance Commissioner regulates insurance companies doing business in Washington, licenses insurance agents and brokers, reviews policies and rates, examines the operations and finances of insurers, and handles inquiries and complaints from the public.

Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.

Jay
# Inslee

(Prefers Democratic Party)

**Elected Experience**
Washington State House of Representatives 1989-1992 representing Yakima Valley; U.S. House of Representatives 1993-1994 representing Eastern Washington; U.S. House of Representatives 1999-2012 representing Kitsap, King and Snohomish Counties; Washington State Governor 2013–present.

**Other Professional Experience**
Attorney; Author, Apollo's Fire: Igniting America's Clean Energy Economy.

**Education**
Ingraham High School, Seattle, WA; graduated University of Washington with a B.A. in economics, 1972; graduated Magna Cum Laude from Willamette University Law School, 1976.

**Community Service**
Charter member of Hoopaholics to raise money for Childhaven; coached youth sports; served as honorary board member of the Washington Wildlife and Recreation Coalition.

**Statement**
Over the last three years I've worked hard as governor to help build a stronger economy. We've created over 250,000 jobs, been recognized as the nation's best economy by Business Insider and seen the lowest unemployment rate since 2008.

When tragedy struck, we reopened the Skagit River I-5 Bridge in 27 days. We worked with courageous people devastated by the Oso slide, comforting victims and rebuilding communities. We took action to assist those impacted by wildfires in Central and Eastern Washington.

As a state we need to give our children access to a world-class education in an economy that demands new skills - I'm confident we can do this. Every child now has access to all-day kindergarten, we have smaller class sizes in early grades, and better paid and trained teachers. And we made an unprecedented tuition cut at all public colleges and universities across Washington.

We know we need big improvements in our transportation system. That's why I was adamant the legislature pass a bipartisan package that creates 200,000 jobs, repairs bridges, creates new lanes, expands bus service and opens the door to expanding light rail. While it will not fix everything overnight, it puts us on the right path while we address bottlenecks and find practical solutions.

When it comes to basic Washington values, we will not waiver. We'll protect children from the ravages of carbon pollution that cause asthma and climate change. We will work for an economy that builds a stronger middle class by raising the minimum wage, ensuring paid sick leave and advancing policies that allow working families to thrive.

I'm proud of our progress. With your vote, I'm confident we can harness our state's unique innovative spirit, and build a stronger economy and more prosperous future for every Washingtonian.

**Contact**
(206) 533-0575; Jay@JayInslee.com; www.jayinslee.com

**continue** →

Bill
# Bryant
(Prefers Republican Party)

**Elected Experience**
Commissioner, Port of Seattle

**Other Professional Experience**
Founder, Bryant Christie Inc., a company that helps farmers export (1992-present). Vice President, Northwest Horticultural Council (Yakima, 1985-92). Director, Governor's Council on International Trade (1984-85).

**Education**
Georgetown University, School of Foreign Service (B.S.F.S., trade/diplomacy, Asia/Latin America)

**Community Service**
Volunteer night manager, St. James shelter for homeless men (2004-06). Founding board member, Nisqually River Foundation. Former board member of Stewardship Partners, Washington Council on International Trade, Spokane International Trade Alliance. Member, Governor Gregoire's transportation task force. Rotary (Olympia, Yakima, Seattle). 2010 Maritime Public Official of the Year.

**Statement**
I listen, and I've heard loud and clear what people want. They want a government that cares about them. They want a governor who is effective -- a unifier, not a career politician. They want a governor who will scrutinize programs, fix broken bureaucracies, respect our tax dollars. They want a governor who will focus on children learning, traffic moving, prisons working; on controlling taxes and protecting our environment.

My background is in business. I built a company that operates on both sides of the mountains, that helps Washington's farmers export their crops. I pull people together and fix problems.

As an elected King Co/Seattle port commissioner, I cut taxes without sacrificing services; helped transform government to defend middle class jobs; focused on tourism, transportation, reducing air and water pollution and restoring habitat. I was recognized for taking on 'crony capitalism'.

Here's what I'll do as your governor: 1. Give every kid an equal chance to get ahead by funding and innovating schools. 2. Reinvent high school by including pre-apprenticeships for those not college-bound. 3. Reduce traffic jams by emphasizing capacity, better roads and efficient transit. 4. Rebuild the state budget from zero, reexamining every agency, tax incentive and program. 5. Put a moratorium on new regulations until current ones are justified or eliminated. 6. Preserve working farms and forests; restore salmon, steelhead and orca populations.

My agenda isn't ideological, it's not partisan. It's about us, pulling together, so people can get good jobs here, afford houses, raise families and retire here in this natural beauty we all love and want to protect.

Imagine a governor who works with both Republicans and Democrats, who makes government better, not bigger. It's time government listened. It's time we pull together and start getting stuff done. It's time.

**Contact**
(253) 220-5051; info@billbryantforgovernor.com;
www.BillBryantforGovernor.com

**end**

## Cyrus Habib

(Prefers Democratic Party)

**Elected Experience**
State Senator, 48th Legislative District; Member of the Senate Democratic Leadership Team; Democratic Whip; former State Representative, 48th Legislative District; former Vice Chairman of Economic Development Committee.

**Other Professional Experience**
Attorney at Perkins Coie representing entrepreneurs and small businesses; professor at Seattle University Law School.

**Education**
Public school graduate, additional coursework at the Washington State School for the Blind; Bachelor's from Columbia; Master's from Oxford (Rhodes Scholar); law degree from Yale.

**Community Service**
Advisory Board, University of Washington Eye Institute; Board of Directors, 5th Avenue Theatre; Board of Directors, Bellevue College Foundation; former King County Civil Rights Commissioner; Parishioner, St. James Cathedral.

**Statement**
I lost my eyesight to childhood cancer, but thanks to dedicated public school teachers, I went on to become a lawyer and legislator, committed to giving every child the opportunity to realize their potential.

In the State Senate, I've worked to fund schools and reduce college tuition. I've fought to expand access to contraception, protect reproductive rights, and expand paid sick leave. I reached across the aisle to pass landmark transportation investments. I'll bring my proven record and an entrepreneurial approach to make the office of Lieutenant Governor more relevant, championing quality public education, environmental protection, and new jobs.

The Lieutenant Governor presides over the State Senate; as the only attorney in this race and a law professor who teaches legislative procedure, I'll ensure we save time and money by opposing budgets that violate the Constitution by shortchanging public schools. When the Legislature fails our kids, we all lose. Let's make government work for all of us.

Endorsements: Attorney General Bob Ferguson, King County Democrats, Washington Education Association, Washington Conservation Voters, American Federation of Teachers, State Labor Council, former Congressman Norm Dicks, nearly all Seattle and Tacoma Councilmembers, dozens of mayors and legislators from Spokane to Vancouver; many more.

**Contact**
(425) 679-9103; cyrus@cyrushabib.com;
www.cyrushabib.com

## Marty McClendon

(Prefers Republican Party)

**Elected Experience**
Precinct Committee Offer 26-335, 26th LDRC President 2012-2014

**Other Professional Experience**
Anesthesia Technician 1987-2000, Small Business Owner/ Entrepreneur, Pastor 2002-Present, Real Estate Managing Broker 1999-Present, Radio Talk Show Host 2015-Present

**Education**
Attended University of Washington- Pre-Medicine, Anesthesia Technician Training and certification, Biblical and Polity Training and certificate for Pastoring, Mortgage Brokers training and license, Life Insurance license, Real Estate Managing Brokers training and license and thousands of hours of continuing education. Sales training with negotiation and presentation.

**Community Service**
Boys and Girls Club, Make A Wish Foundation, Rotary, Leukemia Foundation, little league, and World Vision.

**Statement**
As a World Peace Ambassador, I believe now is the time for Bold, Conservative Leadership with a vision for bringing the people of this state together in unity as one Washington. We must tackle the challenges we face, so that we can launch our state on a path for long term success. It is time to honor our veterans, improve the business environment, clean up job killing regulations, improve education, promote strong families and safe communities and provide a healthy dose of common sense to the way we approach issues.

I was raised with values including: keeping your word, loving your neighbor, and the value of hard work. I earned my Eagle Scout which instilled: trustworthiness, honesty, bravery, and love of Country. As a lifetime Resident of both Eastern and Western Washington, Host of Eyes on Washington, business owner, and father of 3, I am passionate about leaving a stronger Washington for the generations to come.

As your Lieutenant Governor, I will advocate for win-win solutions, hold government accountable, stand for Truth, Fight for Justice, defend against any takings of your lands, rights, or freedoms, and implement the Golden Rule. See my website at www.ElectMarty.com for details. God Bless!

**Contact**
(206) 818-4308; info@electmarty.com; www.ElectMarty.com

Kim
# Wyman

(Prefers Republican Party)

**Elected Experience**
Washington Secretary of State, 2013 – present; Thurston County Auditor, 2001 – 2013.

**Other Professional Experience**
Served ten years as Thurston County Elections Manager, Assistant Records Manager; 18 months as a U.S. Army Civilian Training Specialist.

**Education**
Bachelor of Arts, California State University, Long Beach, 1985; Master of Public Administration, Troy State University, 1990; Certified Elections Registration Administrator (CERA), Auburn University/Election Center, 2004 – present; Washington State Certified Election Administrator, 1995 – present.

**Community Service**
Jennifer Dunn Leadership Institute Board Chair, Honorary Co-Chair NTPS Levy Committee, Washington Historical Society Board of Directors; YMCA Youth and Government Advisory Board; TVW Board of Directors; Lacey Rotary Club.

**Statement**
Thank you for the honor of serving as your Secretary of State. I have continued the office's nonpartisan legacy by expanding registration and voting access, maintaining the integrity of our elections, preserving our state's rich heritage, and making it easier for businesses and charities to register with state government. Washington is a national leader, with more registered voters than at any time in state history.

With another four years I will continue working hard with county auditors and election advocates to modernize and secure our voter registration and election systems, increase voter participation, and continue to increase accessibility to the State Library and Archives. I will continue to advocate for underserved people – military service members and those with special needs, promote civics education, and provide transparent government. Most importantly, it will continue to be my paramount duty to maintain the nonpartisan integrity and citizen-oriented philosophy of the office.

I am proud to be endorsed by all former Secretaries of State and over 50 county auditors and elections directors - including Democrats, Republicans and Independents. They know the job and share my passion for accurate elections and preserving our state's legacy.

I ask for your vote to continue this important work.

**Contact**
(360) 746-6668; Kim@kimwyman.com;
www.kimwyman.com

Tina
# Podlodowski

(Prefers Democratic Party)

**Elected Experience**
Seattle City Councilmember

**Other Professional Experience**
Director and Senior Manager at Microsoft; Senior Vice President at Porter Novelli; *Puget Sound Business Journal* "Woman of Excellence"

**Education**
University of Hartford, *Bachelor of Science*, Computer Engineering

**Community Service**
Big Brothers and Big Sisters of Puget Sound; Co-founder of Washington Alliance for Gun Responsibility; Washington Citizens for Fairness; CITIES Technology and Leadership Project, Urban League of Metropolitan Seattle "Spirit Award"; Human Rights Campaign

**Statement**
Tina Podlodowski offers a *proven 30-year track record of elected and community leadership, and the technology and management experience* to get voters participating in our democracy again. She's currently working with auditors and leaders *in all 39 counties* on improvements like postage-paid ballots, more ballot drop boxes, and automatic voter registration.

A successful high-tech businesswoman, Tina is qualified to champion neglected reforms to support Washington businesses and safeguard our tax dollars. She will invest responsibly in a voting system that works for everyone, not a particular political party.

Washington used to be a leader in elections. But under the current Secretary of State *voter participation has declined* to a record low of 38%, with over one million eligible citizens still unregistered. Like many partisan Republicans, the incumbent has routinely opposed the Washington Voting Rights Act and other voting innovations like Election Day registration and pre-registration for 16 and 17 year olds. We must do better.

Tina is the *only* candidate endorsed by the non-partisan Women's Political Caucus of Washington – and she is supported by county auditors, community organizations, and voters of all parties who agree with Tina: *"Every voice matters. Every vote counts."*

**Contact**
(206) 419-1364; Tina@votersfortina.com;
www.votersfortina.com

## Duane
# Davidson

(Prefers Republican Party)

**Elected Experience**
Benton County Treasurer, 2003-Present.

**Other Professional Experience**
Certified Public Accountant (CPA); former Chief Finance Officer for Benton County Auditor's Office; former Assistant State Auditor; Loan Officer for a Consumer Finance Company.

**Education**
Tolt High School, Carnation, WA; Associate Degree from Bellevue Community College, Bellevue, WA; Bachelor Degree in Accounting from Central Washington University.

**Community Service**
Current President, Washington State Association of County Treasurers; Past President, Atomic City Kiwanis; Past President, Tri-City Industry Kiwanis; Current Treasurer for Tri-City Kiwanis Foundation; Past Church Treasurer and member of Gideon's International; Precinct Committee Officer and Past Treasurer for the Benton County Republican Party.

**Statement**
Duane Davidson is the Benton County Treasurer. He is endorsed by nearly every county treasurer in the state, including both Democrats and Republicans. The most trusted leaders in our state have endorsed Duane: former Governor Dan Evans, Secretary of State Kim Wyman and former Secretary of State Sam Reed among others.

The incumbent state Treasurer has used his office to push for a state income tax. Duane Davidson believes the State Treasurer should be above partisan politics, he'll never use this office to promote an income tax or other agenda. He will defend the interests of taxpayers and always keep the state government accountable for how it invests our tax dollars.

*No one is better qualified to serve as State Treasurer.* Duane leads the county treasurers' association, his office has innovated nationally recognized efforts to save taxpayer money and improve government openness and accountability. He's established an investment pool that manages hundreds of millions of taxpayer dollars. *There's a big difference between safeguarding taxpayer money and managing personal investments, Duane knows the difference*.

Duane lives in the Tri-Cities. He's active in the Gideons, Kiwanis, and his local church. He has three children, Bailey, Luke, and Kinzey.

**Contact**
(509) 366-3646; Duane@electDuaneDavidson.org;
www.DuaneDavidson.org

## Michael
# Waite

(Prefers Republican Party)

**Elected Experience**
You deserve a finance professional - not a professional politician - as your State Treasurer. While this is my first run for office, I'm the only candidate with 15+ years of private sector finance, investment and accounting experience.

**Other Professional Experience**
Senior VP of Operations, Bentall Kennedy, managing $11.1 billion of assets. Head of Accounting, Cascade Investment (Bill & Melinda Gates's investment firm), managed $70 billion of assets.

**Education**
MBA, Emory University. BBA, Accounting and Management, Columbus State University.

**Community Service**
United Way of King County: Board Member (2012-2015); Finance and Audit Committees (2008-2015); Early Learning Impact Council (2012-present).

**Statement**
You deserve honest and understandable management of our State's finances. For too long, the professional politicians elected Treasurer have helped put us $20 billion in debt. Now Washington has the 6th highest state debt per person in the nation.

*This deficit spending is unacceptable.* I will lead us in a different direction.

I'm the only candidate with the high-level private industry experience to bring much needed change to the Treasurer's office. My professional finance background, and commitment to integrity and open government, have earned me endorsements from former Attorney General Rob McKenna and Independents, Democrats, and Republicans across our state (see HireMichaelWaite.com).

As Treasurer, *I will fight for you against the dangers of increasing our debt, or hurting our economy with a state income tax.* I will honestly present financial information to taxpayers and, most importantly, prioritize efficiency, accountability and *decreasing state debt*. That way we can increase the money available for schools, public safety, our social safety net, and community infrastructure, instead of spending $2 billion every year on debt payments to Wall Street. I've thrived as a finance professional by delivering for clients - now, let me deliver for you. Please vote Michael Waite for Treasurer.

**Contact**
(425) 233-8176; info@HireMichaelWaite.com;
www.HireMichaelWaite.com

Mark
## Miloscia
(Prefers Republican Party)

**Elected Experience**
State Senator, 2015-Present; State Representative, 1999-2013; Chair, House Audit Review Committee; Chair, Senate Accountability Committee; Commissioner, Lakehaven Utility District, 1996-1999

**Other Professional Experience**
Air Force B-52 Pilot, Contract Manager for Boeing's B-1 program, Quality Examiner for the Baldrige National Performance Program; Tacoma Goodwill Director managing three businesses serving individuals with disabilities; Substitute Teacher, Auburn School District

**Education**
BS, Engineering, USAF Academy; MBA, University of ND; MS, Clinical Psychology, Chapman University

**Community Service**
Federal Way Boys and Girls Club Board; Lake Dolloff PTA VP; FW Community Caregiving Network Board President serving meals to the needy and housing homeless women with children.

**Statement**
Our state needs a passionate, skilled State Auditor who will hold all government agencies accountable to Washingtonians. As the only candidate who's audited, reviewed, and improved businesses, hospitals, government agencies, nonprofits, and colleges, I'm able to lead the embattled State Auditor's Office and get results on day one.

We've seen the terrible headlines of mismanaged and failing government agencies--ineffective homelessness programs that increase homelessness and crime, prisoners escaping mental hospitals, state employees injured, prison inmates released early, and a Transportation Department creating gridlock on our roads. We can and must do better!

I've spent my life in both the public and private sector championing efficient, effective and ethical government; justice for the most vulnerable; and increasing public trust. Every dollar government wastes means fewer resources in the classroom or for those in need, and more pressure to raise taxes. As State Auditor, I will use performance audits to ensure all our governments become good stewards of your tax dollars, achieve real results, and earn your trust!

We deserve the most efficient, effective, and ethical government. We can't afford to elect someone to this critical office who has zero experience. *Elect an accomplished auditor—elect Mark Miloscia for State Auditor!*

**Contact**
(253) 839-7087; miloscia@comcast.net;
www.MarkMiloscia.com

Pat (Patrice)
## McCarthy
(Prefers Democratic Party)

**Elected Experience**
Pierce County Executive, currently serving her second term. Pat leads a county government with 3,000 employees. Previously elected as Pierce County Auditor (2005 County Auditor of the Year) and twelve years as a Tacoma School Board Member.

**Other Professional Experience**
Sound Transit, Recent Chair; 2015 U.S. Open Championship, Chair; Board Member: Alliance for a Healthy South Sound, Tacoma-Pierce County Economic Development Board, South Sound Military & Communities Partnership.

**Education**
B.A., University of Washington, Tacoma

**Community Service**
Sexual Assault Center of Pierce County, Emeritus; United Way of Pierce County; Received awards for land conservation, open government, and access to justice.

**Statement**
I am the only candidate for State Auditor with proven executive leadership experience. I have always served the public with honesty and integrity during my 25 years of local government service. *It's why I was named the 2005 County Auditor of the Year by the Secretary of State, and it's why I've been endorsed by many County Auditors on both sides of the Cascades!*

*Trusted:* I have an unmatched understanding of public records and public money. It's why I've been endorsed by Chris Gregoire and Norm Dicks; County Executives Dow Constantine, Ron Sims, and Bob Drewel; National Women's Political Caucus; AFSCME/WSCCCE Council 2; and many other leaders listed on my website.

*Tested:* Restoring public confidence in the State Auditor's office won't be an easy job. I served as County Auditor during the 2004 gubernatorial recount, and I led the statewide effort to restore public confidence in our elections system. I led Pierce County through the Great Recession and stood up against elected officials who abused the public's trust.

*Transparent:* My office received the Key Award from the Washington Coalition for Open Government for refreshing recordkeeping for the digital age. Government must be accountable to the public it serves.

**Contact**
(253) 693-8147; pat@patmccarthy.org;
www.patmccarthy.org

## Bob
# Ferguson

(Prefers Democratic Party)

**Elected Experience**
Washington's 18th Attorney General.

**Other Professional Experience**
Law clerk in Spokane for Chief Judge Nielsen of the Federal District Court of Eastern Washington, law clerk for Judge Bright of the 8th Circuit Court of Appeals, and attorney at Preston, Gates & Ellis (now K&L Gates,) one of Washington's leading law firms.

**Education**
Blanchet High School, B.A. University of Washington, J.D. New York University School of Law.

**Community Service**
Bob and his family are active in St. Catherine's Church; Bob joined the Jesuit Volunteer Corps after college and directed an emergency services office.

**Statement**
A fourth-generation Washingtonian, husband, and father of two, Bob Ferguson is working hard to protect our seniors, homeowners, veterans, and small businesses from powerful special interests that don't play by the rules. Standing up for us, Bob took on foreign corporations and Wall Street special interests, returning more than fifty million dollars to hardworking Washingtonians – including millions for homeowners facing foreclosure.

Endorsed by the Washington State Patrol Troopers Association and prosecutors across the state, Bob is protecting our kids and communities from violent sex predators. He's built specialized units prosecuting environmental crimes, assisting veterans, and upholding the civil rights of all Washingtonians.

An independent leader, Bob is protecting taxpayers by combating Medicaid fraud, and reforming Olympia by introducing laws to make government more open and accountable. Committed to transparency and protecting our political system, Bob is shining a light on dark money in politics, successfully prosecuting the largest campaign finance violation in state history.

Son of a public school teacher and 40-year Boeing employee, Bob brings middle class values and independence to the office of Attorney General. Bob will continue to use the law as a powerful tool for justice and fairness for all Washingtonians.

**Contact**
(206) 486-2621; info@electbobferguson.com;
www.electbobferguson.com

## Joshua B.
# Trumbull

(Prefers Libertarian Party)

**Elected Experience**
Absolutely no political experience.

**Other Professional Experience**
I grew up working at my dad's auto body shop and my grandma's autoparts store in Snohomish. During college, I worked in house painting, banking, and real estate. Importantly, I have had the privilege of helping people in my law practice.

**Education**
Snohomish High School, Snohomish, WA. 2000; University of Washington, B.A Business Administration & Management, 2004; Seattle University, Albers School of Business and Economics, M.B.A, 2005; Gonzaga University School of Law, 2008.

**Community Service**
Lake Stevens Youth Soccer. I provide a significant amount of reduced fee legal work to community members.

**Statement**
In 1800, John Adams wrote, "There is nothing which I dread so much as a division of the republic into two great parties, each arranged under its leader, and concerting measures in opposition to each other. This, in my humble apprehension, is to be dreaded as the greatest political evil under our constitution." History shows other founders including Alexander Hamilton, George Washington, and Thomas Jefferson shared Adam's concern. Perilously, this wisdom has yet to be integrated into our society.

I chose to run for Attorney General because the Office has become politicized to the detriment of the people. Like our founders, I believe collaborative problem solving requires more than two parties. We suffer when we divide ourselves into opposing parties and attempt to rule others by majority.

If elected, I will continue working to protect Washington Citizens from those that would deprive us of life, liberty, or property.

Thank you for strengthening our society by taking your time and energy to discuss important issues with those around you before you cast your vote. The process of discussion is what bonds us together. The time to vote from your heart, instead of according to party, is now.

**Contact**
(425) 309-7700; josh@joshuatrumbull.com;
www.joshuatrumbull.com

Steve
## McLaughlin
(Prefers Republican Party)

**Elected Experience**
None

**Other Professional Experience**
Commander, U.S. Navy (retired) I honorably served 25 years; Incident Command System Instructor (10 years) I've trained nearly 1000 firefighters and public safety personnel in incident management; Security Systems Program Manager (10 years);

**Education**
B.S. University of Oregon Health and Biology; PSC Royal Naval College; M.A. (with distinction) U.S. Naval War College

**Community Service**
Rotary Club of Wenatchee; Liberty Disaster Relief Services (Executive Director) Navy League of the United States; American Alpine Club (10 years); Relief and reconstruction drives for victims of Oso landslide and Eastern WA fires. Chairman, Operation Steadfast Veteran's Suicide Prevention;

**Statement**
Washington suffered catastrophic, record setting wildfire seasons. Too many communities have been disrupted and lives, homes, livestock, forests and wildlife were needlessly lost. Providing disaster relief in communities affected by the Eastern WA fires, and Oso landslide, I realized my experience as a retired Naval Officer and incident command instructor could serve the citizens of Washington State. We need to empower our communities in preparedness, work collaboratively to create an integrated strategy among jurisdictions, and use common sense deploying local resources to reduce the risk of repeating the catastrophic fires of the past.

Careful management of our state's 3 million acres of trust lands, and revenue that our forests, farms, and waters provide for school construction is an important constitutional mandate. More than half of DNR land is permanently conserved for protecting endangered species, salmon habitat and recreation. The remaining working forests must provide a steady stream of revenue for our schools and protect jobs in rural communities.

The Department of Natural Resources needs positive leadership. I will draw upon my years of executive leadership of large, diverse organizations and lead DNR as a "servant leader." The staff of DNR and the citizens of Washington deserve the best.

**Contact**
(509) 885-4541; Steve@mac4lands.org;
www.mac4lands.org

Hilary
## Franz
(Prefers Democratic Party)

**Elected Experience**
Bainbridge Island City Council; served on Puget Sound Transportation Futures Taskforce; Puget Sound Regional Council Growth Management and Economic Development Boards; Puget Sound Salmon Recovery Council; Kitsap Regional Coordinating Council; appointed to Governor Gregoire's Climate Action Team.

**Other Professional Experience**
Executive Director, Futurewise 2011-present, crafting solutions to complex land use and natural resource issues statewide; Attorney, representing communities, local government, and non-profits on critical cases involving agriculture, forest, fish and wildlife, and waterways.

**Education**
JD, Northeastern University; BA, Smith College

**Community Service**
Former board member of Washington Environmental Council and Conservation Northwest. Active in the education of three teenage sons!

**Statement**
How we manage and protect Washington's public lands and waterways shape how we adapt to climate change, protect our water and food sources, and safeguard our timber, shellfish, and agricultural economies. Our next Commissioner must be a conservation steward, partner for rural economies, and advocate for clean energy jobs.

I have a lifelong connection to Washington's people and places. My grandparents came to the Nisqually Valley in the Great Depression to start a cattle farm, which remains in our family today. For two decades I've worked with businesses and communities large and small to protect landscapes and local jobs, crafting lasting solutions.

With your vote, I'll work to *restore healthy forests*— implementing wildfire prevention plans and ending dangerous steep slope logging. I'll *promote clean energy jobs*— implementing a renewable energy plan on public lands that creates job growth, curbs carbon pollution, and reduces impacts on vulnerable communities. I'll *protect our working farmlands and forests* from development pressures— enhancing opportunities for farmers, forestry, and recreation.

Proudly endorsed by Washington Conservation Voters; King County Democrats; King County Executive Dow Constantine; former Executive Ron Sims; Earth Day founder Denis Hayes; state and local business, community, and government leaders statewide!

**Contact**
(206) 734-9729; hilary@hilaryfranz.com; www.hilaryfranz.com

Erin
# Jones
(Nonpartisan)

**Elected Experience**
Erin Jones is a state and national award winning teacher and district/state administrator. She has never sought elected office.

**Other Professional Experience**
AVID District Director, Tacoma Public Schools; Director of Equity, Federal Way Public Schools; Assistant Superintendent of Student Achievement and Director, OSPI; Instructional Coach, Spokane Public Schools; Substitute and Classroom Teacher, Tacoma; Teacher, South Bend, IN.

**Education**
BA, Bryn Mawr College; Teaching Certificate, PLU.

**Community Service**
Youth ministry leader, 1993-2006, YoungLife leader, 2006-2008. Board member; Girl Scouts of Western Washington, College Spark, Recruiting Washington Teachers, Center for the Strengthening of Teaching Profession, Washington Alliance of Black School Educators.

**Statement**
Every Washington child deserves a great education, regardless of where they live, their household income or the color of their skin. A child's zip code must no longer be the greatest predictor of their educational success and future income.

I am the only candidate for OSPI who has dedicated a career to educating students, closing opportunity gaps and improving outcomes. I have worked as a classroom teacher on both sides of the Cascades, an Assistant Superintendent at OSPI, and an administrator in districts with high-poverty and diverse populations.

I am not a politician but an educator and parent of recent public school graduates, convinced we need leadership in Olympia dedicated to helping students succeed, not a political agenda. With your vote, I will apply my passion and experience to demand legislators drop excuses and fully fund our schools, work to replace punitive testing with fair assessment tools, close opportunity gaps wherever they exist, and expand public school options and excellence statewide.

My vision and unmatched commitment is endorsed by King and Snohomish County Democrats, classroom teachers, school board members, principals and administrators statewide, a bipartisan coalition of current and former legislators, PTA leaders, students and parents across Washington!

**Contact**
(360) 918-3498; Erinjonesin2016@gmail.com;
www.ErinJones2016.org

Chris
# Reykdal
(Nonpartisan)

**Elected Experience**
Tumwater School Board; Washington State House of Representatives - Vice Chair of the House Education Committee; Higher Education Committee; Finance Committee; Formerly served on the Education Appropriations Committee.

**Other Professional Experience**
Classroom teacher (James Madison Teaching Fellowship Finalist); Education Budget and Finance Executive, State Board for Community and Technical Colleges.

**Education**
Baccalaureate Degree in Social Studies and a Washington State Teaching Certificate, Washington State University; Masters Degree in Public Administration with an emphasis on budget, finance, and performance management, University of North Carolina - Chapel Hill.

**Community Service**
Parent volunteer in schools, coach, former planning commissioner, and non-profit fundraiser.

**Statement**
Every child deserves a high quality education! I'm Chris Reykdal, and I'd like to earn your vote to be our State's next Superintendent of Schools. I've dedicated my 20 year career as an educator and education finance executive to helping students achieve their dreams. The next Superintendent must be an education policy and budget leader to ensure local control, effective results, and accountability of your tax dollars!

We must do three things to ensure opportunity for all kids: 1) Equitably fund our schools! It's time to build bipartisan support for school funding while reducing our dependence on exceedingly high local property taxes. A child's education should never depend on the wealth of their neighborhood; 2) Reduce excessive standardized testing so teachers have time to engage students and support their individual needs; 3) Return high quality career and technical education programs to our schools. To improve graduation rates, students need career pathways they are passionate about!

I will be the first Superintendent in 30 years to actually have kids in public school during my service. I will work hard to ensure that *all* kids, teachers, support staff, and parents are fully supported in our schools. Thank you for your consideration.

**Contact**
(360) 790-3151; chris4wakids@gmail.com;
www.ChrisReykdal.com

Mike
# Kreidler

(Prefers Democratic Party)

**Elected Experience**
Served as Insurance Commissioner since 2001. Also served as a North Thurston School Board member, State Representative and Senator for the 22nd Legislative District and U.S. Representative for the 9th Congressional District.

**Other Professional Experience**
Worked as an optometrist for 20 years; small-business owner; served as Director, Region 10, U.S. Department of Health and Human Services.

**Education**
Bachelor's degree and Doctor of Optometry degree from Pacific University; master's degree in Public Health from UCLA.

**Community Service**
Retired U.S. Army Reserve lieutenant colonel with 20 years of service. Active member of a number of community service organizations.

**Statement**
Mike Kreidler is a strong and independent voice willing to stand up to powerful industry interests as an advocate for insurance consumers. In his first four terms as insurance commissioner, Mike Kreidler saved consumers in our state over $300 million in auto and homeowners' insurance by cutting excessive premium rates. His consumer protection staff has helped thousands of Washingtonians with insurance problems, recovering over $160 million in wrongfully delayed or denied claims.

The people of our state deserve quality, affordable health insurance. Mike Kreidler has worked tirelessly to make sure that insurance companies can no longer deny coverage. He is proposing legislation to stop patients from receiving surprise bills resulting from emergency medical services. He will continue working with community, business and legislative leaders to further improve access to affordable health care and reduce the number of uninsured in our state.

Mike Kreidler is a proven leader who has served the people of Washington with dedication, fairness and hard work. That's why he consistently earns endorsements from consumer, labor, business, retiree, educational and health care organizations and individuals across our state.

Please join them by electing Mike Kreidler to another term as your Insurance Commissioner.

**Contact**
(360) 819-6956; mike@mikekreidler.com;
www.mikekreidler.com

Richard
# Schrock

(Prefers Republican Party)

**Elected Experience**
Richard Schrock is serving his second term as Commissioner of Snohomish County Fire District No. 1, one of state's largest regional fire departments.

**Other Professional Experience**
Richard Schrock served four years as Director, Washington State Department of Commerce (under Governor John Spellman). He successfully led state efforts to grow international trade, promote tourism, and attract new businesses to Washington creating thousands of new jobs. Professional communications consultant who advises businesses, government agencies and non-profits.

**Education**
St. Martins College, Political Science

**Community Service**
Board member, Snohomish County Emergency Radio System (SERS). Founding Board Member of the Lake Stickney Conservancy and Sno-King Watershed Council

**Statement**
Paying too much for insurance? Do you want four more years of the same 16-year policy direction that governs the state agency that regulates insurance companies?

Washington's health insurance rates are proposed to rise another 19% next year. Richard Schrock, as Washington's next Insurance Commissioner, will fight unjustified premium increases, hold down deductibles and limit co-pays.

In 2013, highly respected Seattle Children's Hospital waged a successful legal battle with the Insurance Commissioner's Office *and* three major insurers. Children's, the region's premier pediatric hospital, took legal action to get their insured child patients covered by *Commissioner-approved* insurance plans that had excluded Children's from service provider networks. In 2014, newspapers reported that a whistleblower compliant revealed scandalous conduct within the Office of the Insurance Commissioner involving "major systemic problems". Our state's largest newspaper subsequently called for "major reforms" that have not happened.

Obviously, policy changes are long overdue to broaden access to affordable coverage. If elected Commissioner, Richard Schrock will institute reforms that prevent powerful special interests from influencing agency decisions, vigorously enforce consumer protection laws, and mandate expanding healthcare service- provider networks. Future appeals of Commissioner decisions must be fairly and *transparently* decided by *independent, impartial* judges.

**Contact**
(425) 745-9380; Richard@commissionerschrock.com;
commissionerschrock.com

# Legislative Qualifications & Responsibilities

Legislators must be registered voters of their district.

## Legislature

Legislators propose and enact public policy, set a budget, and provide for the collection of taxes to support state and local government.

### State Senator

The Senate has 49 members; one from each legislative district in the state. Senators are elected to four-year terms, and approximately one-half the membership of the Senate is up for election each even-numbered year. The Senate's only exclusive duty is to confirm appointments made by the governor.

### State Representative

The House of Representatives has 98 members; two from each legislative district in the state. Representatives are elected to two-year terms, so the total membership of the House is up for election each even-numbered year.

Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.

Dean
## Takko

(Prefers Democratic Party)

**Elected Experience**
State Representative; Cowlitz County Assessor; Wahkiakum County Assessor, Beacon Hill Sewer District Commissioner

**Other Professional Experience**
Cathlamet City Council member 1974-1975; past member Board of Trustees Washington Assn. of County officials; past board member Washington Assn. of Sewer and Water Districts

**Education**
BS Western Washington University

**Community Service**
30 year volunteer firefighter; Lions Club past president and Zone Chairman; Board of Directors Cowlitz County Guidance Association; Cowlitz Substance Abuse Coalition; Lower Columbia Fish Recovery Board; Cowlitz-Wahkiakum Red Cross Board of Directors

**Statement**
As a lifelong resident of the district, I have a great love of the area and great respect for the voters who have sent me to Olympia in the past. I have worked hard to protect our jobs, fund education and be a good steward of the environment. The next session will be challenging, as well as historic, as we work to implement the McCleary court decision. As a member of the transportation committee, I have been influential in bringing highway improvements to our district. I will continue to support projects that will bring jobs to our District. I have been a strong supporter of our natural resource industries and will fight to keep our timber, fishing, crabbing and shellfish industries viable. I've always been a friend to local government and will continue to work to see that cities and counties remain financially solvent while carrying out their responsibilities. I plan to work as hard this next session as I have in the past to protect the values that we share. I appreciate your trust in me to make thoughtful decisions.

**Contact**
(360) 423-4589; Dtakko@comcast.net

Sue Kuehl
## Pederson

(Prefers Independent GOP Party)

**Elected Experience**
None.

**Other Professional Experience**
Power Manager, Grays Harbor PUD; Senior Power Analyst, Seattle City Light; Senior Environmental Analyst, Seattle City Light; Research Scientist/Publications Manager, BioSonics, Inc.; Fisheries Biologist, UW, NOAA Fisheries, Corps of Engineers, WA, OR, AK.

**Education**
Master's Degree in Public Administration, University of Washington; Bachelor of Science in Biology, Western Washington University.

**Community Service**
Board Member, Ghana Together; Board Member, Commencement Bay Rowing Club (youth program); Board Member, Small Faces Child Development Center.

**Statement**
Sue Kuehl Pederson is running for the Senate to provide an independent choice for voters, and to ensure that Coastal Washington is heard in Olympia.

Sue believes that increased regulations and taxes on small business in Washington have damaged our local economy. As a power manager working on large project approvals, Sue has personally seen how regulations impede important projects and job creation. Sue will work to add new jobs locally by offering incentives to small businesses, rather than stifling them with additional burdens.

Not only have politicians in Olympia suppressed our local economy by being hostile to timber and small business, they have also failed our local schools. The state Supreme Court has ruled that education funding – especially in rural communities like ours – is unfair. Our local schools are being ignored in the state budget and local taxpayers are being forced to cover the cost. Sue will fight to correct this.

Seattle-focused politicians and political parties have failed to fix the problems facing our community. As your Senator, Sue will push for fair funding to our local schools, fight back against job-killing taxes and overregulation, and prevent Olympia from infringing on our individual rights.

**Contact**
(360) 637-3507; Sue@CitizensforSue.org;
CitizensforSue.org

Jim
## Walsh

(Prefers Republican Party)

**Elected Experience**
Chairman, Grays Harbor Republicans. 2015-present. Vice Chairman, WSRP. 2014-present.

**Other Professional Experience**
Owner/Publisher, Silver Lake Publishing. 1998-present. Association of American Publishers; Publishers Marketing Association; American Association of Business Publications. PMA/Benjamin Franklin Book Award; AABP Feature Award. Author, co-author or publisher of 1 national nonfiction bestseller, 3 regional bestsellers.

**Education**
Bachelor of Arts, *cum laude,* Amherst College, Amherst, MA. 1986.

**Community Service**
Youth basketball coach, Grays Harbor YMCA. 2006-present. Authorized volunteer/driver, Archdiocese of Seattle. 2006-present. Exhibitor, Aberdeen "Splash Day" Festival. 2008-present. Charter participant, Aberdeen Founder's Day Parade. 2015-present.

**Statement**
Our community has the location, natural resources and people to be one of the most prosperous in our state. And the world. Unfortunately, we've let special interests—from other places—hold us back. It's time for real change. It's time to let loggers log, fishermen fish, builders build and shippers ship. It's time to send someone new to Olympia.

Let me be *your* representative. Our local jobs are being crushed by laws written for Seattle. Our local schools and kids are being shortchanged. State government is failing us. I will fight...every day...to change this for the better.

**Contact**
(360) 500-7523; jwalsh@electjimwalsh.org;
www.electjimwalsh.org

Teresa
## Purcell

(Prefers Democratic Party)

**Elected Experience**
None

**Other Professional Experience**
25 years of public affairs and policy advocacy. Teresa has served as Executive Director, Program Manager, Lobbyist, Legislative Caucus Staff, and Consultant. She has worked on over 200 issue, public education, and candidate campaigns to make positive change for people at all levels of government.

**Education**
Mark Morris High School, Longview, WA. Bachelor of Arts, University of Washington. Double Degree in Political Science and Speech Communications.

**Community Service**
Founding Board Member of Lower Columbia School Gardens and Longview Public Schools Foundation; Cowlitz-Wahkiakum Legal Aid Board member; Cowlitz County Vision 2020 Quality of Place Committee and many others.

**Statement**
Teresa Purcell was born and raised in Southwest Washington. Her grandparents moved to Aberdeen in 1943, and her parents moved to Longview in 1949 -- drawn by SW Washington's natural beauty, small town way of life, and abundant opportunity.

She is motivated to run to reduce high unemployment, sustain existing industries, diversify our economy, address our housing crisis, and improve poor health and educational outcomes. Teresa will bring uncommon experience, valuable relationships, and sound judgment to build on her successes as a citizen activist by bringing people together -- working across party lines for a shared vision to get results.

**Contact**
(206) 898-9271; Teresa@peopleforpurcell.com;
www.peopleforpurcell.com

## Brian E. Blake

(Prefers Democratic Party)

**Elected Experience**
State Representative 2002, 2004, 2006, 2008, 2010, 2012 & 2014

**Other Professional Experience**
I've worked as a Logger and Forester, Environmental Specialist, State Representative for 14 legislative sessions; Chair of the House Agriculture and Natural Resources Committee.

**Education**
Bachelor of Science-Evergreen State College; Associate of Science-Grays Harbor Community College.

**Community Service**
Board member Lower Columbia Community Action Program, Board member at Coastal Harvest food bank distribution center, Board member William D. Ruckelshaus Center, Raymond Elks and member of Eyes in the Woods.

**Statement**
A logger who was injured in the woods and returned to college to learn new skills, Brian Blake understands the need for jobs, education, and a strong natural resources policy. Brian worked to stimulate our rural economy, bringing jobs and infrastructure to our local communities; maintain a responsible, balanced budget; invest in education; and ensure your tax dollars are spent wisely. A champion of Second Amendment rights, and the Chair of the Agriculture and Natural Resources Committee, Brian has taken the lead on conserving, and increasing access to our natural resources. Brian Blake: an independent voice for rural communities.

**Contact**
(360) 589-0123; repbrianblake@msn.com

No photo submitted

## Jimi O'Hagan

(Prefers Republican Party)

**Elected Experience**
None

**Other Professional Experience**
I am a fourth generation small family farmer from Twin Harbors. To support our farm I worked in forestry, shipyards, fishing, shellfish, construction and petroleum industries.

**Education**
Like Abe Lincoln I am a self taught individual with a unique education in law. I am not a State Bar member. I represented my family in one of the highest profile civil cases in Western Washington. It led to the removal of several state judges and multiple federal judges and attorneys are currently under investigation by the U.S. Justice Department.

**Community Service**
No information submitted

**Statement**
The Judicial Branch is uncontrolled and corrupt. Judicial branch members have violated the separation of powers and infiltrated our legislative and executive branches to obtain nobility for themselves and their fellow attorneys. They organized together to profit share in stealing every economically vulnerable individual's life, liberty and property under color of law. State Bar Associations organized together to overthrow our constitutional form of government and create a monarchy type oligarchy tyranny. It is a subversive organization that should be abolished and replaced with judicial advocates, then our pledge of allegiance will have meaning and we will have justice for all.

**Contact**
(360) 267-7911; wayoutwest1@hotmail.com

Kevin
## Van De Wege
(Prefers Democratic Party)

**Elected Experience**
Five term member of Washington State House of Representatives, currently serving as Majority Whip, the third highest-ranked office in House leadership.

**Other Professional Experience**
Working as a Lieutenant Firefighter and Paramedic puts Kevin in daily contact with his constituents in their times of greatest need. This work keeps Kevin grounded and in-touch, both with his district, and what's most important in life.

**Education**
Master in Public Administration Fort Hays State University; BA in Social Science from Washington State University; Fire Command Degree from Edmonds College; Paramedic Certification Northwest Medical.

**Community Service**
Member of the Port Angeles Chamber and Joint Select Committee on Trade Policy.

**Statement**
A firefighter, husband of a local school teacher and father of two active children, Kevin Van De Wege has a track record of *effectively representing our community and its values by listening at home and leading in Olympia*.

He has fought to create family wage jobs and maintain the jobs that we already have including reopening closed mills. Kevin supports small businesses and this year alone had two pieces of pro-business legislation passed into law, one to protect business and the other to cut red tape. He has invested over $3 billion to strengthen our public schools to help meet the Court decision and knows more policy and funding are needed to make our schools the best. He is an advocate to protect our constitutional liberties, champion performance-based budgets, and reform our tax code.

*Creating jobs, improving education, and holding government accountable*: Kevin Van De Wege is an independent voice for citizens who want solutions, not partisan politics, in Olympia.

Kevin has a proven record of advocating for families in Olympia. This has earned him endorsements from the nurses and healthcare professionals of SEIU 1199 that care for us and by the Retired Public Employees of Washington State.

**Contact**
(360) 477-0548; kevinvandewege@hotmail.com;
www.kevinvandewege.com

Danille
## Turissini
(Prefers Independent GOP Party)

**Elected Experience**
None

**Other Professional Experience**
Public and Media Relations consultant. 30+ years of experience in public policy and grassroots networking. Former journalist.

**Education**
RULE Fellow Graduate, Pennsylvania State University Rural Leadership Program

**Community Service**
Co-founder and executive director of PEAK Leadership, a 10-month adult community leadership development program in Clallam and Jefferson Counties. Former member of the Peninsula Development District regional council on economic development. Founding member of the EDC Team Jefferson, the Jefferson County state designated Associate Development Organization (ADO). Auxiliary Board Member, Music Aid Northwest, and legislative liaison for the Music Matters special license plate project to fund music programs in Washington schools.

**Statement**
As a wife, mother, and grandmother, I'm concerned about the direction of our state and country. Our politicians don't listen. Special interests control too much. Government spends more than we get in return.

I'm running for State Senate because we can't keep sending the same people to Olympia and expect a different result. We need someone who will represent everyone on the Peninsula, not just a select few. I will be that independent voice for our district. My priority is helping our community, not the political bosses or special interests.

We need world-class schools to prepare our kids for today's global economy. We need to create jobs in the areas of our state that have been left behind while Seattle prospers. I'll focus on creating a friendly business environment, job opportunities, improving our schools, and controlling government spending.

We deserve a State Senator who will genuinely represent us. I will listen and learn from the real people impacted by policy decisions. My 30 years of community leadership and activism are a testament to my commitment. I would appreciate your vote.

**Contact**
(360) 301-4134; danille@danilleforsenate.com;
www.DanilleForSenate.com

## Mike
# Chapman

(Prefers Democratic Party)

**Elected Experience**
4-term Clallam County Commissioner

**Other Professional Experience**
Former Mill Creek Police Sergeant and US Customs Inspector; earned the Exceptional Service Award for capturing the Millennial Bomber.

**Education**
AAS Shoreline College; BA Northwest College; Master's in Leadership, Duquesne University.

**Community Service**
Former: President, Boys and Girls Clubs of the Olympic Peninsula; President, North Olympic Jr. Babe Ruth; Director, North Olympic Baseball and Softball and PA Youth Baseball; Chair, Peninsula Regional Transportation Planning Organization; Chair, Clallam Transit; Director, Port Angeles Chamber of Commerce. Current: Clallam County Board of Health; Founding Director, two term President and Board Director of the William Shore Memorial Pool District.

**Statement**
A former police Sergeant and decorated US Customs Inspector, who captured the Millennial Bomber, Mike Chapman will use his experience and local government expertise to get things done for the people of the Olympic Peninsula. Like many of you, Mike is frustrated by the partisan bickering and special interests getting in the way of progress.

Mike will work to fully-fund our local schools, make wise investments in public infrastructure projects that create jobs, work to reform the B&O tax to help small business, and ensure that our environment is protected and preserved. Mike Chapman: Putting People Before Politics.

**Contact**
(360) 477-1131; chapman@olypen.com;
www.votemikechapman.com

## George
# Vrable

(Prefers Republican Party)

**Elected Experience**
None I am not a polition

**Other Professional Experience**
Retired Battalion Chief, Navy Region North West Fire Department, Commercial fishing , Construction

**Education**
High School GED, Some Fire science and liberal arts classes at the Community College level, no College Degree

**Community Service**
No information submitted

**Statement**
As a retired public servant and a former Democrat, I have seen things go in a direction that I dont think is good for our state or our country. The Democratic Party left me, and did it ever go left! Any further left and...well I believe that takes all of us in the wrong direction. Ideology, left or right can become a box that people wear over their heads, to think outside that box is amortal sin amongst some. As your Representative I will rely on your good common sense, not ideology or doctine to solve problems.

**Contact**
(360) 437-0588; votegeorgev@gmail.com

## Steve
# Tharinger

(Prefers Democratic Party)

**Elected Experience**
Representative 24th Legislative District 2011 to Present Three term Clallam County Commissioner 2000 to 2012

**Other Professional Experience**
Past Small Business Owner of wood products business

**Education**
Bachelor of Arts in Political Science Colorado College Certified Volunteer Mediator, Peninsula Dispute Resolution Center

**Community Service**
United Way Access to Health Care Committee; Clallam County Chemical Dependency Mental Health Advisory Board; Clallam County Economic Development Council; Washington State Salmon Recovery Funding Board; Ecosystem Coordination Board for Puget Sound Partnership; Watershed Planning Implementation, Biodiversity Council (both Legislative Advisory committees); Olympic Consortium for Workforce Development; Council of Governments, Olympic Area Agency on Aging; Alzheimer's Disease Working Group.

**Statement**
It has been an honor being your State Representative, working with you on strengthening the health care system, making investments in our Ports and Parks, developing value added products for the forest industry.

There is more to do, in the areas of K-12 education funding, long-term care, job creation, protecting our environment, while helping to rebuild the middle class. We must work together at the local and state level ensuring we have strong communities helping our families thrive. I ask for your vote to continue working to make the Olympic Peninsula an even a better place to live.

**Contact**
(360) 460-3079; stharinger@gmail.com

## John D.
# Alger

(Prefers GOP/Independent Party)

**Elected Experience**
None

**Other Professional Experience**
Decorated military veteran with 22 years Air Force service; 11 enlisted and 11 as an officer with world-wide assignments. Small business owner – CPR/First Aid Instructor Training.

**Education**
Graduated Aberdeen High School; Earned Bachelor of Science in Management - Golden Gate University (Cum Laude); Graduate Certificate in New Testament Background - Jerusalem University College; Master of Arts in Theology - Fuller Theological Seminary

**Community Service**
Current Council Member at Sequim Valley Foursquare Church; Served as Volunteer, Client Advocate, member of Board of Directors, and Board Chair for My Choices Pregnancy Medical Resource Centers, formerly Crisis Pregnancy Center of Clallam County.

**Statement**
"It's the economy…." We know in a weak economy, everybody suffers: small business owners, wage earners, home owners, social program managers, and maybe most of all… retirees. Olympia suffers; vital programs and services lack full funding. This shouldn't be!

Wherever possible, Olympia ought to be pro-active; creating an environment favorable to small business startups and growth, conducive to job creation, and attractive for investment. In a strong economy, tax revenues grow allowing full funding of education, investment in infrastructure, and support for social issues plaguing our beautiful Olympic Peninsula. That's the environment I'd like to help Olympia build.

**Contact**
(360) 775-1327; johndalger@wavecable.com;
www.ElectJohnDAlger.com

# Judicial Qualifications & Responsibilities

Washington judges are nonpartisan. Judicial candidates must be in good standing to practice law in Washington and are prohibited from statements that appear to commit them on legal issues that may come before them in court. Judges must be registered Washington voters.

## State Supreme Court Justice

The Washington Supreme Court is the highest judiciary in the state. State Supreme Court justices hear appeals and decide cases from Courts of Appeals and other lower courts. Nine justices are elected statewide to serve six-year terms.

## Court of Appeals Judge

Court of Appeals judges hear appeals from Superior Courts. A total of 22 judges serve three divisions headquartered in Seattle, Tacoma, and Spokane. Each division is further split into three districts. Court of Appeals judges serve six-year terms.

## Superior Court Judge

Superior Courts hear felony criminal cases, civil matters, divorces, juvenile cases, and appeals from the lower courts. Superior Courts are organized by county into 31 districts. Superior Court judges serve four-year terms.

Candidate statements are printed exactly as submitted. The Office of the Secretary of State does not make corrections of any kind or verify statements for truth or fact.

## Mary
# Yu

(Nonpartisan)

**Legal/Judicial Experience**
Supreme Court Justice; fourteen years as trial judge; Instructor and Distinguished Jurist in Residence, Seattle University School of Law; seven years, King County Prosecutor's Office.

**Other Professional Experience**
Co-Chair, Minority and Justice Commission; Advisory Board, UW Gates Law Scholars Program; Director, Peace and Justice Office, Archdiocese of Chicago.

**Education**
J.D., University of Notre Dame Law School; M.A., Theology, Mundelein of Loyola University; B.A., Dominican University.

**Community Service**
Co-Chair, WSBA-UW Leadership Institute; Boardmember FareStart; distinguished speaker on civility in the legal profession, access to justice, and reducing court financial barriers. Mentor to minority and disadvantaged students statewide.

**Statement**
Justice Yu joined the Court after fourteen years as a highly respected trial judge, where she presided over both criminal and civil cases, including hundreds of adoptions and other family law matters. Her experience as a trial court judge makes her uniquely qualified to understand how the law is actually applied to ordinary people and the importance of clear court decisions that follow the law and protect our constitution, whether respecting individual privacy or requiring open government.

Her proven experience, independence, integrity, and impartiality have earned her numerous awards including "Judge of the Year" from the Washington State Bar Association, King County Washington Women Lawyers, Washington State Association for Justice, and "Public Official of the Year" from the Municipal League Foundation. Justice Yu received the highest possible rating - *Exceptionally Well Qualified* - from all bar associations that rated her.

Justice Yu is dedicated to improving our system of justice so that it delivers equal justice to all regardless of who you are. She is endorsed by current and former judges, elected leaders, Women's Political Caucus, State Labor Council, Firefighters, Housing Alliance Action Fund, Democrats, Republicans, Independents, law enforcement, civic leaders, teachers, nurses, business owners and ordinary citizens statewide.

**Contact**
(206) 682-7328; mary@justicemaryyu.com;
www.justicemaryyu.com

## David
# DeWolf

(Nonpartisan)

**Legal/Judicial Experience**
Professor David DeWolf taught at Gonzaga Law School for 28 years. Previously, he was an attorney at Lukins & Annis and clerked for the Idaho Supreme Court. The author of five volumes of "The Washington Practice", he is an expert in the Constitution, contracts, and torts.

**Other Professional Experience**
Washington Pattern Instruction Committee.

**Education**
B.A., Stanford University (Phi Beta Kappa); Teaching Credential, University of California at Santa Barbara; Juris Doctor, Yale Law School.

**Community Service**
Member of the Spokane Public Schools Human Growth & Development Committee; Lector, Mary Queen Parish; President of Artisan's Ark, helping the developmentally disabled find employment.

**Statement**
*Professor David DeWolf is exactly the kind of person we need on the Washington Supreme Court: an expert in our state constitution and Washington's leading authority on contracts and tort law.* His books have been cited by Washington appellate courts over 100 times and are used daily by lawyers and trial judges. This is why he is endorsed by both Democrats and Republicans.

For 28 years, Professor DeWolf taught thousands of students at Gonzaga Law School, instilling his love of the law and his respect for the constitution. He is often asked to testify on the constitution and the proper balance of power between judges and our legislators.

The current crisis in the court proves we need a thoughtful and reasonable scholar to add much-needed restraint to a court that has become adversarial rather than respectful toward other judges and our elected lawmakers. *"Olympia has more than enough politicians,"* says DeWolf, *"we need judges who will do their job—no more and no less."*

David and his wife Priscilla live in Spokane – he'd be only the second member of the court from Eastern Washington. They have three grown children and four grandchildren.

**Contact**
(509) 315-2224; David@DeWolfForJustice.org;
DeWolfForJustice.org

Barbara
# Madsen
(Nonpartisan)

**Legal/Judicial Experience**
Justice, Supreme Court (1992-present); Chief Justice, (2009-present); Judge, Seattle Municipal Court (1988-1992); Presiding Judge (1990-1992); Commissioner, Seattle Municipal Court (1986-1988). Special Prosecutor, Seattle City Attorney (1981-1986); Attorney, Snohomish Public Defender (1979-1981); Attorney, Associated Counsel for the Accused (1977-1979); Intern, Spokane County Legal Services (1975-1976); University Legal Assistance (1976-1977).

**Other Professional Experience**
Production staff, Northwest Catholic Newspaper.

**Education**
B.A. U.W.; J.D. Gonzaga..

**Community Service**
Barbara and Don raised four children in Pierce County. She has volunteered with Judges in the Classroom, U.S. Navy Sea Cadets, Tacoma Rescue Mission, and YMCA Youth in Government.

**Statement**
Chief Justice Barbara Madsen has the experience, leadership, and courage necessary to protect the liberties guaranteed all citizens. Whether it's school funding or a neighborhood dispute, Barbara believes everyone is equal under the law.

Balanced Experience: A 1977 Gonzaga Law School graduate, Barbara has practiced in Eastern and Western Washington and has served as both a defense attorney and prosecutor. To help protect our most vulnerable, as Special Prosecutor she developed Seattle's Family Violence Project child abuse unit. A working mother and proud grandmother, Barbara has a balanced, common sense perspective on issues profoundly affecting people's lives.

Proven Leadership: After joining the Supreme Court, Barbara helped establish the Access to Justice Board and Commissions on Minority and Justice, Gender and Justice, Interpreter Services, and Children in Foster Care. Her endorsements include Democrats, Republicans, business, labor, and community groups--proof of her commitment to individual rights and holding the judicial system accountable to all.

Courage: We need the strong, honest, and compassionate voice of Chief Justice Madsen requiring the state meet its paramount duty to educate our children, leading access to justice initiatives, and breaking down barriers to re-entry after incarceration. She will protect our most precious liberties.

**Contact**
(253) 905-3272; JusticeBarbaraMadsen@gmail.com;
www.ChiefJusticeMadsen.org

Greg
# Zempel
(Nonpartisan)

**Legal/Judicial Experience**
Greg Zempel is in his sixth term as Kittitas County Prosecutor. Greg has handled nearly every type of criminal prosecution, from shoplifting to murder. He serves as the head of the county's civil division, advising the county on complex legal issues.

**Other Professional Experience**
Past President, Washington Association of County Officials.

**Education**
BA, University of Washington; Juris Doctor, University of Puget Sound. Proud graduate of Roosevelt High School in Seattle.

**Community Service**
Greg helped create the Sexual Assault Interagency Coalition, and "Protecting Our Children", a group that educates parents on the risks of sexual predators. He has coached youth soccer and baseball.

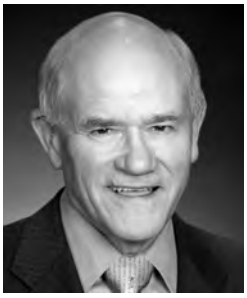
**Statement**
*Greg Zempel is a leader in law enforcement and local government – experience the people of Washington need on our state Supreme Court.* For more than twenty years, Zempel has kept the people of Kittitas County safe as their County Prosecutor. He has the support of Judges, Prosecutors, state legislators and both Democrats and Republicans to become our next Supreme Court Justice.

*We all know our state Supreme Court has become too political.* Law enforcement knows that the court is also too unpredictable, often changing the rules that prosecutors rely on to fairly and effectively fight crime. Zempel promises a court that is "less political, more predictable."

The court has no one with major criminal prosecution experience – a serious omission because criminal law makes up a majority of the court's cases. Adding a prosecutor to the court will make our state safer. The court has only one member from eastern Washington, and no one with county government experience. *Electing Greg Zempel to the court will add much needed diversity to a court that simply doesn't reflect our state.*

Greg and his wife Dawn have four children. The family enjoys hiking and many other outdoor activities.

**Contact**
(509) 436-7819; Greg.Zempel@ZempelForJustice.org;
www.ZempelForJustice.org



Charles (Charlie)

## Wiggins

(Nonpartisan)

**Legal/Judicial Experience**
State Supreme Court, 2010-present

**Other Professional Experience**
Justice Wiggins has served on the State Court of Appeals, as a pro-tem Superior Court judge, and in private practice for over 30 years.

**Education**
Justice Wiggins graduated from Princeton University with honors. He served four years in the Army, earning an MBA and rising to Captain. The G.I. Bill helped Wiggins to attend Duke Law School.

**Community Service**
Justice Wiggins is an active volunteer, traveling to Albania to assist judges transitioning from communism to democracy, performing award-winning work with Habitat for Humanity, his church, and assisting poor clients without payment.

**Statement**
Justice Charlie Wiggins brings a lifelong passion for equal justice and the rule of law to the Supreme Court. A productive opinion writer, his 110 opinions over the past 5 years protect our constitutional liberties, impartially uphold and interpret the law, and justly resolve cases.

Justice Wiggins works to protect judicial independence, campaigning with legislators and others to limit campaign contributions in judicial elections. He helped author a proposed rule that a judge cannot sit on a case involving any party who spent substantial funds supporting the judge's election. He helped start the award-winning web site www.votingforjudges.org, educating citizens about judicial candidates.

A champion for judicial access, Justice Wiggins has worked to educate local and state leaders on the importance of an independent, efficient judiciary system. No one should be forced to wait for trial or sacrifice representation because they lack the resources to hire a skilled attorney, face a language barrier, or have other challenges.

Proudly endorsed by over 100 current and former judges statewide, a bi-partisan coalition of elected officials, the Washington State Labor Council, State Firefighters, State Patrol Troopers, and more. For more endorsements and more recent information, visit www.justicecharliewiggins.com.

**Contact**
(253) 227-4954; info@justicecharliewiggins.com;
www.justicecharliewiggins.com

Dave

## Larson

(Nonpartisan)

**Legal/Judicial Experience**
Judge Larson is the Presiding Judge of the Federal Way Municipal Court. Larson has 23 years of legal experience, in both state and federal courts. He has handled complex civil litigation.

**Other Professional Experience**
Former President, Federal Way School Board.

**Education**
B.A., Public Administration, University of Puget Sound; J.D., Seattle University School of Law.

**Community Service**
Judge Larson remains very active in the Federal Way Schools. He is a member of the Council on Public Legal Education and Kiwanis. He founded Aktion Club of Federal Way, a service club for people with developmental disabilities.

**Statement**
*Judge Dave Larson has the experience, temperament and commitment to the law and Constitution we need on our state Supreme Court.* He is endorsed by both Democrats and Republicans. Larson is the Presiding Judge of the Federal Way Municipal Court, where he's seen more than 28,0000 criminal filings. Dave has been recognized for his work to reduce domestic violence. He is trusted by his fellow judges, and taught new judges how to competently administer their courts and protect judicial independence.

Judge Larson volunteered to join a court that was wracked by scandal and had lost the public trust. He brought the community together and saved that court.

*Today, many people are worried that our state Supreme Court has lost the public trust.* The court has clashed with the legislature, the Governor and even other judges. Judge Larson knows the court must respect the Constitution, and the other branches of our government. He believes in judicial restraint. As a former school board president, Larson has a unique insight into the major issues currently before the court.

Dave and his wife Debby live in Federal Way. They have two sons, Andrew and Joshua, and they attend St. Vincent DePaul Church.

**Contact**
(206) 257-2075; JudgeLarson@LarsonForJustice.org;
www.LarsonForJustice.org

## Grays Harbor Superior Court Judge | Position 1 | 4-year term

No photo submitted

**Stephen E.**
# Brown
(Nonpartisan)

**Unopposed**

No information submitted

**Contact**
(360) 470-1289; sebjudge@comcast.net

## Grays Harbor Superior Court Judge | Position 2 | 4-year term

No photo submitted

**David L.**
# Edwards
(Nonpartisan)

**Unopposed**

No information submitted

**Contact**
(360) 538-0167; dkedwards1005@gmail.com

## Grays Harbor Superior Court Judge | Position 3 | 4-year term

No photo submitted

**Mark**
# McCauley
(Nonpartisan)

**Unopposed**

No information submitted

**Contact**
(360) 538-1254; mccauleyfm@comcast.net

No photo submitted

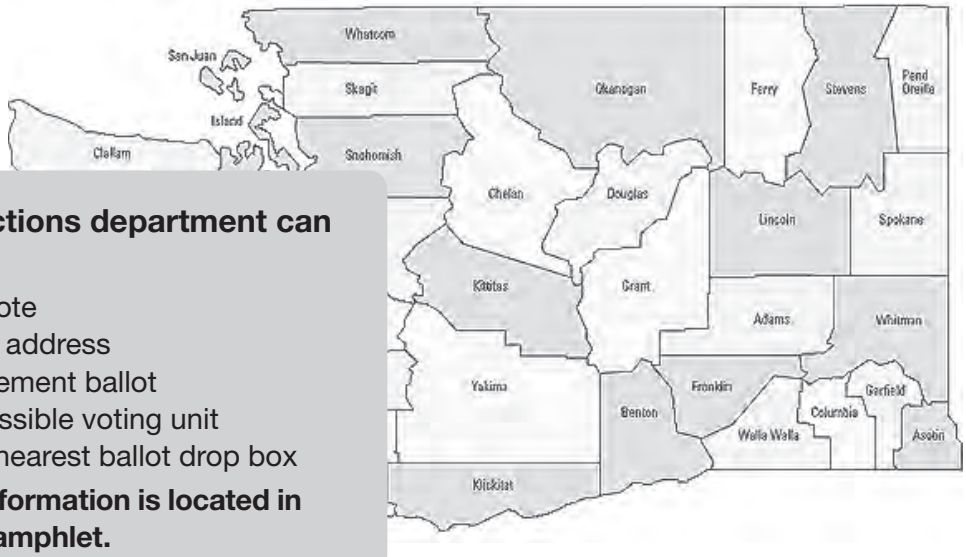
**Keith C.**
# Harper
(Nonpartisan)

## Unopposed

No information submitted

**Contact**
(360) 385-5108; kcharper@olympus.net

## Contact Your County Elections Department




**Your county elections department can help you:**

- register to vote
- update your address
- get a replacement ballot
- use an accessible voting unit
- locate your nearest ballot drop box

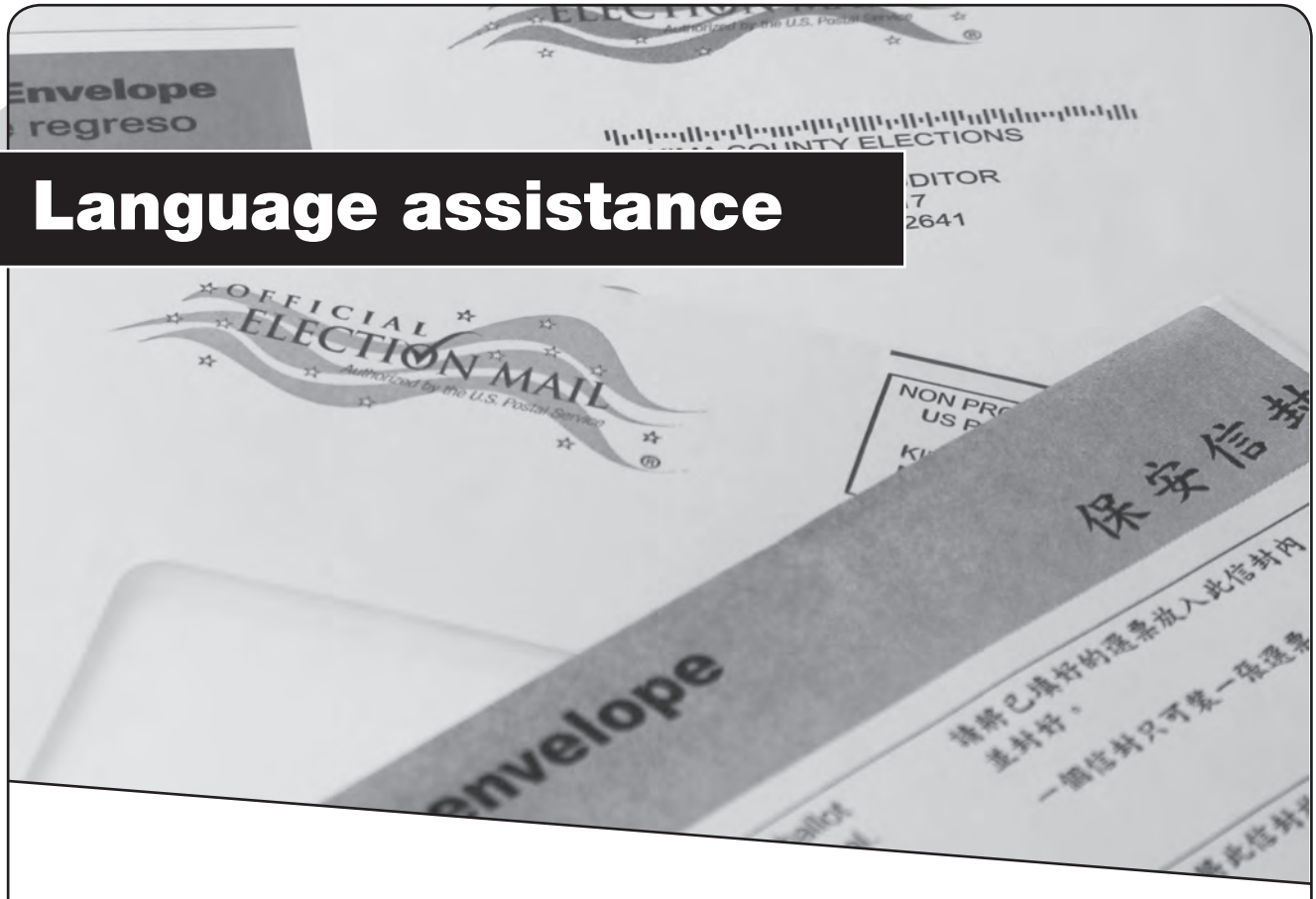
**County contact information is located in the back of this pamphlet.**

# Accessible pamphlet available

Audio and plain text voters' pamphlets available at **vote.wa.gov**.

**No Internet access?**

To receive a copy on CD or USB drive, call **(800) 448-4881**.




# Language assistance

## Se habla español

Todos los votantes del estado de Washington tienen acceso al folleto electoral y a los formularios de inscripción en español por internet en **www.vote.wa.gov**.

Adicionalmente, los votantes de los condados de Yakima, Franklin y Adams recibirán su boleta y folleto electoral de forma bilingüe antes de cada elección.

Si usted o alguien que conoce necesitan asistencia en español llame al **(800) 448-4881**.

## 中國口語

所有華盛頓州的選民都可在網站 **www.vote.wa.gov** 查看中文選民手冊和選民登記表格。

此外，金郡選民也可登記在每次選舉前自動獲取中文選票和選民手冊。

如果您或您認識的人需要語言協助，請致電 **(800) 448-4881**。

## Việt Nam được nói

Tất cả cử tri ở Tiểu Bang Washington có thể truy cập sách dành cho cử tri và đơn ghi danh cử tri bằng tiếng Việt trực tuyến tại **www.vote.wa.gov**.

Ngoài ra, cử tri ở Quận King có thể đăng ký để tự động nhận lá phiếu và sách dành cho cử tri bằng tiếng Việt trước mỗi cuộc bầu cử.

Nếu quý vị hoặc người nào quý vị biết cần trợ giúp ngôn ngữ, xin vui lòng gọi **(800) 448-4881**.

*The federal Voting Rights Act requires translated elections materials.*

# Student Mock Election

## Online Mock Election October 31 - November 4

Kids can vote on real candidates and ballot measures in the student Mock Election!

The Mock Election is a nonpartisan, educational program that teaches kids how to be informed voters.

Voting in the Mock Election is **free** for students in grades K-12.

Kids vote at **www.vote.wa.gov/MockElection.**

# Get your e-sticker!

Visit us on Facebook at Washington State Elections and use one of our "I Voted" stickers as your temporary profile picture.

# I am a . . .

## Military or overseas voter

You can register to vote anytime on or before Election Day. You may receive your ballot by mail, email, or fax. Spouses and dependents who are also away from home have the same voting rights.

## New Washington resident

Welcome! You can register to vote online, by mail, in person, or when you get your new Washington state driver's license or ID at the Department of Licensing. You may not vote in more than one place, so cancel your previous voter registration.

## College student

You can register to vote using either your home or school address, but you may not register to vote in more than one place. Your ballot can be mailed to you anywhere in the world; however, your residential address must remain in Washington.

## Seasonal resident

You can vote in Washington even if you're away during an election. To ensure you receive your ballot, update your mailing address online or with your county elections department. Your ballot can be mailed to you anywhere in the world; however, your residential address must remain in Washington. You may not vote in more than one place.

## Convicted felon

If you were convicted of a felony, your right to vote is restored when you are no longer under Department of Corrections supervision. You must register to vote in order to receive a ballot.

### How do I read measure text?

Language in double parentheses with a line through it is existing state law; it will be taken out of the law if this measure is approved by voters.

**((~~sample of text to be deleted~~))**

Underlined language does not appear in current state law but will be added to the law if this measure is approved by voters.

**sample of text to be added**

# Complete Text

## Initiative Measure No. 1433

AN ACT Relating to fair labor standards; amending RCW 49.46.005, 49.46.020, 49.46.090, 49.46.100, and 49.46.120; adding new sections to chapter 49.46 RCW; prescribing penalties; and providing an effective date.

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

NEW SECTION. **Sec. 1.** It is the intent of the people to establish fair labor standards and protect the rights of workers by increasing the hourly minimum wage to $11.00 (2017), $11.50 (2018), $12.00 (2019) and $13.50 (2020), and requiring employers to provide employees with paid sick leave to care for the health of themselves and their families.

**Sec. 2.** RCW 49.46.005 and 1961 ex.s. c 18 s 1 are each amended to read as follows:

(1) Whereas the establishment of a minimum wage for employees is a subject of vital and imminent concern to the people of this state and requires appropriate action by the legislature to establish minimum standards of employment within the state of Washington, therefore the legislature declares that in its considered judgment the health, safety and the general welfare of the citizens of this state require the enactment of this measure, and exercising its police power, the legislature endeavors by this chapter to establish a minimum wage for employees of this state to encourage employment opportunities within the state. The provisions of this chapter are enacted in the exercise of the police power of the state for the purpose of protecting the immediate and future health, safety and welfare of the people of this state.

(2) Since the enactment of Washington's original minimum wage act, the legislature and the people have repeatedly amended this chapter to establish and enforce modern fair labor standards, including periodically updating the minimum wage and establishing the forty-hour workweek and the right to overtime pay.

(3) The people hereby amend this chapter to conform to modern fair labor standards by establishing a fair minimum wage and the right to paid sick leave to protect public health and allow workers to care for the health of themselves and their families.

**PART I**
**ESTABLISHING FAIR LABOR STANDARDS BY INCREASING THE MINIMUM HOURLY WAGE TO $11.00 (2017), $11.50 (2018), $12.00 (2019) AND $13.50 (2020)**

**Sec. 3.** RCW 49.46.020 and 1999 c 1 s 1 are each amended to read as follows:

(1) ((~~Until January 1, 1999, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than four dollars and ninety cents per hour.~~

~~(2) Beginning January 1, 1999, and until January 1, 2000, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than five dollars and seventy cents per hour.~~

~~(3) Beginning January 1, 2000, and until January 1, 2001, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than six dollars and fifty cents per hour.~~

~~(4)~~)) (a) Beginning January 1, 2017, and until January 1, 2018, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than eleven dollars per hour.

(b) Beginning January 1, 2018, and until January 1, 2019, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than eleven dollars and fifty cents per hour.

(c) Beginning January 1, 2019, and until January 1, 2020, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than twelve dollars per hour.

(d) Beginning January 1, 2020, and until January 1, 2021, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than thirteen dollars and fifty cents per hour.

(2)(a) Beginning on January 1, ((~~2001~~)) 2021, and each following January 1st as set forth under (b) of this subsection, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than the amount established under (b) of this subsection.

(b) On September 30, ((~~2000~~)) 2020, and on each following September 30th, the department of labor and industries shall calculate an adjusted minimum wage rate to maintain employee purchasing power by increasing the current year's minimum wage rate by the rate of inflation. The adjusted minimum wage rate shall be calculated to the nearest cent using the consumer price index for urban wage earners and clerical workers, CPI-W, or a successor index, for the twelve months prior to each September 1st as calculated by the United States department of labor. Each adjusted minimum wage rate calculated under this subsection (((~~4~~))) (2)(b) takes effect on the following January 1st.

(((~~5~~))) (3) An employer must pay to its employees: (a) All

tips and gratuities; and (b) all service charges as defined under RCW 49.46.160 except those that, pursuant to RCW 49.46.160, are itemized as not being payable to the employee or employees servicing the customer. Tips and service charges paid to an employee are in addition to, and may not count towards, the employee's hourly minimum wage.

(4) Beginning January 1, 2018, every employer must provide to each of its employees paid sick leave as provided in Part II of this act.

(5) The director shall by regulation establish the minimum wage for employees under the age of eighteen years.

**PART II**
**ESTABLISHING FAIR LABOR STANDARDS BY REQUIRING EMPLOYERS TO PROVIDE PAID SICK LEAVE TO EMPLOYEES**

NEW SECTION. **Sec. 4.** The demands of the workplace and of families need to be balanced to promote public health, family stability, and economic security. It is in the public interest to provide reasonable paid sick leave for employees to care for the health of themselves and their families. Such paid sick leave shall be provided at the greater of the newly increased minimum wage or the employee's regular and normal wage.

NEW SECTION. **Sec. 5.** (1) Beginning January 1, 2018, every employer shall provide each of its employees paid sick leave as follows:

(a) An employee shall accrue at least one hour of paid sick leave for every forty hours worked as an employee. An employer may provide paid sick leave in advance of accrual provided that such front-loading meets or exceeds the requirements of this section for accrual, use, and carryover of paid sick leave.

(b) An employee is authorized to use paid sick leave for the following reasons:

(i) An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;

(ii) To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care; and

(iii) When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.

(c) An employee is authorized to use paid sick leave for absences that qualify for leave under the domestic violence leave act, chapter 49.76 RCW.

(d) An employee is entitled to use accrued paid sick leave beginning on the ninetieth calendar day after the commencement of his or her employment.

(e) Employers are not prevented from providing more generous paid sick leave policies or permitting use of paid sick leave for additional purposes.

(f) An employer may require employees to give reasonable notice of an absence from work, so long as such notice does not interfere with an employee's lawful use of paid sick leave.

(g) For absences exceeding three days, an employer may require verification that an employee's use of paid sick leave is for an authorized purpose. If an employer requires verification, verification must be provided to the employer within a reasonable time period during or after the leave. An employer's requirements for verification may not result in an unreasonable burden or expense on the employee and may not exceed privacy or verification requirements otherwise established by law.

(h) An employer may not require, as a condition of an employee taking paid sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is on paid sick leave.

(i) For each hour of paid sick leave used, an employee shall be paid the greater of the minimum hourly wage rate established in this chapter or his or her normal hourly compensation. The employer is responsible for providing regular notification to employees about the amount of paid sick leave available to the employee.

(j) Unused paid sick leave carries over to the following year, except that an employer is not required to allow an employee to carry over paid sick leave in excess of forty hours.

(k) This section does not require an employer to provide financial or other reimbursement for accrued and unused paid sick leave to any employee upon the employee's termination, resignation, retirement, or other separation from employment. When there is a separation from employment and the employee is rehired within twelve months of separation by the same employer, whether at the same or a different business location of the employer, previously accrued unused paid sick leave shall be reinstated and the previous period of employment shall be counted for purposes of determining the employee's eligibility to use paid sick leave under subsection (1)(d) of this section.

(2) For purposes of this section, "family member" means any of the following:

(a) A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;

(b) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;

(c) A spouse;

(d) A registered domestic partner;

(e) A grandparent;

(f) A grandchild; or

(g) A sibling.

(3) An employer may not adopt or enforce any policy that counts the use of paid sick leave time as an absence that may lead to or result in discipline against the employee.

(4) An employer may not discriminate or retaliate against an employee for his or her exercise of any rights under this chapter including the use of paid sick leave.

**PART III**
**MISCELLANEOUS**

NEW SECTION. **Sec. 6.** (1) Beginning January 1, 2017, all existing rights and remedies available under state or local law for enforcement of the minimum wage shall be applicable to enforce all of the rights established under this act.

(2) The state shall pay individual providers, as defined in RCW 74.39A.240, in accordance with the minimum wage, overtime, and paid sick leave requirements of this chapter.

**Sec. 7.** RCW 49.46.090 and 2010 c 8 s 12043 are each amended to read as follows:

(1) Any employer who pays any employee less than ((~~wages~~)) the amounts to which such employee is entitled under or by virtue of this chapter, shall be liable to such employee affected for the full amount ((~~of such wage rate~~)) due to such employee under this chapter, less any amount actually paid to such employee by the employer, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer ((~~to work for~~)) allowing the employee to receive less than ((~~such wage rate~~)) what is due under this chapter shall be no defense to such action.

(2) At the written request of any employee paid less than the ((~~wages~~)) amounts to which he or she is entitled under or by virtue of this chapter, the director may take an assignment under this chapter or as provided in RCW 49.48.040 of such ((~~wage~~)) claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

**Sec. 8.** RCW 49.46.100 and 2010 c 8 s 12044 are each amended to read as follows:

(1) Any employer who hinders or delays the director or his or her authorized representatives in the performance of his or her duties in the enforcement of this chapter, or refuses to admit the director or his or her authorized representatives to any place of employment, or fails to make, keep, and preserve any records as required under the provisions of this chapter, or falsifies any such record, or refuses to make any record accessible to the director or his or her authorized representatives upon demand, or refuses to furnish a sworn statement of such record or any other information required for the proper enforcement of this chapter to the director or his or her authorized representatives upon demand, or pays or agrees to pay ((~~wages at a rate less than the rate applicable~~)) an employee less than the employee is entitled to under this chapter, or otherwise violates any provision of this chapter or of any regulation issued under this chapter shall be deemed in violation of this chapter and shall, upon conviction therefor, be guilty of a gross misdemeanor.

(2) Any employer who discharges or in any other manner discriminates against any employee because such employee has made any complaint to his or her employer, to the director, or his or her authorized representatives that he or she has not been paid wages in accordance with the provisions of this chapter, or that the employer has violated any provision of this chapter, or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this chapter, or because such employee has testified or is about to testify in any such proceeding shall be deemed in violation of this chapter and shall, upon conviction therefor, be guilty of a gross misdemeanor.

**Sec. 9.** RCW 49.46.120 and 1961 ex.s. c 18 s 4 are each amended to read as follows:

This chapter establishes ((~~a~~)) minimum standards for wages, paid sick leave, and working conditions of all employees in this state, unless exempted herefrom, and is in addition to and supplementary to any other federal, state, or local law or ordinance, or any rule or regulation issued thereunder. Any standards relating to wages, hours, paid sick leave, or other working conditions established by any applicable federal, state, or local law or ordinance, or any rule or regulation issued thereunder, which are more favorable to employees than the minimum standards applicable under this chapter, or any rule or regulation issued hereunder, shall not be affected by this chapter and such other laws, or rules or regulations, shall be in full force and effect and may be enforced as provided by law.

NEW SECTION. **Sec. 10.** The state department of labor and industries must adopt and implement rules to carry out and enforce this act, including but not limited to procedures for notification to employees and reporting regarding sick leave, and protecting employees from retaliation for the lawful use of sick leave and exercising other rights under this chapter. The department's rules for enforcement of rights under this act shall be at least equal to enforcement of the minimum wage.

NEW SECTION. **Sec. 11.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act. Nothing in the act precludes local jurisdictions from enacting additional local fair labor standards that are more favorable to employees, including but not limited to more generous minimum wage or paid sick leave requirements.

NEW SECTION. **Sec. 12.** This act shall be codified in chapter 49.46 RCW and is subject to RCW 49.46.040 (Investigation, etc.) and RCW 49.46.070 (Recordkeeping).

NEW SECTION. **Sec. 13.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 14.** This act takes effect on January 1, 2017.

**--- END ---**

# Complete Text
## Initiative Measure No. 1464

AN ACT Relating to accountability of Washington's system of electoral politics to the people; amending RCW 42.17A.400, 42.17A.430, 42.17A.445, 42.17A.645, 42.17A.470, 42.17A.050, 42.17A.750, 42.17A.755, 42.17A.765, and 42.17A.125; adding new sections to chapter 42.17A RCW; adding a new section to chapter 82.32 RCW; creating new sections; repealing RCW 82.08.0273 and 42.17A.550; prescribing penalties; and making appropriations.

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

NEW SECTION. **Sec. 1.** This act may be known and cited as the Washington government accountability act.

NEW SECTION. **Sec. 2.** (1) The people find and declare that accountability to the people is of the utmost importance in Washington's system of electoral politics. Today, that system is tainted with a perception of corruption, insufficient participation by citizens (who believe they have an insignificant role to play in our democracy), inadequate disclosure of relevant information to the public on political advertising and paid lobbying, and inadequate enforcement of the laws intended to address these concerns.

(2) The Washington government accountability act is intended to increase accountability to the public in Washington's system of electoral politics by:

(a) Preventing corruption and the perception of corruption in government by strengthening campaign contribution limits, establishing additional restrictions on campaign financing, and prohibiting certain government officials and employees from receiving compensation to lobby state government;

(b) Promoting citizen participation and open political discussion by establishing an effective system for citizen financing of election campaigns;

(c) Better informing the electorate by improving public disclosure of information related to political advertising and lobbying; and

(d) Improving enforcement of the laws governing electoral politics by facilitating the reporting of violations, expanding enforcement authority, providing resources for enforcement efforts, and increasing potential penalties for violators.

**CAMPAIGN CONTRIBUTION LIMITS AND OTHER RESTRICTIONS**

**Sec. 3.** RCW 42.17A.400 and 2010 c 204 s 601 are each amended to read as follows:

(1) The people of the state of Washington find and declare that:

(a) The financial strength of certain individuals or organizations should not permit them to exercise ((~~a disproportionate or~~)) controlling or otherwise improper influence on the election of candidates.

(b) Rapidly increasing political campaign costs have led many candidates to raise larger percentages of money from or in coordination with special interests with a specific financial stake in matters before state government. This has caused the public perception that decisions of elected officials are being improperly influenced by monetary contributions, including coordinated expenditures.

(((~~c) Candidates are raising less money in small contributions from individuals and more money from special interests. This has created the public perception that individuals have an insignificant role to play in the political process.~~))

(2) By limiting campaign contributions, the people intend to:

(a) Ensure that individuals and interest groups have a fair ((~~and equal~~)) opportunity to influence elective and governmental processes;

(b) Reduce the ((~~influence of large organizational contributors~~)) perception of corruption; and

(c) ((~~Restore~~)) Strengthen public trust in governmental institutions and the electoral process.

NEW SECTION. **Sec. 4.** (1) A public contractor or prospective public contractor, an entity such a contractor owns or in which such a contractor has a controlling interest, a person who owns or has a controlling interest in such a contractor if the contractor is not an individual, or a director or equivalent, officer or equivalent, or immediate family member of such a contractor may not:

(a) Contribute more than one hundred dollars per election to a candidate for an office having a decision-making role in the negotiation, awarding, execution, performance, or enforcement of the contractor's qualifying contract or contracts;

(b) Deliver or transmit a contribution to such a candidate from another person;

(c) Solicit contributions for such a candidate in amounts exceeding one hundred dollars individually or five hundred dollars in the aggregate for each election;

(d) Solicit contributions for such a candidate from the contractor's employees, subcontractors, clients, or close family members; or

(e) Engage in a private business transaction or private business relationship with such a candidate or an entity in which such a candidate has a substantial financial interest, unless it is clear beyond a reasonable doubt that the business transaction or relationship is not part of any design to gain or maintain influence over the candidate.

(2) A person registered or required to be registered as a lobbyist, an entity such a lobbyist owns or in which such a lobbyist has a controlling interest, a person who owns or has a controlling interest in such a lobbyist if the lobbyist is not an individual, or a director or equivalent, officer or equivalent, or immediate family member of such a lobbyist may not:

(a) Contribute more than one hundred dollars per election to a candidate for an office having a decision-making role on any legislation, rule, standard, rate, or other enactment, whether actual or potential, about which the person lobbied in the past four years;

(b) Deliver or transmit a contribution to such a candidate from another person;

(c) Solicit contributions for such a candidate in amounts

exceeding one hundred dollars individually or five hundred dollars in the aggregate for each election;

(d) Solicit contributions for such a candidate from the lobbyist's employees, clients, or close family members; or

(e) Engage in a private business transaction or private business relationship with such a candidate or an entity in which such a candidate has a substantial financial interest, unless it is clear beyond a reasonable doubt that the business transaction or relationship is not part of any design to gain or maintain influence over the candidate.

(3) For purposes of this section, an employee's involvement with the making or directing of contributions from his or her employer, or from a separate segregated fund or political committee established and maintained by the employee's employer, if part of the employee's normal duties, does not qualify as transmittal or solicitation by the employee.

(4) A person may not solicit or accept contributions if the person knows or has reason to know that the contributions exceed the limitations provided in this section.

(5) For purposes of this section:

(a) "Close family member" of an individual means:

(i) The individual's immediate family, as defined in this chapter;

(ii) The individual's spouse, domestic partner, child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister;

(iii) A child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse or domestic partner; or

(iv) The spouse or domestic partner of any person described in (a)(ii) or (iii) of this subsection (5).

(b) "Prospective public contractor" means a person who, directly or as a subcontractor, has a pending application or has manifested a specific intent to apply for or otherwise seek out a contract or contracts that will be governed by Title 39 RCW and will include the payment of public funds from a government entity of at least one hundred thousand dollars in the aggregate to any and all counterparties. This definition does not include the employees of such a person or, if the person is a union, the members of that union.

(c) "Public contractor" means a person who, during the current election cycle for the relevant public office, directly or as a subcontractor, has had a contractual relationship or contractual relationships governed by Title 39 RCW, involving the payment of public funds from a government entity of at least one hundred thousand dollars in the aggregate to any and all counterparties. This definition does not include the employees of such a person or, if the person is a union, the members of that union.

(6) The commission is authorized to adopt rules, as needed, to enforce and prevent circumvention of this section.

NEW SECTION. **Sec. 5.** (1) An expenditure in support of a candidate or opposing a candidate's opponent, other than an expenditure for the purposes described in RCW 42.17A.005(13)(b), is presumed to be made in coordination with that candidate or the candidate's agent (whether the candidate's authorized political committee, a registered person who directs the candidate's or committee's expenditures, or their agents), and is thus presumed to be a contribution as defined in this chapter, under any one of the following circumstances occurring after the effective date of this section:

(a) The candidate or agent had specific previous knowledge of the expenditure;

(b) The person making the expenditure is an immediate family member, partner, or employee of the candidate;

(c) The expenditure was made in cooperation, consultation, or concert with, or at the request or suggestion of, an immediate family member, partner, or employee of the candidate; or

(d) Within two years prior to the expenditure being made and within the same election cycle:

(i) The candidate or agent, and the person making the expenditure, attended a meeting at which campaign-related strategy or planning related to the candidate's election was discussed;

(ii) The candidate or agent contributed to a political committee making the expenditure, the candidate or agent solicited one or more third parties to make contributions to a political committee making the expenditure, or the candidate or agent solicited contributions at an event organized by or hosted by a political committee making the expenditure;

(iii) The candidate or agent, and the person making the expenditure, shared office space; or

(iv) The candidate or agent, and the person making the expenditure, had the same agent or coordinated with the same person for nonministerial campaign-related purposes.

(2) Any presumption established under this section is rebuttable. If an alleged violation of this chapter is premised on a presumption of coordination under this section, once the basis for the presumption has been proved by a preponderance of the evidence in light of all the evidence presented by all parties, the burden of proof is then on the presumptive violator to disprove the presumed coordination by a preponderance of the evidence, again taking into account all the evidence presented by all parties.

(3) Notwithstanding any provisions of this section, and regardless of whether a presumption has been established, any relevant documents or supporting facts may be used to demonstrate coordination of an expenditure.

(4) By September 1, 2017, and on an ongoing basis, the commission shall publish guidance on best practices that, if followed, will effectively rebut a presumption of coordination, including through the documentation of an effective firewall, and any alternative screening procedures the commission deems sufficient. A presumptive violator may rebut a presumption established under this section by presenting a prima facie case that the commission's then-current guidance was followed. In order to resurrect the presumption, the burden of proof is then on the commission, attorney general, or prosecuting attorney to prove by a preponderance of the evidence, taking into account all the evidence presented by all parties, that the commission's then-current guidance was not followed.

(5) This section does not apply in a citizen action under RCW 42.17A.755(4). In such an action, a presumption of coordination under this section may not be used to demonstrate a violation.

(6) The commission is authorized to adopt rules, as needed, to enforce and prevent circumvention of this section.

**Sec. 6.** RCW 42.17A.430 and 2010 c 204 s 606 are each amended to read as follows:

All of the ((~~The~~)) surplus funds of a candidate or a candidate's authorized committee ((~~may only~~)) must be promptly disposed of as provided in this section. If the candidate received public funds from the democracy credit program established under section 9 of this act, then the candidate must transfer to the commission a certain percentage of the candidate's surplus funds, equal to the percentage of the total amount in contributions the candidate received that were public funds from the democracy credit program. Otherwise, the surplus funds must be disposed of in any one or more of the following ways:

(1) Return the surplus to a contributor in an amount not to exceed that contributor's original contribution;

(2) Using surplus, reimburse the candidate for lost earnings incurred as a result of that candidate's election campaign. Lost earnings shall be verifiable as unpaid salary for the specific time period of the election campaign or, when the candidate is not salaried, as an amount not to exceed income received by the candidate for services rendered during an appropriate, corresponding time period. Any reimbursement may not exceed an amount equal to the estimated median household income for the state as determined by the office of financial management and calculated pro rata by the commission in relation to such time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the candidate or the candidate's authorized committee. The committee shall maintain a copy of this record in accordance with RCW 42.17A.235((~~(6)~~)) (5);

(3) Transfer the surplus without limit to a political party or to a caucus political committee;

(4) Donate the surplus to a charitable organization registered in accordance with chapter 19.09 RCW;

(5) Transmit the surplus to the state treasurer for deposit in the general fund, the campaign financing and enforcement fund created in section 18 of this act, the Washington state legacy project, state library, and archives account under RCW 43.07.380, or the legislative international trade account under RCW 43.15.050, as specified by the candidate or political committee; or

(6) ((~~Hold the surplus in the depository or depositories designated in accordance with RCW 42.17A.215 for possible use in a future election campaign for the same office last sought by the candidate and report any such disposition in accordance with RCW 42.17A.240. If the candidate subsequently announces or publicly files for office, the appropriate information must be reported to the commission in accordance with RCW 42.17A.205 through 42.17A.240. If a subsequent office is not sought the surplus held shall be disposed of in accordance with the requirements of this section.~~

~~(7)~~)) Hold the surplus campaign funds in a separate account for nonreimbursed public office-related expenses or as provided in this section, and report any such disposition in accordance with RCW 42.17A.240. The separate account required under this subsection shall not be used for deposits of campaign funds that are not surplus.

((~~(8)~~)) No candidate or authorized committee may transfer funds to any other candidate or other political committee.

The disposal of surplus funds under this section shall not be considered a contribution for purposes of this chapter.

**Sec. 7.** RCW 42.17A.445 and 2010 c 204 s 608 are each amended to read as follows:

Contributions received and reported in accordance with RCW 42.17A.220 through 42.17A.240 and 42.17A.425 may only be paid to a candidate, or a treasurer or other individual or expended for such individual's personal use under the following circumstances:

(1) Reimbursement for or payments to cover lost earnings incurred as a result of campaigning or services performed for the political committee. Lost earnings shall be verifiable as unpaid salary for the specific time period of the election campaign, or when the individual is not salaried, as an amount not to exceed income received by the individual for services rendered during an appropriate, corresponding time period. Any reimbursement may not exceed an amount equal to the estimated median household income for the state as determined by the office of financial management and calculated pro rata by the commission in relation to such time period. All lost earnings incurred shall be documented and a record shall be maintained by the candidate or the candidate's authorized committee in accordance with RCW 42.17A.235.

(2) Reimbursement for direct out-of-pocket election campaign and postelection campaign related expenses made by the individual. To receive reimbursement from the political committee, the individual shall provide the political committee with written documentation as to the amount, date, and description of each expense, and the political committee shall include a copy of such information when its expenditure for such reimbursement is reported pursuant to RCW 42.17A.240.

(3) Repayment of loans made by the individual to political committees shall be reported pursuant to RCW 42.17A.240. However, contributions may not be used to reimburse a candidate for loans totaling more than four thousand seven hundred dollars made by the candidate to the candidate's own authorized committee.

**Sec. 8.** RCW 42.17A.645 and 2010 c 204 s 810 are each amended to read as follows:

(1) An elected official, appointed official, or public employee, in state or local government, may not accept employment or receive compensation from any person who, after the effective date of this section, was registered or required to be registered as a lobbyist and lobbied on any legislation, rule, standard, rate, or other enactment in which the official or employee had any decision-making role, until three years after the official's tenure or employee's relevant public em-

ployment has ended, or five years after the lobbying, whichever is sooner.

(2) An elected or appointed official, serving in state or local government after the effective date of this section, may not receive compensation for lobbying the same office, agency, department, legislative body, or like unit of state or local government in which they are elected or appointed until three years after that person's termination of service in that unit of state or local government.

(3) An officer of a candidate's campaign who performed, after the effective date of this section, nonministerial functions for a candidate who was elected to office may not accept employment or receive compensation for lobbying that elected official during the official's tenure, until three years after the campaign officer's performance.

(4) If any person registered or required to be registered as a lobbyist, or any employer of any person registered or required to be registered as a lobbyist, employs a member or an employee of the legislature, a member of a state board or commission, or a full-time state employee, and that new employee remains in the partial employ of the state, the new employer must file within fifteen days after employment a statement with the commission, signed under oath, setting out the nature of the employment, the name of the person employed, and the amount of pay or consideration.

**CITIZEN FINANCING OF ELECTIONS**

NEW SECTION. **Sec. 9.** The democracy credit program is hereby established within the commission. The purposes of the program are to promote broad, diverse, fair, and undistorted citizen influence and participation in electoral politics; encourage citizens with meaningful voter support to run for office, and facilitate the process by which they connect with voters; minimize the perception of corruption in government; better inform the public about candidates running for office; and promote meaningful and open discussion of political issues in the context of electoral politics. The commission shall seek to further these purposes whenever it enacts rules to govern the program pursuant to the authority granted in this chapter.

NEW SECTION. **Sec. 10.** The definitions in this section apply throughout this subchapter unless the context clearly requires otherwise:

(1) "Contribution period" means the time period, to be determined by the commission by rule, during which an eligible individual may make a democracy credit contribution for a given election year. Unless the commission determines otherwise, the contribution period shall begin on April 1st of the relevant election year.

(2) "Democracy credit contribution" means a campaign contribution made by an eligible individual from the program fund to a qualified state candidate, pursuant to the rules of the program.

(3) "Eligible individual" means an individual properly registered to vote in the state, or an individual verified by the commission for participation in the program pursuant to section 16 of this act.

(4) "Program" means the democracy credit program.

(5) "Program fund" or "program funds" means the funds of the commission that the commission has allocated to the democracy credit program specifically for use as democracy credit contributions, including funds appropriated and allocated pursuant to section 18 of this act.

(6) "Qualified state candidate" means a candidate for state office whose status as a candidate eligible to receive democracy credit contributions has been certified by the commission.

(7) "Qualifying contribution" means a contribution to a candidate that is not, in the aggregate from any contributor, in excess of fifty percent of any applicable contribution limit under state law, other than limits on contributions from bona fide political parties or caucus political committees, or that is not, in the aggregate from any contributor, in excess of an alternative amount set by rule that the commission determines is necessary to promote the purposes of the program.

NEW SECTION. **Sec. 11.** (1) For elections in even-numbered years, the commission shall, at least ten business days before the beginning of the contribution period, send by postal mail to each eligible individual, using the address specified on the individual's voter registration or verification materials, personalized materials for the program. Thereafter, until one week before the general election of that year, unless no program funds remain available for democracy credit contributions, the commission shall send personalized materials to each individual who becomes an eligible individual, within ten business days of the individual obtaining status as an eligible individual.

(2) The personalized materials sent to each eligible individual must:

(a) Be addressed to the name of the eligible individual;

(b) Be sent in an official commission envelope;

(c) Provide information about the purposes and workings of the program, instructions on how to access the section of the commission's web site where complete information about the program can be found, and the telephone number for the commission's program assistance hotline or other similar means for contacting the commission for assistance;

(d) Clearly inform the recipient of the program's rules and penalties;

(e) Provide a unique and nonsequential pin code, or equivalently secure verification credential, for each of the democracy credit contributions that the eligible individual may make during the contribution period; and

(f) Provide instructions for how to make a democracy credit contribution.

(3) The secretary of state's office and all county elections departments shall work closely with the commission and any involved contractors to ensure that the commission has access to continuously accurate voter registration information.

NEW SECTION. **Sec. 12.** (1) For elections in each even-numbered year, each eligible individual is authorized to make up to three democracy credit contributions during the contribution period, subject to the availability of program funds. The amount of each democracy credit contribution is fifty dollars. The commission shall set the contribution peri-

od by rule to promote ease of program administration and to promote the purposes of the program under section 9 of this act. The commission may also adjust the number of authorized democracy credit contributions and the contribution amount, including setting different amounts by office, if necessary to promote program participation by candidates or eligible individuals, or if necessary to incentivize candidates to spend significant time appealing to eligible individuals. In making such adjustments, the commission must consider the historical costs of running viable campaigns, the anticipated availability of program funds, and the anticipated number of qualified state candidates.

(2) A democracy credit contribution shall be treated as a contribution made by the eligible individual. The value of a democracy credit contribution is not income or a monetary asset of the eligible individual. A person may not transfer to another person the ability to make a democracy credit contribution or the verification credentials required to make a democracy credit contribution. Except as required to make a reasonable accommodation for a disability or as otherwise allowed by law, a democracy credit contribution may not be authorized by proxy, power of attorney, or agent. Any county elections department shall provide assistance in making democracy credit contributions to eligible individuals who visit the department.

(3) To make a democracy credit contribution, an eligible individual must, using the electronic authorization system developed by the commission under section 16 of this act, attest to understanding the rules and penalties of the program and provide the following information:

(a) Personal identifying information, as required by the commission to ensure accuracy and prevent fraud and abuse, which unless determined otherwise by the commission must include name and residential or mailing address as recorded in the eligible individual's voter registration or verification materials, date of birth, and whichever of the following the individual used to register to vote in the state or to be verified as an eligible individual: Social security number or Washington driver's license, permit, or identicard number;

(b) The unique pin code or equivalently secure verification credential provided by the commission for the democracy credit contribution to be made; and

(c) The identity of the qualified state candidate to whom the eligible individual wishes to make the democracy credit contribution.

(4) As necessary to promote the purposes of the program under section 9 of this act, the commission may allow eligible individuals to request and receive from the commission a paper form that may be used, as an alternative to the electronic process detailed under subsection (3) of this section, to make a democracy credit contribution. Before the implementation of any such forms, the commission must develop rules to govern their use.

(5) Upon receiving the information required for a democracy credit contribution, and upon confirming that the provided information is valid, that sufficient program funds are available, and that the contemplated contribution is permitted, the commission shall transfer the democracy credit contribution from the program fund to the candidate committee of the qualified state candidate chosen by the eligible individual. The commission may set by rule a minimum number of days that must elapse before the contribution is transferred from the program fund, as necessary to prevent mistake, fraud, and abuse.

(6) A candidate committee may reject a democracy credit contribution. The commission shall notify any eligible individual whose democracy credit contribution has been rejected and reissue the information and verification credentials necessary to allow that individual to make that democracy credit contribution to another qualified state candidate.

(7) The commission shall, using the information available to it and to the extent practicable, minimize any administrative burdens on candidate committees resulting from the application of general reporting requirements to democracy credit contributions.

NEW SECTION. **Sec. 13.** (1) In 2018, 2020, and 2022, only a candidate running for state legislative office may be a qualified state candidate. The commission shall determine the additional offices for which a candidate may be a qualified state candidate in 2024 and each even-numbered year thereafter, with the purpose of expanding the program to as many offices as possible while ensuring sufficient program funds for such expansion, and prioritizing the offices of governor, secretary of state, attorney general, commissioner of public lands, and justice of the supreme court.

(2) To become a qualified state candidate, a candidate must submit, within a period to be determined by the commission by rule, a registration form to be developed by the commission. The form must be signed by the candidate and any treasurer for the candidate's campaign committee. To be certified by the commission as a qualified state candidate, the candidate seeking registration must:

(a) Indicate willingness to receive democracy credit contributions and an understanding and acceptance of program rules and penalties;

(b) Demonstrate collection of the required number of qualifying contributions from unique natural persons residing in the geographic district or area electing the office being sought, of at least ten dollars each, during a period to be determined by the commission by rule; and

(c) Attest that the candidate:

(i) Will not use personal funds in connection with the candidate's election in excess of applicable program limits;

(ii) Will not solicit, accept, direct, or otherwise coordinate receipt or spending of funds in connection with the candidate's election other than personal funds in accordance with this subsection (2)(c)(i), democracy credit contributions, and qualifying contributions, except at times when the candidate would be eligible for democracy credit contributions but no program funds are available for that purpose;

(iii) Will not solicit, accept, direct, or otherwise coordinate receipt or spending of funds, other than democracy credit contributions and qualifying contributions, in connection with any other election;

(iv) Has not at the time of submitting the statement accepted or spent funds in connection with the candidate's election other than personal funds in accordance with (c)(i) of this subsection (2) and qualifying contributions, or has (A) been reimbursed any amount of personal funds spent in excess of the limits in (c)(i) of this subsection (2), and (B) refunded any amounts received in excess of the limits on qualifying contributions to each original contributor or, to the extent refunding to the original contributor is not possible, then to the program fund;

(v) Will not make contributions to another political committee using funds received as democracy credit contributions;

(vi) Will promptly make available to the commission at any time the books of account associated with the campaign; and

(vii) Will abide by any additional requirements that the commission has set by rule, which the commission shall adopt as needed to prevent circumvention and otherwise promote the purposes of the program under section 9 of this act.

(3) Once the filing period set forth in RCW 29A.24.050 ends, a candidate may not become or remain a qualified state candidate unless he or she has properly filed a declaration of candidacy pursuant to chapter 29A.24 RCW.

(4) A qualified state candidate running for state legislative office may not use personal funds exceeding five thousand dollars in the aggregate for campaign purposes. The commission shall determine a limit on the use of personal funds for all other state candidates by office, in amounts that account for the reasonable costs of starting a viable campaign while promoting campaigns that are based on widespread underlying community support. The commission may adjust these limits over time, including for legislative office, based on changed circumstances that make such adjustment necessary to account for campaign startup costs or to promote campaigns based on widespread underlying community support.

(5) The number of qualifying contributions of at least ten dollars each required under subsection (2) of this section to become a qualified state candidate is seventy-five for a candidate for state legislative office. The commission shall determine the required number for all other state candidates by office, in amounts that promote program participation while preventing fraud and preventing waste of public funds on candidates unable to obtain meaningful public support. The commission may adjust these numbers over time, including the numbers for legislative office, based on changed circumstances that make such adjustment necessary to promote program participation, prevent fraud, prevent waste of public funds, or otherwise promote the purposes of the program.

(6) If the commission receives a valid registration form from a state candidate, it shall verify the submitted information, and if all required information has been received and verified, shall certify the candidate's registration as a qualified state candidate who may receive democracy credit contributions during the contribution period in accordance with program rules. The commission shall then promptly update all online materials to reflect this change in status.

(7) A qualified state candidate is eligible to receive no more than the following in the aggregate in democracy credit contributions for a single election year: For a candidate for state representative, one hundred fifty thousand dollars; for a candidate for state senator, two hundred fifty thousand dollars. The commission shall determine the limits applicable to candidates for all other state offices, in amounts that promote program participation while also promoting equitable availability of program funds among qualified state candidates. The commission may adjust these limits over time, including the limits for state representative and state senator, based on changed circumstances that make such adjustment necessary to promote program participation or to promote the equitable availability of program funds among qualified state candidates.

(8)(a) A qualified state candidate may use democracy credit contribution proceeds only:

(i) For campaign costs or campaign debts for the relevant election; and

(ii) During the election cycle and, as set by commission rule, for a reasonable period following the election.

(b) A qualified state candidate may not use democracy credit contribution proceeds to pay:

(i) The candidate or candidate's immediate family member, except to reimburse for actual out-of-pocket campaign expenses;

(ii) Any entity in which the candidate or an immediate family member holds in aggregate a ten percent or greater ownership interest;

(iii) Any amount over fair market value for any services, goods, facilities, or things of value;

(iv) Any penalty or fine; or

(v) Any inaugural costs or postelection officeholder costs.

(9) A candidate loses status as a qualified state candidate by publicly announcing withdrawal, abandoning the race, losing a primary election, losing or winning a general election, becoming ineligible for the office sought, if the commission finds the candidate has recklessly or intentionally committed a material violation of election laws or program requirements, or if the candidate is otherwise disqualified for violating this chapter pursuant to rules set by the commission. A candidate who loses status as a qualified state candidate shall, within a reasonable period as set by commission rule, pay all debts and obligations, account to the commission, and remit to the program fund a certain percentage of remaining funds, equal to the percentage of the total amount in contributions the candidate received that came from democracy credit contributions. If the commission at any time rescinds qualified state candidate status based on a violation of program requirements, the candidate shall also pay a penalty to the program fund to be set by the commission by rule.

NEW SECTION. **Sec. 14.** (1) Beginning in 2021, the commission shall consider whether there are sufficient program funds to expand the program to cover elections that occur in odd-numbered years. If the commission determines that such expansion would further the purposes of the program

under section 9 of this act, it shall implement the expansion.

(2) In 2022, the commission shall request an opinion from the attorney general as to whether the program can be lawfully expanded to include federal candidates for the offices of United States representative for the state of Washington and United States senator for the state of Washington. The attorney general shall provide the requested opinion.

(a) If the attorney general opines that such expansion can be done lawfully, and the commission then determines that such expansion would further the purposes of the program under section 9 of this act, the commission shall implement the expansion.

(b) If the attorney general opines that such expansion cannot be done lawfully, the commission shall wait for a material change in circumstances and then request another opinion, which is subject to (a) and (b) of this subsection (2).

(c) If the program is expanded to include federal candidates, the commission shall adopt reasonable rules governing the qualification and participation of such candidates and, notwithstanding RCW 42.17A.485, the commission may allow eligible individuals to receive direct refunds from the program fund for contributions to such candidates.

NEW SECTION. **Sec. 15.** (1) A person who knowingly offers to make a democracy credit contribution in exchange for cash or any other consideration, or who knowingly offers to buy or sell a democracy credit contribution, the ability to make a democracy credit contribution, or personalized information contained in program materials is guilty of a gross misdemeanor.

(2) A person who makes a democracy credit contribution in exchange for cash or any other consideration, or who buys or sells a democracy credit contribution, the ability to make a democracy credit contribution, or personalized information contained in program materials is guilty of a class C felony.

NEW SECTION. **Sec. 16.** (1) The commission shall contract for the development and management of a private and secure electronic system that controls and administers all technical aspects of the program, as well as a public online portal, accessible by normal and secure means, such as by common internet browsers on computers and mobile phones or other common devices with internet access, through which eligible individuals may make democracy credit contributions. When awarding such a contract, the commission shall give preference to any contractor with demonstrated experience and success in developing technologies similar to those being contracted for. No contractor, subcontractor, or associated entity may sell, license, or otherwise distribute data, metadata, or any information acquired through these contracts to any entity other than the commission, the public as required by this chapter, or entities approved by the commission.

(2) The commission shall implement the program on an ongoing basis, including by:

(a) Continuously managing the spending of all program funds with a goal of promoting the long-term success and sustainability of the program;

(b) Promoting awareness and understanding of the program with the goal of maximizing widespread and diverse citizen and candidate participation in the program;

(c) Supervising the management of the system and portal described in subsection (1) of this section;

(d) Maintaining a dedicated informational web site for the program, designed to facilitate viewing on the full range of common screen sizes of internet devices, that educates the public about the program and program fund availability; provides an interactive, easily searchable and current list of qualified state candidates, sortable by name, office sought, and party; and provides an up-to-date and interactive system detailing information about the use and receipt of democracy credit contributions in that election year, as well as the option to download without cost a bulk data file containing that information;

(e) Publishing appropriate guidebooks for candidates and eligible individuals, and translations of the informational web site and key program materials into languages spoken by a significant number of state residents, as determined by the commission;

(f) Maintaining a program telephone hotline through which residents may receive information about the program, request assistance with program issues, and submit complaints about problems related to democracy credit contributions or personalized materials;

(g) During each contribution period, auditing the books of account of at least two percent of qualified state candidates, to be chosen by random selection;

(h) Releasing a comprehensive report to the public every odd-numbered year detailing the status of the program and its use during the previous even-numbered election year; and

(i) Enforcing program requirements and investigating potential violations of such requirements, including by reviewing the books of account associated with the campaign of any qualified state candidate when appropriate.

(3) The commission shall adopt regulations to govern the program, designed to effectuate the provisions of sections 9 through 15 of this act, prevent circumvention and fraud, promote accessibility and participation, address violations of program requirements, and otherwise promote the purposes of the program. The commission's regulations may include special civil penalties or other remedies for violations of program requirements.

(4) By December 1, 2019, the commission shall develop and adopt regulations to allow any adult natural person who is a bona fide resident of the state, not eligible to register to vote under state law, but eligible under state and federal law to donate to a candidate campaign, to request to be verified by the commission as an eligible individual for participation in the program in the year 2020 and thereafter. The commission shall develop a process to reasonably ensure that an individual who no longer meets the requirements necessary to be an eligible individual does not make a democracy credit contribution until the individual again meets such requirements.

**Sec. 17.** RCW 42.17A.470 and 1993 c 2 s 13 are each

amended to read as follows:

(1) A person, other than an individual, may not be an intermediary or an agent for a contribution.

(2) An individual may not make a contribution on behalf of another person or entity, or while acting as the intermediary or agent of another person or entity, without disclosing to the recipient of the contribution both his or her full name, street address, occupation, name of employer, if any, or place of business if self-employed, and the same information for each contributor for whom the individual serves as intermediary or agent.

(3) In the democracy credit program established under section 9 of this act, the commission publicly administers contributions by eligible individuals, and is neither an intermediary nor an agent as those terms are used in this section.

NEW SECTION. **Sec. 18.** (1) The campaign financing and enforcement fund is created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for the program or for the commission's other authorized activities. Money deposited into the account must be used only for these purposes.

(2) The commission shall allocate any and all amounts appropriated to the commission from the campaign financing and enforcement fund to either (a) the program, including for use as democracy credit contributions and for program administration, or (b) the commission's ongoing activities, with at least three-fourths each fiscal year being allocated to the program.

NEW SECTION. **Sec. 19.** A new section is added to chapter 82.32 RCW to read as follows:

(1) On or around March 1, 2017, the department shall estimate the amount in state revenue that has resulted from the repeal under section 30 of this act of the sales tax exemption for nonresidents under RCW 82.08.0273, and certify the estimated amount to the state treasurer. By April 1, 2017, the state treasurer shall transfer seven million five hundred thousand dollars of the certified amount, or the certified amount if it is less than seven million five hundred thousand dollars, into the campaign financing and enforcement fund created in section 18 of this act. If the certified amount is less than seven million five hundred thousand dollars for any reason, the treasurer shall transfer the amount of the difference into the campaign financing and enforcement fund from the general fund.

(2) On or around June 1, 2017, the department shall estimate the remaining amount in state revenue for the current fiscal year resulting from the repeal of the sales tax exemption for nonresidents, and certify the estimated amount to the state treasurer. By July 1, 2017, the state treasurer shall transfer seven million five hundred thousand dollars of the certified amount, or the certified amount if it is less than seven million five hundred thousand dollars, into the campaign financing and enforcement fund. If the certified amount is less than seven million five hundred thousand dollars for any reason, the treasurer shall transfer the amount of the difference into the campaign financing and enforcement fund from the general fund.

(3) By June 1, 2018, and June 1st of every year thereafter, the department shall annually estimate the amount in state revenue for the current fiscal year resulting from the repeal of the sales tax exemption for nonresidents, and certify the estimated amount to the state treasurer. Adjustments to these annual estimated amounts should be based on changes in overall amounts of sales tax revenues generated statewide. By July 1, 2018, and by July 1st of every year thereafter, the state treasurer shall transfer thirty million dollars of the certified amount, or the certified amount if it is less than thirty million dollars, into the campaign financing and enforcement fund. If the certified amount is less than thirty million dollars for any reason, the treasurer shall transfer the difference into the campaign financing and enforcement fund from the general fund.

NEW SECTION. **Sec. 20.** For each time, between the effective date of this section and one calendar month after the end of the next ensuing fiscal biennium, which commences on July 1, 2017, and ends on June 30, 2019, that a sum shall be deposited into the campaign financing and enforcement fund pursuant to section 19 of this act, the sum deposited is hereby appropriated from that fund to the commission for use in accordance with section 18 of this act. From the fiscal year ending June 30, 2017, the sum of fifteen million dollars is appropriated, with seven million five hundred thousand dollars appropriated on April 1, 2017, and seven million five hundred thousand dollars appropriated on July 1, 2017. From the fiscal year ending on June 30, 2018, the sum of thirty million dollars is appropriated. From the fiscal year ending on June 30, 2019, the sum of thirty million dollars is appropriated.

**DISCLOSURE**

NEW SECTION. **Sec. 21.** (1) For any requirement of including "top five contributors" information under RCW 42.17A.320 or any other part of this chapter, the persons or entities making the largest contributions shall be determined solely as follows:

(a) The sponsor must first identify the five persons or entities making the largest contributions in excess of seven hundred dollars reportable under this chapter during the twelve-month period preceding the date on which the advertisement is initially to be published or otherwise presented to the public;

(b) For any political committee that qualifies as one of the top five contributors identified under (a) of this subsection, the top five contributors to that political committee during the same period must then be identified, and so on, until the individuals or entities other than political committees that have contributed the most to all political committees involved with the advertisement have been identified; and

(c) The sponsor's advertisement must then list the top five individuals or entities other than political committees contributing in excess of seven hundred dollars and making the largest aggregate contributions among all those identified under (a) and (b) of this subsection.

(2) Contributions to the sponsor that are earmarked,

tracked, and used for purposes other than the advertisement in question should not be counted in identifying the top five contributors under subsection (1) of this section.

(3) The commission is authorized to adopt rules, as needed, to prevent circumvention and effectuate the purposes of top five contributors information requirements, which are intended to inform voters about the individuals and entities sponsoring political advertisements.

**Sec. 22.** RCW 42.17A.050 and 2010 c 204 s 201 are each amended to read as follows:

The commission shall operate a web site or contract for the operation of a web site that allows access to reports, copies of reports, or copies of data and information submitted in reports, filed with the commission under RCW 42.17A.205, 42.17A.225, 42.17A.235, 42.17A.255, 42.17A.265, 42.17A.600, 42.17A.615, 42.17A.625, and 42.17A.630. By January 1, 2018, the web site must allow users to search, including by the names of persons, offices, and agencies involved, and by the amounts of money involved, and allow users to download in bulk machine-readable format, the information reported under RCW 42.17A.600 and 42.17A.615. In addition, the commission shall attempt to make available via the web site other public records submitted to or generated by the commission that are required by this chapter to be available for public use or inspection.

**ENFORCEMENT AND ADMINISTRATION**

**Sec. 23.** RCW 42.17A.750 and 2013 c 166 s 1 are each amended to read as follows:

(1) In addition to the penalties in subsection (2) of this section, and any other remedies provided by law, one or more of the following civil remedies and sanctions may be imposed by court order in addition to any other remedies provided by law:

(a) If the court finds that the violation of any provision of this chapter by any candidate or political committee probably affected the outcome of any election, the result of that election may be held void and a special election held within sixty days of the finding. Any action to void an election shall be commenced within one year of the date of the election in question. It is intended that this remedy be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote.

(b) If any lobbyist or sponsor of any grass roots lobbying campaign violates any of the provisions of this chapter, his or her registration may be revoked or suspended and he or she may be enjoined from receiving compensation or making expenditures for lobbying. The imposition of a sanction shall not excuse the lobbyist from filing statements and reports required by this chapter.

(c) A person who negligently violates any of the provisions of this chapter may be subject to a civil penalty of not more than ten thousand dollars for each violation. A person who recklessly or intentionally violates any of the provisions of this chapter may be subject to a civil penalty of not more than fifty thousand dollars for each violation. However, a person or entity who violates RCW 42.17A.405 may be subject to a civil penalty of up to ten thousand dollars for a negligent violation, fifty thousand dollars for a reckless or intentional violation, or three times the amount of the contribution illegally made or accepted, whichever is ((~~greater~~)) greatest.

(d) A person who fails to file a properly completed statement or report within the time required by this chapter may be subject to a civil penalty of ((~~ten~~)) up to fifty dollars per day for each day each delinquency continues.

(e) Each state agency director who knowingly fails to file statements required by RCW 42.17A.635 shall be subject to personal liability in the form of a civil penalty in the amount of ((~~one~~)) five hundred dollars per statement. These penalties are in addition to any other civil remedies or sanctions imposed on the agency.

(f) A person who fails to report a contribution or expenditure as required by this chapter may be subject to a civil penalty equivalent to the amount not reported as required.

(g) Any state agency official, officer, or employee who is responsible for or knowingly directs or expends public funds in violation of RCW 42.17A.635 (2) or (3) may be subject to personal liability in the form of a civil penalty in an amount that is at least equivalent to the amount of public funds expended in the violation.

(h) The court may enjoin any person to prevent the doing of any act herein prohibited, or to compel the performance of any act required herein.

(2) The commission may refer the following violations for criminal prosecution:

(a) A person who, with actual malice, violates a provision of this chapter is guilty of a misdemeanor under chapter 9.92 RCW;

(b) A person who, within a five-year period, with actual malice, violates three or more provisions of this chapter is guilty of a gross misdemeanor under chapter 9.92 RCW; and

(c) A person who, with actual malice, procures or offers any false or forged document to be filed, registered, or recorded with the commission under this chapter is guilty of a class C felony under chapter 9.94A RCW.

**Sec. 24.** RCW 42.17A.755 and 2011 c 145 s 7 are each amended to read as follows:

(1) The commission may (a) determine whether an actual violation of this chapter has occurred; and (b) issue and enforce an appropriate order following such a determination.

(2) The commission, in cases where it chooses to determine whether an actual violation has occurred, shall hold a hearing pursuant to the administrative procedure act, chapter 34.05 RCW, to make a determination. Any order that the commission issues under this section shall be pursuant to such a hearing.

(3) In lieu of holding a hearing or issuing an order under this section, the commission may refer the matter to the attorney general or other enforcement agency as provided in RCW 42.17A.105.

(4) The person against whom an order is directed under this section shall be designated as the respondent. The order may require the respondent to cease and desist from or to take affirmative steps to remedy the activity that constitutes a violation and in addition, or alternatively, may impose

one or more of the remedies provided in RCW 42.17A.750(1)(b) through (((~~e~~))) (g). ((~~The commission may assess a penalty in an amount not to exceed ten thousand dollars.~~))

(5) The commission has the authority to waive a fine for a first-time violation. A second violation of the same rule by the same person or individual, regardless if the person or individual committed the violation for a different political committee, shall result in a fine. Succeeding violations of the same rule shall result in successively increased fines.

(6) An order issued by the commission under this section shall be subject to judicial review under the administrative procedure act, chapter 34.05 RCW. If the commission's order is not satisfied and no petition for review is filed within thirty days, the commission may petition a court of competent jurisdiction of any county in which a petition for review could be filed under that section, for an order of enforcement. Proceedings in connection with the commission's petition shall be in accordance with RCW 42.17A.760.

(7) The commission is directed to consider timely enforcement of this chapter to be of the utmost importance. The commission is directed to use the full extent of its enforcement authority under this chapter to identify and address violations without delay, including by enjoining ongoing or impending violations, before each relevant election whenever possible.

(8) Any penalties imposed by the commission and collected in accordance with this section are awarded half to the state and half directly to the commission, which must use the funds for the purpose of preventing and investigating potential violations of this chapter. If the violation is found to have been intentional, the commission may also assess all related costs of investigation and enforcement, including attorneys' fees. If damages are assessed against a lobbyist, the judgment may be awarded not only against the lobbyist but also, jointly, severally, or both, against any employer or employers of the lobbyist joined as defendants who are found to have acted recklessly or intentionally in relation to the violation.

**Sec. 25.** RCW 42.17A.765 and 2010 c 204 s 1004 are each amended to read as follows:

(1) The attorney general and the prosecuting authorities of political subdivisions of this state may bring civil actions in the name of the state for any appropriate civil remedy for violations of this chapter, including but not limited to the special remedies provided in RCW 42.17A.750. In such civil actions, any amounts awarded for violations of this chapter are awarded half to the state and half directly to the commission, which must use the funds for the purpose of preventing and investigating potential violations of this chapter.

(2) The attorney general and the prosecuting authorities of political subdivisions of this state may investigate or cause to be investigated the activities of any person who there is reason to believe is or has been acting in violation of this chapter, and may require any such person or any other person reasonably believed to have information concerning the activities of such person to appear at a time and place designated in the county in which such person resides or is found, to give such information under oath and to produce all accounts, bills, receipts, books, paper and documents which may be relevant or material to any investigation authorized under this chapter.

(3) When the attorney general or the prosecuting authority of any political subdivision of this state requires the attendance of any person to obtain such information or produce the accounts, bills, receipts, books, papers, and documents that may be relevant or material to any investigation authorized under this chapter, he or she shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. The order shall have the same force and effect as a subpoena, shall be effective statewide, and, upon application of the attorney general or the prosecuting authority, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the order were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and the action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

(4) A person who has notified the attorney general and the prosecuting attorney in the county in which the violation occurred in writing that there is reason to believe that some provision of this chapter is being or has been violated may himself or herself bring ((~~in the name of the state any of the actions~~)) a civil lawsuit on behalf of the state against the alleged violator (hereinafter referred to as a citizen's action) for any of the remedies authorized under this chapter.

(a) This citizen action may be brought only if:

(i) The attorney general and the prosecuting attorney have failed to commence an action hereunder within forty-five days after the notice;

(ii) The person has thereafter further notified the attorney general and prosecuting attorney that the person will commence a citizen's action within ten days upon their failure to do so;

(iii) The attorney general and the prosecuting attorney have in fact failed to bring such action within ten days of receipt of said second notice; and

(iv) The citizen's action is filed within two years after the date when the alleged violation occurred.

(b) In case of an alleged ongoing or impending violation of this chapter occurring within sixty days before an election and having the potential to affect the outcome, the citizen action may be brought during that period without regard to (a) of this subsection, including for injunctive relief and any other remedy authorized by law, but only if:

(i) The person has notified the attorney general and prosecuting attorney that the person will commence a citizen's

action within ten days upon their failure to do so; and

(ii) The attorney general and the prosecuting attorney have in fact failed to bring such action within ten days of receipt of said notice.

(c) If the person who brings the citizen's action prevails, the judgment awarded shall escheat to the state, but he or she shall be entitled to be reimbursed by the state of Washington for reasonable costs and attorneys' fees he or she has incurred. In the case of a citizen's action that is dismissed and that the court also finds was brought without reasonable cause, the court may order the person commencing the action to pay all costs of trial and reasonable attorneys' fees incurred by the defendant.

(5) In any action brought under this section in which a violation is found, the court may award to the state all costs of investigation and trial, including reasonable attorneys' fees to be fixed by the court. If the violation is found to have been intentional, the amount of the judgment, which shall for this purpose include the costs, may in the court's discretion be trebled as punitive damages. If damages or trebled damages are awarded in such an action brought against a lobbyist, the judgment may be awarded not only against the lobbyist but also jointly, severally, or both against ((~~the lobbyist, and the lobbyist's~~)) any employer or employers of the lobbyist joined as defendants((~~, jointly, severally, or both~~)) who are found to have acted recklessly or intentionally in relation to the violation. If the defendant prevails against the attorney general or prosecuting attorney, he or she shall be awarded all costs of trial, and may in the court's discretion be awarded reasonable attorneys' fees to be fixed by the court to be paid by the state of Washington.

(6) The attorney general and the prosecuting authorities of political subdivisions of this state are directed to consider timely enforcement of this chapter to be of the utmost importance. The attorney general and prosecuting authorities are directed to use the full extent of their enforcement authority under this chapter to identify and address violations without delay, including by obtaining injunctions to stop any ongoing or impending violations, before each relevant election whenever possible.

NEW SECTION. **Sec. 26.** (1) A person may not use contributions to pay a penalty or other amount that is owed as a result of violating this chapter or that is owed under this section, except to the extent that the person cannot otherwise pay and the amount cannot be collected under subsection (2) of this section.

(2) If a political committee or other entity is found liable for violating this chapter, and a penalty or other amount assessed against the entity cannot be collected other than by the entity's use of contributions, the following additional persons are personally liable for the amount owed if such persons recklessly or intentionally contributed to the violation through action or inaction and justice so requires the imposition of liability:

(a) For a violation by a political committee, then an officer of the committee or a person who directed the activities of the committee;

(b) For a violation by a corporation, then a director or officer of the corporation;

(c) For a violation by a political committee, corporation, or other entity, then a person occupying a similar position of authority or control.

(3) For purposes of this section, a person acts recklessly when he or she knows of and disregards a substantial risk that a violation may occur and his or her disregard of such substantial risk is a gross deviation from conduct that a reasonable person would exercise in the same situation.

NEW SECTION. **Sec. 27.** (1) The commission shall maintain and make available to the public a telephone hotline for the submission of tips regarding potential violations of this chapter. Persons submitting such tips must be given the option of remaining anonymous. The commission has discretion to determine whether to investigate any tip.

(2) Any elected office, lobbyist, or political committee, if it has employees, must prominently post a notice of the hotline established in subsection (1) of this section in a place where all employees have reasonable access to it. The notice must clearly indicate that the hotline is available to submit anonymous tips on potential violations of campaign finance and disclosure laws. The commission shall establish and make available a sample notice that qualifies if posted in accordance with the commission's instructions.

NEW SECTION. **Sec. 28.** A new section is added to chapter 42.17A RCW to read as follows:

(1) By January 1, 2018, all agencies required to report under RCW 42.17A.635 must file all reports required by this chapter electronically over the internet as provided by the commission under RCW 42.17A.055.

(2) By January 1, 2018, all lobbyists and lobbyists' employers required to file reports under RCW 42.17A.600, 42.17A.615, 42.17A.625, or 42.17A.630 must file all reports required by this chapter electronically over the internet as provided by the commission under RCW 42.17A.055.

(3) The commission shall oversee and ensure the design, development, implementation, and maintenance of computer hardware and software or other applications to accommodate electronic filing of the reports required by this section and a database and query system compatible with current architecture, technology, and operating systems that result in readily available data to the public for review and analysis. The commission is encouraged to engage stakeholders in the design and development of the system.

**Sec. 29.** RCW 42.17A.125 and 2011 c 60 s 21 are each amended to read as follows:

(1) At the beginning of each even-numbered calendar year, the commission shall, based on changes in economic conditions as reflected in the inflationary index recommended by the office of financial management, increase or decrease the dollar amounts in RCW 42.17A.005(26), 42.17A.320, 42.17A.405, 42.17A.410, 42.17A.445(3), 42.17A.475, ((~~and~~)) 42.17A.630(1) ((~~based on changes in economic conditions as reflected in the inflationary index recommended by the office of financial management~~)), 42.17A.750, 42.17A.765, sections 4, 13(4), and 21 of this act, as lawfully amended by

the commission over time. The new dollar amounts established by the commission under this section shall be rounded off to amounts as judged most convenient for public understanding and so as to be within ten percent of the target amount equal to the base amount provided in this chapter, as amended, multiplied by the increase in the inflationary index since ((~~July 2008~~)) the most recent amendment to the base amount.

(2) The commission may revise, at least once every five years but no more often than every two years, the monetary reporting thresholds and reporting code values of this chapter. The revisions shall be only for the purpose of recognizing economic changes as reflected by an inflationary index recommended by the office of financial management, or to provide more detailed information to the public. The inflationary revisions shall be guided by the change in the index for the period commencing with the month of December preceding the last revision and concluding with the month of December preceding the month the revision is adopted. As to each of the three general categories of this chapter, reports of campaign finance, reports of lobbyist activity, and reports of the financial affairs of elected and appointed officials, the inflationary revisions shall equally affect all thresholds within each category. The inflationary revisions authorized by this subsection shall reflect economic changes from the time of the last legislative enactment affecting the respective code or threshold.

(3) Revisions made in accordance with subsections (1) and (2) of this section shall be adopted as rules under chapter 34.05 RCW.

NEW SECTION. **Sec. 30.** The following acts or parts of acts are each repealed:

(1)RCW 82.08.0273 (Exemptions—Sales to nonresidents of tangible personal property, digital goods, and digital codes for use outside the state—Proof of nonresident status—Penalties) and 2014 c 140 s 17, 2011 c 7 s 1, 2010 c 106 s 215, 2009 c 535 s 512, 2007 c 135 s 2, 2003 c 53 s 399, 1993 c 444 s 1, 1988 c 96 s 1, 1982 1st ex.s. c 5 s 1, & 1980 c 37 s 39; and

(2)RCW 42.17A.550 (Use of public funds for political purposes) and 2008 c 29 s 1 & 1993 c 2 s 24.

**CONSTRUCTION**

NEW SECTION. **Sec. 31.** (1) Each component of this act accomplishes important purposes and warrants implementation standing alone, even without regard to the other components of this act.

(2) The invalidity of any one provision, section, or other portion of this act shall not limit the application of the remainder of this act to the fullest extent allowed under the law, to accomplish the purposes of this act. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances, shall not be affected.

(3) The invalidity of (a) a type of contribution limit or other restriction, (b) the application of such a restriction to a type of person, (c) a program or a program parameter or segment, (d) the participation in such a program by a type of person, (e) a penalty or portion of a penalty, (f) the imposition of such a penalty on a type of person, or (g) a funding provision, shall not affect the validity of any other restrictions, programs, parameters, segments, penalties, funding provisions, or other provisions, and shall not affect application to any other person or participant.

NEW SECTION. **Sec. 32.** The provisions of this act are to be liberally construed to effectuate the policies and purposes of this act.

NEW SECTION. **Sec. 33.** Sections 4 and 5 of this act are each added to chapter 42.17A RCW and codified with the subchapter heading of "campaign contribution limits and other restrictions."

NEW SECTION. **Sec. 34.** Sections 9 through 16 and 18 of this act are each added to chapter 42.17A RCW and codified with the subchapter heading of "citizen financing of elections."

NEW SECTION. **Sec. 35.** Section 21 of this act is added to chapter 42.17A RCW and codified with the subchapter heading of "political advertising and electioneering communications."

NEW SECTION. **Sec. 36.** Section 26 of this act is added to chapter 42.17A RCW and codified with the subchapter heading of "enforcement."

NEW SECTION. **Sec. 37.** Section 27 of this act is added to chapter 42.17A RCW and codified with the subchapter heading of "administration."

**-- END ---**

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# Complete Text
## Initiative Measure No. 1491

AN ACT Relating to extreme risk protection orders; adding a new chapter to Title 7 RCW; and prescribing penalties.

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

NEW SECTION. **Sec. 1.** INTENT. (1) This act is designed to temporarily prevent individuals who are at high risk of harming themselves or others from accessing firearms by allowing family, household members, and police to obtain a court order when there is demonstrated evidence that the person poses a significant danger, including danger as a result of a dangerous mental health crisis or violent behavior.

(2) Every year, over one hundred thousand people are victims of gunshot wounds and more than thirty thousand of those victims lose their lives. Over the last five years for which data is available, one hundred sixty-four thousand eight hundred twenty-one people in America were killed with firearms—an average of ninety-one deaths each day.

(3) Studies show that individuals who engage in certain dangerous behaviors are significantly more likely to commit violence toward themselves or others in the near future. These behaviors, which can include other acts or threats of violence, self-harm, or the abuse of drugs or alcohol, are warning signs that the person may soon commit an act of violence.

(4) Individuals who pose a danger to themselves or others often exhibit signs that alert family, household members, or law enforcement to the threat. Many mass shooters displayed warning signs prior to their killings, but federal and state laws provided no clear legal process to suspend the shooters' access to guns, even temporarily.

(5) In enacting this initiative, it is the purpose and intent of the people to reduce gun deaths and injuries, while respecting constitutional rights, by providing a court procedure for family, household members, and law enforcement to obtain an order temporarily restricting a person's access to firearms. Court orders are intended to be limited to situations in which the person poses a significant danger of harming themselves or others by possessing a firearm and include standards and safeguards to protect the rights of respondents and due process of law.

NEW SECTION. **Sec. 2.** SHORT TITLE. This act may be known and cited as the extreme risk protection order act.

NEW SECTION. **Sec. 3.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Extreme risk protection order" means an ex parte temporary order or a final order granted under this chapter.

(2) "Family or household member" means, with respect to a respondent, any: (a) Person related by blood, marriage, or adoption to the respondent; (b) Dating partners of the respondent; (c) Person who has a child in common with the respondent, regardless of whether such person has been married to the respondent or has lived together with the respondent at any time; (d) Person who resides or has resided with the respondent within the past year; (e) Domestic partner of the respondent; (f) Person who has a biological or legal parent-child relationship with the respondent, including stepparents and stepchildren and grandparents and grandchildren; and (g) Person who is acting or has acted as the respondent's legal guardian.

(3) "Petitioner" means the person who petitions for an order under this chapter.

(4) "Respondent" means the person who is identified as the respondent in a petition filed under this chapter.

NEW SECTION. **Sec. 4.** PETITION FOR AN EXTREME RISK PROTECTION ORDER. There shall exist an action known as a petition for an extreme risk protection order.

(1) A petition for an extreme risk protection order may be filed by (a) a family or household member of the respondent or (b) a law enforcement officer or agency.

(2) An action under this chapter must be filed in the county where the petitioner resides or the county where the respondent resides.

(3) A petition must:

(a) Allege that the respondent poses a significant danger of causing personal injury to self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm, and be accompanied by an affidavit made under oath stating the specific statements, actions, or facts that give rise to a reasonable fear of future dangerous acts by the respondent;

(b) Identify the number, types, and locations of any firearms the petitioner believes to be in the respondent's current ownership, possession, custody, or control;

(c) Identify whether there is a known existing protection order governing the respondent, under chapter 7.90, 7.92, 10.14, 9A.46, 10.99, 26.50, or 26.52 RCW or under any other applicable statute; and

(d) Identify whether there is a pending lawsuit, complaint, petition, or other action between the parties to the petition under the laws of Washington.

(4) The court administrator shall verify the terms of any existing order governing the parties. The court may not delay granting relief because of the existence of a pending action between the parties or the necessity of verifying the terms of an existing order. A petition for an extreme risk protection order may be granted whether or not there is a pending action between the parties.

(5) If the petitioner is a law enforcement officer or agency, the petitioner shall make a good faith effort to provide notice to a family or household member of the respondent and to any known third party who may be at risk of violence. The notice must state that the petitioner intends to petition the court for an extreme risk protection order or has already done so, and include referrals to appropriate resources, including mental health, domestic violence, and counseling resources. The petitioner must attest in the petition to having

provided such notice, or attest to the steps that will be taken to provide such notice.

(6) If the petition states that disclosure of the petitioner's address would risk harm to the petitioner or any member of the petitioner's family or household, the petitioner's address may be omitted from all documents filed with the court. If the petitioner has not disclosed an address under this subsection, the petitioner must designate an alternative address at which the respondent may serve notice of any motions. If the petitioner is a law enforcement officer or agency, the address of record must be that of the law enforcement agency.

(7) Within ninety days of receipt of the master copy from the administrative office of the courts, all court clerk's offices shall make available the standardized forms, instructions, and informational brochures required by section 16 of this act. Any assistance or information provided by clerks under this section does not constitute the practice of law and clerks are not responsible for incorrect information contained in a petition.

(8) No fees for filing or service of process may be charged by a court or any public agency to petitioners seeking relief under this chapter. Petitioners shall be provided the necessary number of certified copies, forms, and instructional brochures free of charge.

(9) A person is not required to post a bond to obtain relief in any proceeding under this section.

(10) The superior courts of the state of Washington have jurisdiction over proceedings under this chapter. Additionally, district and municipal courts have limited jurisdiction over issuance and enforcement of ex parte extreme risk protection orders issued under section 6 of this act. The district or municipal court shall set the full hearing provided for in section 5 of this act in superior court and transfer the case. If the notice and order are not served on the respondent in time for the full hearing, the issuing court has concurrent jurisdiction with the superior court to extend the ex parte extreme risk protection order.

NEW SECTION. **Sec. 5.** EXTREME RISK PROTECTION ORDER HEARINGS AND ISSUANCE. (1) Upon receipt of the petition, the court shall order a hearing to be held not later than fourteen days from the date of the order and issue a notice of hearing to the respondent for the same.

(a) The court may schedule a hearing by telephone pursuant to local court rule, to reasonably accommodate a disability, or in exceptional circumstances to protect a petitioner from potential harm. The court shall require assurances of the petitioner's identity before conducting a telephonic hearing.

(b) The court clerk shall cause a copy of the notice of hearing and petition to be forwarded on or before the next judicial day to the appropriate law enforcement agency for service upon the respondent.

(c) Personal service of the notice of hearing and petition shall be made upon the respondent by a law enforcement officer not less than five court days prior to the hearing. Service issued under this section takes precedence over the service of other documents, unless the other documents are of a similar emergency nature. If timely personal service cannot be made, the court shall set a new hearing date and shall either require additional attempts at obtaining personal service or permit service by publication or mail as provided in section 8 of this act. The court shall not require more than two attempts at obtaining personal service and shall permit service by publication or mail after two attempts at obtaining personal service unless the petitioner requests additional time to attempt personal service. If the court issues an order permitting service by publication or mail, the court shall set the hearing date not later than twenty-four days from the date the order issues.

(d) The court may, as provided in section 6 of this act, issue an ex parte extreme risk protection order pending the hearing ordered under this subsection (1). Such ex parte order must be served concurrently with the notice of hearing and petition.

(2) Upon hearing the matter, if the court finds by a preponderance of the evidence that the respondent poses a significant danger of causing personal injury to self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm, the court shall issue an extreme risk protection order for a period of one year.

(3) In determining whether grounds for an extreme risk protection order exist, the court may consider any relevant evidence including, but not limited to, any of the following:

(a) A recent act or threat of violence by the respondent against self or others, whether or not such violence or threat of violence involves a firearm;

(b) A pattern of acts or threats of violence by the respondent within the past twelve months including, but not limited to, acts or threats of violence by the respondent against self or others;

(c) Any dangerous mental health issues of the respondent;

(d) A violation by the respondent of a protection order or a no-contact order issued under chapter 7.90, 7.92, 10.14, 9A.46, 10.99, 26.50, or 26.52 RCW;

(e) A previous or existing extreme risk protection order issued against the respondent;

(f) A violation of a previous or existing extreme risk protection order issued against the respondent;

(g) A conviction of the respondent for a crime that constitutes domestic violence as defined in RCW 10.99.020;

(h) The respondent's ownership, access to, or intent to possess firearms;

(i) The unlawful or reckless use, display, or brandishing of a firearm by the respondent;

(j) The history of use, attempted use, or threatened use of physical force by the respondent against another person, or the respondent's history of stalking another person;

(k) Any prior arrest of the respondent for a felony offense or violent crime;

(l) Corroborated evidence of the abuse of controlled substances or alcohol by the respondent; and

(m) Evidence of recent acquisition of firearms by the respondent.

(4) The court may:

(a) Examine under oath the petitioner, the respondent, and any witnesses they may produce, or, in lieu of examination, consider sworn affidavits of the petitioner, the respondent, and any witnesses they may produce; and

(b) Ensure that a reasonable search has been conducted for criminal history records related to the respondent.

(5) In a hearing under this chapter, the rules of evidence apply to the same extent as in a domestic violence protection order proceeding under chapter 26.50 RCW.

(6) During the hearing, the court shall consider whether a mental health evaluation or chemical dependency evaluation is appropriate, and may order such evaluation if appropriate.

(7) An extreme risk protection order must include:

(a) A statement of the grounds supporting the issuance of the order;

(b) The date and time the order was issued;

(c) The date and time the order expires;

(d) Whether a mental health evaluation or chemical dependency evaluation of the respondent is required;

(e) The address of the court in which any responsive pleading should be filed;

(f) A description of the requirements for relinquishment of firearms under section 10 of this act; and

(g) The following statement: "To the subject of this protection order: This order will last until the date and time noted above. If you have not done so already, you must surrender to the (insert name of local law enforcement agency) all firearms in your custody, control, or possession and any concealed pistol license issued to you under RCW 9.41.070 immediately. You may not have in your custody or control, purchase, possess, receive, or attempt to purchase or receive, a firearm while this order is in effect. You have the right to request one hearing to terminate this order every twelve-month period that this order is in effect, starting from the date of this order and continuing through any renewals. You may seek the advice of an attorney as to any matter connected with this order."

(8) When the court issues an extreme risk protection order, the court shall inform the respondent that he or she is entitled to request termination of the order in the manner prescribed by section 9 of this act. The court shall provide the respondent with a form to request a termination hearing.

(9) If the court declines to issue an extreme risk protection order, the court shall state the particular reasons for the court's denial.

NEW SECTION. **Sec. 6.** EX PARTE EXTREME RISK PROTECTION ORDERS. (1) A petitioner may request that an ex parte extreme risk protection order be issued before a hearing for an extreme risk protection order, without notice to the respondent, by including in the petition detailed allegations based on personal knowledge that the respondent poses a significant danger of causing personal injury to self or others in the near future by having in his or her custody or control, purchasing, possessing, or receiving a firearm.

(2) In considering whether to issue an ex parte extreme risk protection order under this section, the court shall consider all relevant evidence, including the evidence described in section 5(3) of this act.

(3) If a court finds there is reasonable cause to believe that the respondent poses a significant danger of causing personal injury to self or others in the near future by having in his or her custody or control, purchasing, possessing, or receiving a firearm, the court shall issue an ex parte extreme risk protection order.

(4) The court shall hold an ex parte extreme risk protection order hearing in person or by telephone on the day the petition is filed or on the judicial day immediately following the day the petition is filed.

(5) In accordance with section 5(1) of this act, the court shall schedule a hearing within fourteen days of the issuance of an ex parte extreme risk protection order to determine if a one-year extreme risk protection order should be issued under this chapter.

(6) An ex parte extreme risk protection order shall include:

(a) A statement of the grounds asserted for the order;

(b) The date and time the order was issued;

(c) The date and time the order expires;

(d) The address of the court in which any responsive pleading should be filed;

(e) The date and time of the scheduled hearing;

(f) A description of the requirements for surrender of firearms under section 10 of this act; and

(g) The following statement: "To the subject of this protection order: This order is valid until the date and time noted above. You are required to surrender all firearms in your custody, control, or possession. You may not have in your custody or control, purchase, possess, receive, or attempt to purchase or receive, a firearm while this order is in effect. You must surrender to the (insert name of local law enforcement agency) all firearms in your custody, control, or possession and any concealed pistol license issued to you under RCW 9.41.070 immediately. A hearing will be held on the date and at the time noted above to determine if an extreme risk protection order should be issued. Failure to appear at that hearing may result in a court making an order against you that is valid for one year. You may seek the advice of an attorney as to any matter connected with this order."

(7) Any ex parte extreme risk protection order issued expires upon the hearing on the extreme risk protection order.

(8) An ex parte extreme risk protection order shall be served by a law enforcement officer in the same manner as provided for in section 5 of this act for service of the notice of hearing and petition, and shall be served concurrently with the notice of hearing and petition.

(9) If the court declines to issue an ex parte extreme risk protection order, the court shall state the particular reasons for the court's denial.

NEW SECTION. **Sec. 7.** SERVICE OF EXTREME RISK PROTECTION ORDERS. (1) An extreme risk protection order issued under section 5 of this act must be personally served upon the respondent, except as otherwise provided

in this chapter.

(2) The law enforcement agency with jurisdiction in the area in which the respondent resides shall serve the respondent personally, unless the petitioner elects to have the respondent served by a private party.

(3) If service by a law enforcement agency is to be used, the clerk of the court shall cause a copy of the order issued under this chapter to be forwarded on or before the next judicial day to the law enforcement agency specified in the order for service upon the respondent. Service of an order issued under this chapter takes precedence over the service of other documents, unless the other documents are of a similar emergency nature.

(4) If the law enforcement agency cannot complete service upon the respondent within ten days, the law enforcement agency shall notify the petitioner. The petitioner shall provide information sufficient to permit such notification.

(5) If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.

(6) If the court previously entered an order allowing service of the notice of hearing and petition, or an ex parte extreme risk protection order, by publication or mail under section 8 of this act, or if the court finds there are now grounds to allow such alternate service, the court may permit service by publication or mail of the extreme risk protection order issued under this chapter as provided in section 8 of this act. The court order must state whether the court permitted service by publication or service by mail.

(7) Returns of service under this chapter must be made in accordance with the applicable court rules.

NEW SECTION. **Sec. 8.** SERVICE BY PUBLICATION OR MAIL. (1) The court may order service by publication or service by mail under the circumstances permitted for such service in RCW 7.90.052, 7.90.053, 26.50.123, or 26.50.085, except any summons must be essentially in the following form:

In the . . . . . court of the state of Washington for the county of . . . . . .

. . . . . ., Petitioner

vs. No. . . . . .

. . . . . ., Respondent

The state of Washington to . . . . . (respondent):

You are hereby summoned to appear on the . . . . day of . . . . . ., (year) . . . ., at . . . . a.m./p.m., and respond to the petition. If you fail to respond, an extreme risk protection order may be issued against you pursuant to the provisions of the extreme risk protection order act, chapter 7.--- RCW (the new chapter created in section 18 of this act), for one year from the date you are required to appear. (An ex parte extreme risk protection order has been issued against you, restraining you from having in your custody or control, purchasing, possessing, or receiving any firearms. You must surrender to the (insert name of local law enforcement agency) all firearms in your custody, control, or possession and any concealed pistol license issued to you under RCW 9.41.070 within forty-eight hours. A copy of the notice of hearing, petition, and ex parte extreme risk protection order has been filed with the clerk of this court.) (A copy of the notice of hearing and petition has been filed with the clerk of this court.)

. . . . .

Petitioner

(2) If the court orders service by publication or mail for notice of an extreme risk protection order hearing, it shall also reissue the ex parte extreme risk protection order, if issued, to expire on the date of the extreme risk protection order hearing.

(3) Following completion of service by publication or by mail for notice of an extreme risk protection order hearing, if the respondent fails to appear at the hearing, the court may issue an extreme risk protection order as provided in section 5 of this act.

NEW SECTION. **Sec. 9.** TERMINATION AND RENEWAL OF ORDERS. (1) The respondent may submit one written request for a hearing to terminate an extreme risk protection order issued under this chapter every twelve-month period that the order is in effect, starting from the date of the order and continuing through any renewals.

(a) Upon receipt of the request for a hearing to terminate an extreme risk protection order, the court shall set a date for a hearing. Notice of the request must be served on the petitioner in accordance with RCW 4.28.080. The hearing shall occur no sooner than fourteen days and no later than thirty days from the date of service of the request upon the petitioner.

(b) The respondent shall have the burden of proving by a preponderance of the evidence that the respondent does not pose a significant danger of causing personal injury to self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm. The court may consider any relevant evidence, including evidence of the considerations listed in section 5(3) of this act.

(c) If the court finds after the hearing that the respondent has met his or her burden, the court shall terminate the order.

(2) The court must notify the petitioner of the impending expiration of an extreme risk protection order. Notice must be received by the petitioner one hundred five calendar days before the date the order expires.

(3) A family or household member of a respondent or a law enforcement officer or agency may by motion request a renewal of an extreme risk protection order at any time within one hundred five calendar days before the expiration of the order.

(a) Upon receipt of the motion to renew, the court shall order that a hearing be held not later than fourteen days from the date the order issues.

(i) The court may schedule a hearing by telephone in the manner prescribed by section 5(1)(a) of this act.

(ii) The respondent shall be personally served in the same manner prescribed by section 5(1) (b) and (c) of this act.

(b) In determining whether to renew an extreme risk

protection order issued under this section, the court shall consider all relevant evidence presented by the petitioner and follow the same procedure as provided in section 5 of this act.

(c) If the court finds by a preponderance of the evidence that the requirements for issuance of an extreme risk protection order as provided in section 5 of this act continue to be met, the court shall renew the order. However, if, after notice, the motion for renewal is uncontested and the petitioner seeks no modification of the order, the order may be renewed on the basis of the petitioner's motion or affidavit stating that there has been no material change in relevant circumstances since entry of the order and stating the reason for the requested renewal.

(d) The renewal of an extreme risk protection order has a duration of one year, subject to termination as provided in subsection (1) of this section or further renewal by order of the court.

NEW SECTION. **Sec. 10.** SURRENDER OF FIREARMS. (1) Upon issuance of any extreme risk protection order under this chapter, including an ex parte extreme risk protection order, the court shall order the respondent to surrender to the local law enforcement agency all firearms in the respondent's custody, control, or possession and any concealed pistol license issued under RCW 9.41.070.

(2) The law enforcement officer serving any extreme risk protection order under this chapter, including an ex parte extreme risk protection order, shall request that the respondent immediately surrender all firearms in his or her custody, control, or possession and any concealed pistol license issued under RCW 9.41.070, and conduct any search permitted by law for such firearms. The law enforcement officer shall take possession of all firearms belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search. Alternatively, if personal service by a law enforcement officer is not possible, or not required because the respondent was present at the extreme risk protection order hearing, the respondent shall surrender the firearms in a safe manner to the control of the local law enforcement agency within forty-eight hours of being served with the order by alternate service or within forty-eight hours of the hearing at which the respondent was present.

(3) At the time of surrender, a law enforcement officer taking possession of a firearm or concealed pistol license shall issue a receipt identifying all firearms that have been surrendered and provide a copy of the receipt to the respondent. Within seventy-two hours after service of the order, the officer serving the order shall file the original receipt with the court and shall ensure that his or her law enforcement agency retains a copy of the receipt.

(4) Upon the sworn statement or testimony of the petitioner or of any law enforcement officer alleging that the respondent has failed to comply with the surrender of firearms as required by an order issued under this chapter, the court shall determine whether probable cause exists to believe that the respondent has failed to surrender all firearms in his or her possession, custody, or control. If probable cause exists, the court shall issue a warrant describing the firearms and authorizing a search of the locations where the firearms are reasonably believed to be and the seizure of any firearms discovered pursuant to such search.

(5) If a person other than the respondent claims title to any firearms surrendered pursuant to this section, and he or she is determined by the law enforcement agency to be the lawful owner of the firearm, the firearm shall be returned to him or her, provided that:

(a) The firearm is removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm in a manner such that the respondent does not have access to or control of the firearm; and

(b) The firearm is not otherwise unlawfully possessed by the owner.

(6) Upon the issuance of a one-year extreme risk protection order, the court shall order a new hearing date and require the respondent to appear not later than three judicial days from the issuance of the order. The court shall require a showing that the person subject to the order has surrendered any firearms in his or her custody, control, or possession. The court may dismiss the hearing upon a satisfactory showing that the respondent is in compliance with the order.

(7) All law enforcement agencies must develop policies and procedures by June 1, 2017, regarding the acceptance, storage, and return of firearms required to be surrendered under this chapter.

NEW SECTION. **Sec. 11.** RETURN AND DISPOSAL OF FIREARMS. (1) If an extreme risk protection order is terminated or expires without renewal, a law enforcement agency holding any firearm that has been surrendered pursuant to this chapter shall return any surrendered firearm requested by a respondent only after confirming, through a background check, that the respondent is currently eligible to own or possess firearms under federal and state law and after confirming with the court that the extreme risk protection order has terminated or has expired without renewal.

(2) A law enforcement agency must, if requested, provide prior notice of the return of a firearm to a respondent to family or household members of the respondent in the manner provided in RCW 9.41.340 and 9.41.345.

(3) Any firearm surrendered by a respondent pursuant to section 10 of this act that remains unclaimed by the lawful owner shall be disposed of in accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police custody.

NEW SECTION. **Sec. 12.** REPORTING OF ORDERS. (1) The clerk of the court shall enter any extreme risk protection order or ex parte extreme risk protection order issued under this chapter into a statewide judicial information system on the same day such order is issued.

(2) The clerk of the court shall forward a copy of an order issued under this chapter the same day such order is issued to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law

enforcement agency shall enter the order into the national instant criminal background check system, any other federal or state computer-based systems used by law enforcement or others to identify prohibited purchasers of firearms, and any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. The order must remain in each system for the period stated in the order, and the law enforcement agency shall only expunge orders from the systems that have expired or terminated. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any county in the state.

(3) The issuing court shall, within three judicial days after issuance of an extreme risk protection order or ex parte extreme risk protection order, forward a copy of the respondent's driver's license or identicard, or comparable information, along with the date of order issuance, to the department of licensing. Upon receipt of the information, the department of licensing shall determine if the respondent has a concealed pistol license. If the respondent does have a concealed pistol license, the department of licensing shall immediately notify the license issuing authority which, upon receipt of such notification, shall immediately revoke the license.

(4) If an extreme risk protection order is terminated before its expiration date, the clerk of the court shall forward the same day a copy of the termination order to the department of licensing and the appropriate law enforcement agency specified in the termination order. Upon receipt of the order, the law enforcement agency shall promptly remove the order from any computer-based system in which it was entered pursuant to subsection (2) of this section.

NEW SECTION. **Sec. 13.** PENALTIES. (1) Any person who files a petition under this chapter knowing the information in such petition to be materially false, or with intent to harass the respondent, is guilty of a gross misdemeanor.

(2) Any person who has in his or her custody or control, purchases, possesses, or receives a firearm with knowledge that he or she is prohibited from doing so by an order issued under this chapter is guilty of a gross misdemeanor, and further is prohibited from having in his or her custody or control, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm for a period of five years from the date the existing order expires. However, such person is guilty of a class C felony if the person has two or more previous convictions for violating an order issued under this chapter.

NEW SECTION. **Sec. 14.** LAW ENFORCEMENT RETAINS OTHER AUTHORITY. This chapter does not affect the ability of a law enforcement officer to remove a firearm or concealed pistol license from any person or conduct any search and seizure for firearms pursuant to other lawful authority.

NEW SECTION. **Sec. 15.** LIABILITY. Except as provided in section 13 of this act, this chapter does not impose criminal or civil liability on any person or entity for acts or omissions related to obtaining an extreme risk protection order or ex parte extreme risk protection including, but not limited to, reporting, declining to report, investigating, declining to investigate, filing, or declining to file a petition under this chapter.

NEW SECTION. **Sec. 16.** INSTRUCTIONAL AND INFORMATIONAL MATERIAL. (1) The administrative office of the courts shall develop and prepare instructions and informational brochures, standard petitions and extreme risk protection order forms, and a court staff handbook on the extreme risk protection order process. The standard petition and order forms must be used after June 1, 2017, for all petitions filed and orders issued under this chapter. The instructions, brochures, forms, and handbook shall be prepared in consultation with interested persons, including representatives of gun violence prevention groups, judges, and law enforcement personnel. Materials must be based on best practices and available electronically online to the public.

(a) The instructions must be designed to assist petitioners in completing the petition, and must include a sample of a standard petition and order for protection forms.

(b) The instructions and standard petition must include a means for the petitioner to identify, with only lay knowledge, the firearms the respondent may own, possesses, receive, or have in his or her custody or control. The instructions must provide pictures of types of firearms that the petitioner may choose from to identify the relevant firearms, or an equivalent means to allow petitioners to identify firearms without requiring specific or technical knowledge regarding the firearms.

(c) The informational brochure must describe the use of and the process for obtaining, modifying, and terminating an extreme risk protection order under this chapter, and provide relevant forms.

(d) The extreme risk protection order form must include, in a conspicuous location, notice of criminal penalties resulting from violation of the order, and the following statement: "You have the sole responsibility to avoid or refrain from violating this order's provisions. Only the court can change the order and only upon written application."

(e) The court staff handbook must allow for the addition of a community resource list by the court clerk.

(2) All court clerks may create a community resource list of crisis intervention, mental health, substance abuse, interpreter, counseling, and other relevant resources serving the county in which the court is located. The court may make the community resource list available as part of or in addition to the informational brochures described in subsection (1) of this section.

(3) The administrative office of the courts shall distribute a master copy of the petition and order forms, instructions, and informational brochures to all court clerks and shall distribute a master copy of the petition and order forms to all superior, district, and municipal courts. Distribution of all documents shall, at a minimum, be in an electronic format or

formats accessible to all courts and court clerks in the state.

(4) For purposes of this section, "court clerks" means court administrators in courts of limited jurisdiction and elected court clerks.

(5) The administrative office of the courts shall determine the significant non-English speaking or limited English speaking populations in the state. The administrator shall then arrange for translation of the instructions and informational brochures required by this section, which shall contain a sample of the standard petition and order for protection forms, into the languages spoken by those significant non-English speaking populations and shall distribute a master copy of the translated instructions and informational brochures to all court clerks by December 1, 2017.

(6) The administrative office of the courts shall update the instructions, brochures, standard petition and extreme risk protection order forms, and court staff handbook as necessary, including when changes in the law make an update necessary.

NEW SECTION. **Sec. 17.** SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 18.** Sections 1 through 16 of this act constitute a new chapter in Title 7 RCW.

**--- END ---**

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## Initiative Measure No. 1501

AN ACT Relating to the protection of seniors and vulnerable individuals from financial crimes and victimization; amending RCW 9.35.005, 9.35.001, and 9.35.020; adding a new section to chapter 42.56 RCW and chapter 43.17 RCW; creating new sections; and prescribing penalties.

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

NEW SECTION. **Sec. 1.** This act may be known and cited as the seniors and vulnerable individuals' safety and financial crimes prevention act.

NEW SECTION. **Sec. 2.** It is the intent of this initiative to protect the safety and security of seniors and vulnerable individuals by (1) increasing criminal penalties for identity theft targeting seniors and vulnerable individuals; (2) increasing penalties for consumer fraud targeting seniors and vulnerable individuals; and (3) prohibiting the release of certain public records that could facilitate identity theft and other financial crimes against seniors and vulnerable individuals.

**Sec. 3.** RCW 9.35.005 and 2001 c 217 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Financial information" means any of the following information identifiable to the individual that concerns the amount and conditions of an individual's assets, liabilities, or credit:

(a) Account numbers and balances;

(b) Transactional information concerning an account; and

(c) Codes, passwords, social security numbers, tax identification numbers, driver's license or permit numbers, state identicard numbers issued by the department of licensing, and other information held for the purpose of account access or transaction initiation.

(2) "Financial information repository" means a person engaged in the business of providing services to customers who have a credit, deposit, trust, stock, or other financial account or relationship with the person.

(3) "Means of identification" means information or an item that is not describing finances or credit but is personal to or identifiable with an individual or other person, including: A current or former name of the person, telephone number, an electronic address, or identifier of the individual or a member of his or her family, including the ancestor of the person; information relating to a change in name, address, telephone number, or electronic address or identifier of the individual or his or her family; a social security, driver's license, or tax identification number of the individual or a member of his or her family; and other information that could be used to identify the person, including unique biometric data.

(4) "Person" means a person as defined in RCW 9A.04.110.

(5) "Senior" means a person over the age of sixty-five.

(6) "Victim" means a person whose means of identification or financial information has been used or transferred with the intent to commit, or to aid or abet, any unlawful activity.

(7) "Vulnerable individual" means a person:

(i) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself;

(ii) Found incapacitated under chapter 11.88 RCW;

(iii) Who has a developmental disability as defined under RCW 71A.10.020;

(iv) Admitted to any facility;

(v) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW;

(vi) Receiving services from an individual provider as defined in RCW 74.39A.240; or

(vii) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW.

**PART I**
**INCREASING CRIMINAL PENALTIES FOR IDENTITY THEFT TARGETING SENIORS OR VULNERABLE INDIVIDUALS**

**Sec. 4.** RCW 9.35.001 and 2008 c 207 s 3 are each amended to read as follows:

(1) The legislature finds that means of identification and financial information are personal and sensitive information such that if unlawfully obtained, possessed, used, or transferred by others may result in significant harm to a person's privacy, financial security, and other interests. The legislature finds that unscrupulous persons find ever more clever ways, including identity theft, to improperly obtain, possess, use, and transfer another person's means of identification or financial information. The legislature intends to penalize for each unlawful act of improperly obtaining, possessing, using, or transferring means of identification or financial information of an individual person. The unit of prosecution for identity theft by use of a means of identification or financial information is each individual unlawful use of any one person's means of identification or financial information. Unlawfully obtaining, possessing, or transferring each means of identification or financial information of any individual person, with the requisite intent, is a separate unit of prosecution for each victim and for each act of obtaining, possessing, or transferring of the individual person's means of identification or financial information.

(2) The people find that additional measures are needed to protect seniors and vulnerable individuals from identity theft because such individuals often have less ability to protect themselves and such individuals can be targeted using information available through public sources, including publicly available information that identifies such individuals or their in-home caregivers.

**Sec. 5.** RCW 9.35.020 and 2008 c 207 s 4 are each amended to read as follows:

(1) No person may knowingly obtain, possess, use, or transfer a means of identification or financial information of another person, living or dead, with the intent to commit, or to aid or abet, any crime.

(2) Violation of this section when the accused or an accomplice violates subsection (1) of this section and obtains credit, money, goods, services, or anything else of value in excess of one thousand five hundred dollars in value, or when the accused knowingly targets a senior or vulnerable individual in carrying out a violation of subsection (1) of this section, shall constitute identity theft in the first degree. Identity theft in the first degree is a class B felony punishable according to chapter 9A.20 RCW.

(3) A person is guilty of identity theft in the second degree when he or she violates subsection (1) of this section under circumstances not amounting to identity theft in the first degree. Identity theft in the second degree is a class C felony punishable according to chapter 9A.20 RCW.

(4) Each crime prosecuted under this section shall be punished separately under chapter 9.94A RCW, unless it is the same criminal conduct as any other crime, under RCW 9.94A.589.

(5) Whenever any series of transactions involving a single person's means of identification or financial information which constitute identity theft would, when considered separately, constitute identity theft in the second degree because of value, and the series of transactions are a part of a common scheme or plan, then the transactions may be aggregated in one count and the sum of the value of all of the transactions shall be the value considered in determining the degree of identity theft involved.

(6) Every person who, in the commission of identity theft, shall commit any other crime may be punished therefor as well as for the identity theft, and may be prosecuted for each crime separately.

(7) A person who violates this section is liable for civil damages of one thousand dollars or actual damages, whichever is greater, including costs to repair the victim's credit record, and reasonable attorneys' fees as determined by the court.

(8) In a proceeding under this section, the crime will be considered to have been committed in any locality where the person whose means of identification or financial information was appropriated resides, or in which any part of the offense took place, regardless of whether the defendant was ever actually in that locality.

(9) The provisions of this section do not apply to any person who obtains another person's driver's license or other form of identification for the sole purpose of misrepresenting his or her age.

(10) In a proceeding under this section in which a person's means of identification or financial information was used without that person's authorization, and when there has been a conviction, the sentencing court may issue such orders as are necessary to correct a public record that contains false information resulting from a violation of this section.

**PART II**
**INCREASING PENALTIES FOR CONSUMER FRAUD AGAINST SENIORS AND VULNERABLE INDIVIDUALS**

NEW SECTION. **Sec. 6.** A new section is added to read as follows:

(1) It is the intent of this section to increase civil penalties for consumer fraud targeting a senior or a vulnerable individual.

(2) Any consumer fraud that targets a senior or a vulnerable individual, as defined in RCW 9.35.005, is subject to civil penalties of three times the amount of actual damages.

(3) This section creates no new cause of action. This section increases penalties where a plaintiff proceeds under any existing cause of action under statute or common law and successfully proves that he or she was victim to consumer fraud that targeted him or her as a senior or vulnerable individual.

**PART III**
**PROHIBITING THE RELEASE OF CERTAIN PUBLIC RECORDS THAT COULD BE USED TO VICTIMIZE SENIORS AND VULNERABLE INDIVIDUALS**

NEW SECTION. **Sec. 7.** It is the intent of part three of this act to protect seniors and vulnerable individuals from identity theft and other financial crimes by preventing the release of public records that could be used to victimize them. Sensitive personal information about in-home caregivers for vulnerable populations is protected because its release could facilitate identity crimes against seniors, vulnerable individuals, and the other vulnerable populations that these caregivers serve.

NEW SECTION. **Sec. 8.** A new section is added to chapter 42.56 RCW to read as follows:

(1) Sensitive personal information of vulnerable individuals and sensitive personal information of in-home caregivers for vulnerable populations is exempt from inspection and copying under this chapter.

(2) The following definitions apply to this section:

(a) "In-home caregivers for vulnerable populations" means: (i) individual providers as defined in RCW 74.39A.240, (ii) home care aides as defined in RCW 18.88B.010, and (iii) family child care providers as defined in RCW 41.56.030.

(b) "Sensitive personal information" means names, addresses, GPS coordinates, telephone numbers, email addresses, social security numbers, driver's license numbers, or other personally identifying information.

(c) "Vulnerable individual" has the meaning set forth in RCW 9.35.005.

NEW SECTION. **Sec. 9.** Within one hundred eighty days after the effective date of this section, the department of social and health services shall report to the governor and attorney general about any additional records that should be made exempt from public disclosure to provide greater protection to seniors and vulnerable individuals against fraud, identity theft, and other forms of victimization.

NEW SECTION. **Sec. 10.** A new section is added to chapter 43.17 RCW to read as follows:

(1) To protect vulnerable individuals and their children from identity crimes and other forms of victimization, neither the state nor any of its agencies shall release sensitive personal information of vulnerable individuals or sensitive personal information of in-home caregivers for vulnerable populations, as those terms are defined in section 8 of this act.

NEW SECTION. **Sec. 11.** Nothing in this act shall prevent the release of public information in the following circumstances:

(a) the information is released to a governmental body, including the state's area agencies on aging, and the recipient agrees to protect the confidentiality of the information;

(b) the information concerns individuals who have been accused of or disciplined for abuse, neglect, exploitation, abandonment, or other acts involving the victimization of individuals or other professional misconduct;

(c) the information is being released as part of a judicial or quasi-judicial proceeding and subject to a court's order protecting the confidentiality of the information and allowing it to be used solely in that proceeding;

(d) the information is being provided to a representative certified or recognized under RCW 41.56.080, or as necessary for the provision of fringe benefits to public employees, and the recipient agrees to protect the confidentiality of the information;

(e) the disclosure is required by federal law;

(f) the disclosure is required by a contract between the state and a third party, and the recipient agrees to protect the confidentiality of the information;

(g) the information is released to a person or entity under contract with the state to manage, administer, or provide services to vulnerable residents, or under contract with the state to engage in research or analysis about state services for vulnerable residents, and the recipient agrees to protect the confidentiality of the information; or

(h) information about specific public employee(s) is released to a bona fide news organization that requests such information to conduct an investigation into, or report upon, the actions of such specific public employee(s).

(2) Nothing in this act shall prevent an agency from providing contact information for the purposes of RCW 74.39A.056(3) and RCW 74.39A.250. Nothing in this act shall prevent an agency from confirming the licensing or certification status of a caregiver on an individual basis to allow consumers to ensure the licensing or certification status of an individual caregiver.

NEW SECTION. **Sec. 12.** This act shall be liberally construed to promote the public policy of protecting seniors and vulnerable individuals from identity theft, consumer fraud, and other forms of victimization.

NEW SECTION. **Sec. 13.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**--- END ---**

# Complete Text
## Initiative Measure No. 732

AN ACT Relating to taxation; amending RCW 82.04.240, 82.04.240, 82.04.2404, 82.08.020, and 82.08.0206; reenacting and amending RCW 82.32.790 and 82.04.260; adding a new chapter to Title 82 RCW; and providing an effective date.

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

NEW SECTION. **Sec. 1.** INTENT. (1) The intent of this act is to encourage sustainable economic growth with a phased-in one percentage point reduction of the state sales tax, a reduction of the business and occupation tax on manufacturing, and the implementation and enhancement of the existing working families' sales tax exemption for qualifying low-income persons, all funded by a phased-in carbon pollution tax on fossil fuels sold or used in this state and on the consumption or generation in this state of electricity generated by the consumption of fossil fuels.

(2) Sections 4 through 8 of this act concern the carbon pollution tax and the overall impact of this act; sections 9 through 13 of this act reduce the business and occupation tax on manufacturers engaged in those activities subject to the "manufacturing tax" categories identified in RCW 82.04.440(5)(c)(i); section 14 of this act reduces the state sales tax; and section 15 of this act modifies and increases the working families' tax exemption.

(3) The proceeds of the carbon pollution tax are not intended to be used for highway purposes and must be deposited into the state general fund pursuant to RCW 82.32.380. This chapter is not intended to exempt any person from tax liability under any other law.

NEW SECTION. **Sec. 2.** FINDINGS AND DECLARATION OF POLICY. The people find that reduction of Washington state's high sales tax will increase commerce in this state; reduction of the business and occupation tax on manufacturers will encourage business formation and expansion by reducing the burden of this tax; the implementation and enhancement of the working families' sales tax exemption will provide the benefits expressed at the inception of that program; and the imposition of a carbon pollution tax to fund these actions will establish Washington state's national leadership in addressing both climate change and the acidification of the oceans.

NEW SECTION. **Sec. 3.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Aircraft fuel" has the same meaning as in RCW 82.42.010.

(2) "Carbon calculation" means a calculation made by the department for purposes of calculating the tax pursuant to section 4 of this act. Among other resources, the department may consider carbon dioxide content measurements for fossil fuels from the United States energy information administration or the United States environmental protection agency.

(3) "Carbon content inherent in electricity" means the carbon dioxide generated by the production of electricity from fossil fuels.

(4) "Carbon pollution tax" means the tax created in section 4 of this act.

(5) "Coal" means coal of any kind, including anthracite coal, bituminous coal, subbituminous coal, lignite, waste coal, syncoal, and coke of any kind.

(6) "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items must be used for the adjustments for inflation in this section.

(7) "Direct service industrial customer" has the same meaning as provided in RCW 82.16.0495.

(8) "Fossil fuel" means petroleum products, motor vehicle fuel, special fuel, aircraft fuel, natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from these products, including without limitation still gas, propane, and petroleum residuals including bunker fuel.

(9) "Motor vehicle fuel" has the same meaning as provided in RCW 82.38.020.

(10) "Natural gas" means naturally occurring mixtures of hydrocarbon gases and vapors consisting principally of methane, whether in gaseous or liquid form, including methane clathrate.

(11) "Person" means any individual, division, or instrumentality of a government, business, corporation, partnership, or trust.

(12) "Petroleum product" has the same meaning as in RCW 82.23A.010.

(13) "Qualified sequestration" means sequestration qualified for credit pursuant to RCW 80.70.020 or in accordance with a method established by the department with reference to methods approved by the United States environmental protection agency or its successor.

(14) "Qualifying utility" means any electric utility that is:

(a) An "electrical company" as defined in RCW 80.04.010;

(b) Operating under authority of chapter 35.92 or 87.03 RCW or Title 54 RCW; or

(c) A profit, nonprofit, cooperative, or mutual corporation operating within this state for the sale or distribution of electricity to others.

(15) "Special fuel" has the same meaning as in RCW 82.38.020 and includes fuel that is sold or used to propel vessels.

(16) "Year" means the twelve-month period commencing January 1st and ending December 31st unless otherwise specified.

NEW SECTION. **Sec. 4.** CARBON POLLUTION TAX. (1) There is levied and the department must collect a tax upon (a) the carbon content of fossil fuels sold or used within this state including, but not limited to, fossil fuels sold or used for aviation or marine purposes, and (b) the carbon content inherent in electricity consumed within this state, including electricity that is generated within Washington; imported (by way of wheeling or otherwise) into Washington; or acquired from the Bonneville power administration.

(2) The tax rate is equal to fifteen dollars per metric ton of carbon dioxide as of July 1, 2017, increasing to twenty-five dollars per metric ton as of July 1, 2018, with automatic increases thereafter by three and one-half percent plus inflation, as measured using the consumer price index for the most recent year for which data are available, each year beginning July 1st, but not to exceed a rate of one hundred dollars per metric ton when converted into 2016 dollars by adjusting for inflation using the consumer price index.

(3) The department must determine the tax in each case by applying a carbon calculation as follows:

(a) For electricity consumed within the state, the department must adopt by rule criteria for making the carbon calculation and must consider, among other information, the reports filed pursuant to section 7 of this act;

(b) For fossil fuels used to refine fossil fuels, the department must adopt by rule criteria for making the carbon calculation and must consider, among other information, the reports filed pursuant to section 7 of this act; and

(c) For all other fossil fuels sold or used in Washington by any person, the department must adopt by rule criteria for making the carbon calculation.

(4) The department must adopt rules and provide forms with respect to the reporting of consumption of fossil fuels as follows:

(a) Motor vehicle fuel, in accordance with and at the intervals provided in chapter 82.36 RCW;

(b) Special fuel, in accordance with and at the intervals provided in chapter 82.36 RCW, and to the extent not covered therein, then in accordance with chapter 82.38 RCW;

(c) Aircraft fuel, in accordance with and at the intervals provided in chapter 82.42 RCW;

(d) Every other product derived from the refining of crude oil as defined in chapter 82.23A RCW, in accordance with and at the intervals provided in chapter 82.23A RCW;

(e) Fossil fuels not listed elsewhere in this subsection, in accordance with chapters 82.08 and 82.12 RCW unless expressly provided otherwise in this section; and

(f) Carbon dioxide emanating into the atmosphere as a result of the consumption of fossil fuels in refineries must be reported by each refinery operator as provided in section 7 of this act, and the tax on the carbon reported thereon must be paid to the department within fifteen days thereafter in accordance with regulations adopted by the department.

(5) The department must adopt rules and provide forms with respect to the reporting of electricity generated by the consumption of fossil fuels as required in section 7 of this act. The department and the department of commerce may cooperate to adopt a consolidated form to be submitted to both departments.

(6) The carbon pollution tax must be reduced or refunded for uses of fossil fuels that can be demonstrated not to contribute to increasing the atmospheric carbon dioxide concentration, for example by reason of qualified sequestration. The tax reduction in such cases must be proportional to the fraction of emissions that can be demonstrated not to contribute to increasing the atmospheric carbon dioxide concentration. The right to carbon pollution tax reduction under this subsection may not be transferred, traded, or banked.

(7) The department must adopt rules as necessary to implement the carbon pollution tax provided for in this section. The department must develop and make available worksheets and guidance documents necessary to calculate the carbon pollution tax for various fossil fuels.

(8) In relation to the tax on the consumption of electricity, the tax imposed in this chapter is on the consumer of the electricity, but if the seller is located within the state, that seller must collect from the consumer the full amount of the tax. If any seller fails to collect the tax imposed in this chapter or, having collected the tax, fails to pay it to the department as required, the seller is nevertheless liable to the state for the amount of the tax.

NEW SECTION. **Sec. 5.** EXEMPTIONS, PHASE-INS, AND CREDITS. (1) The tax levied under section 4 of this act does not apply to:

(a) Fossil fuels brought into this state by means of the fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft;

(b) Fuel that the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States; or

(c) Fuel intended for export outside this state. Export to a federally recognized Indian tribal reservation located within this state is not considered export outside this state.

(2)(a) The tax levied under section 4 of this act is phased-in as described in this subsection for:

(i) Diesel fuel, biodiesel fuel, or aircraft fuel used solely for agricultural purposes, as those terms are defined in RCW 82.08.865. This phase-in is available only if the buyer provides the seller with a certificate in a form and manner prescribed by the department;

(ii) Fuel that is purchased for the purpose of public transportation and for which the purchaser is entitled to a refund or an exemption under RCW 82.38.080(1) (f) and (g) or 82.38.180(3)(b);

(iii) Fuel that is purchased by a private, nonprofit transportation provider certified under chapter 81.66 RCW and for which the purchaser is entitled to a refund or an exemption under RCW 82.38.080(1)(d) or 82.38.180(3)(a);

(iv) Fuel purchased by the Washington state ferry system for use in a state-owned ferry; and

(v) Fuel purchased for school buses defined in RCW 46.04.521 and used for the purposes therein set forth.

(b) The tax rate for these fuels will be five percent of the rate described in section 4 of this act effective July 1, 2017, ten percent of the rate described in section 4 of this act effective July 1, 2019, and continuing to increase thereafter at five percentage points per biennium until it reaches one hundred percent of the rate described in section 4 of this act effective July 1, 2055.

(3) Nothing in this chapter may be construed to exempt the state or any political subdivision thereof from the payment of the tax.

(4) The tax is imposed only once and at the time and place of the first taxable event and upon the first taxable person within this state. If a person pays the tax imposed under this chapter on fuel that is consumed in the generation of electricity, the electricity so generated or used will not be subject to the tax imposed under this chapter provided that the department receives evidence, pursuant to rules adopted by the department, that the tax has been paid by the person using the fuel to generate electricity.

(5) Persons taxable under this chapter with respect to electricity consumed in this state but generated in another state are allowed a credit against those taxes for any similar carbon pollution taxes paid to that other state on the fossil fuels consumed in the generation of that electricity. The amount of the credit may not exceed the tax liability arising under this chapter with respect to the consumption of that electricity in this state. Persons claiming this credit must provide the department with evidence, pursuant to rules adopted by the department, that the tax has been paid to another state.

NEW SECTION. **Sec. 6.** PROCEDURE. The provisions of chapter 82.32 RCW apply to this chapter. If there is a conflict between a provision in this chapter and a provision of chapter 82.32 RCW, the provision in this chapter controls.

NEW SECTION. **Sec. 7.** REPORTS BY UTILITIES, ELECTRICITY USERS, AND REFINERIES. (1) Each utility and each user of electricity not generated in-state and not acquired from a qualifying utility must file with the department by the tenth day of each month a fuel mix report containing the information contained in RCW 19.29A.060 and such other information as the department may require for purposes of this chapter for the previous calendar month together with the tax calculated thereon based on tax tables adopted by the department. If a utility or an electricity user reports electricity products comprised of no declared resources as described in RCW 19.29A.060(1)(b) or otherwise fails to provide the source of the resources that provide the electricity, the department must assume the carbon content inherent in that electricity to be one metric ton of carbon dioxide per megawatt-hour.

(2) Persons using fossil fuels to refine fossil fuels must file with the department by the tenth day of each month a fuel use report similar to the United States environmental protection agency facility level information on greenhouse gases tool report containing their fossil fuel carbon dioxide emissions and such other information as the department may require for purposes of this chapter for the previous calendar month together with the tax calculated thereon based on tax tables adopted by the department.

(3) If the information required in subsection (1) or (2) of this section is not available, the utility, electricity user, or refinery may file an interim report based on estimates together with an estimated payment based thereon and then file a final report at a later date. Interest and penalties on underpayments are to be imposed in accordance with chapter 82.32 RCW.

NEW SECTION. **Sec. 8.** REPORT BY DEPARTMENT. On or before December 31st of each year from 2017 through 2027 and biennially thereafter, the department must submit a report to the governor and the legislature containing the following with respect to the annual or biennial period ending July 1st immediately preceding the reporting date, annualized if in a biennial report:

(1) The total carbon pollution tax collected during the reporting period;

(2) The total revenue foregone by the state resulting from disbursements made under the working families tax exemption and resulting from reductions in sales taxes, use taxes, and business and occupation taxes enacted under this chapter, with the business and occupation tax reductions measured both relative to the rates applicable on January 1, 2017, and to the rates applicable during the annual or biennial period ending the July 1st immediately preceding the reporting date;

(3) The revenue foregone by the state resulting from the phase-ins described in section 5 of this act, with a separate amount given for each subsection in section 5(2)(a) of this act;

(4) Costs directly associated with administration of the carbon pollution tax shown both in dollar amounts and as a percentage of the state general fund; and

(5) The overall net revenue gain or loss calculated by comparison of subsections (1) and (2) of this section in dollar amounts and as a percentage of the state general fund.

**Sec. 9.** RCW 82.04.240 and 2004 c 24 s 4 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a manufacturer, except persons taxable as manufacturers under other provisions of this chapter; as to such persons the amount of the tax with respect to such business ((~~shall be~~)) is equal to the value of the products, including byproducts, manufactured, multiplied by the rate of ((~~0.484~~)) 0.001 percent.

(2) The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

**Sec. 10.** RCW 82.04.240 and 2010 c 114 s 104 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a manufacturer, except persons taxable as manufacturers under other provisions of this chapter; as to such persons the amount of the tax with respect to such business

is equal to the value of the products, including byproducts, manufactured, multiplied by the rate of ((~~0.484~~)) 0.001 percent.

(2)(a) Upon every person engaging within this state in the business of manufacturing semiconductor materials, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or, in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of ((~~0.275~~)) 0.001 percent. For the purposes of this subsection "semiconductor materials" means silicon crystals, silicon ingots, raw polished semiconductor wafers, compound semiconductors, integrated circuits, and microchips.

(b) A person reporting under the tax rate provided in this subsection (2) must file a complete annual report with the department under RCW 82.32.534.

(c) This subsection (2) expires twelve years after the effective date of this act.

(3) The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

**Sec. 11.** RCW 82.32.790 and 2010 c 114 s 201 are each reenacted and amended to read as follows:

(1)(a) Section 10, chapter ..., Laws of 2015 (section 10 of this act), section 206, chapter 106, Laws of 2010, sections 104, 110, 117, 123, 125, 129, 131, and 150, chapter 114, Laws of 2010, section 3, chapter 461, Laws of 2009, section 7, chapter 300, Laws of 2006, and section 4, chapter 149, Laws of 2003 are contingent upon the siting and commercial operation of a significant semiconductor microchip fabrication facility in the state of Washington.

(b) For the purposes of this section:

(i) "Commercial operation" means the same as "commencement of commercial production" as used in RCW 82.08.965.

(ii) "Semiconductor microchip fabrication" means "manufacturing semiconductor microchips" as defined in RCW 82.04.426.

(iii) "Significant" means the combined investment of new buildings and new machinery and equipment in the buildings, at the commencement of commercial production, will be at least one billion dollars.

(2) Chapter 149, Laws of 2003 takes effect the first day of the month in which a contract for the construction of a significant semiconductor fabrication facility is signed, as determined by the director of the department of revenue.

(3)(a) The department of revenue must provide notice of the effective date of section 10, chapter ..., Laws of 2015 (section 10 of this act), section 206, chapter 106, Laws of 2010, sections 104, 110, 117, 123, 125, 129, 131, and 150, chapter 114, Laws of 2010((~~,~~)), section 3, chapter 461, Laws of 2009, section 7, chapter 300, Laws of 2006, and section 4, chapter 149, Laws of 2003 to affected taxpayers, the legislature, and others as deemed appropriate by the department.

(b) If, after making a determination that a contract has been signed and chapter 149, Laws of 2003 is effective, the department discovers that commencement of commercial production did not take place within three years of the date the contract was signed, the department must make a determination that chapter 149, Laws of 2003 is no longer effective, and all taxes that would have been otherwise due are deemed deferred taxes and are immediately assessed and payable from any person reporting tax under RCW 82.04.240(2) or claiming an exemption or credit under section 2 or 5 through 10, chapter 149, Laws of 2003. The department is not authorized to make a second determination regarding the effective date of chapter 149, Laws of 2003.

**Sec. 12.** RCW 82.04.2404 and 2010 c 114 s 105 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing or processing for hire semiconductor materials, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or, in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of ((~~0.275~~)) 0.001 percent.

(2) For the purposes of this section "semiconductor materials" means silicon crystals, silicon ingots, raw polished semiconductor wafers, and compound semiconductor wafers.

(3) A person reporting under the tax rate provided in this section must file a complete annual report with the department under RCW 82.32.534.

(4) This section expires December 1, 2018.

**Sec. 13.** RCW 82.04.260 and 2014 c 140 s 6 and 2014 c 140 s 4 are each reenacted and amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by- product manufactured, multiplied by the rate of ((~~0.138~~)) 0.001 percent;

(b) Beginning July 1, 2015, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of ((~~0.138~~)) 0.001 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c)(i) Beginning July 1, 2015, dairy products; or selling dairy products that the person has manufactured to purchasers

who either transport in the ordinary course of business the goods out of state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of ((~~0.138~~)) 0.001 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(ii) For the purposes of this subsection (1)(c), "dairy products" means:

(A) Products, not including any marijuana-infused product, that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products, such as whey and casein; and

(B) Products comprised of not less than seventy percent dairy products that qualify under (c)(ii)(A) of this subsection, measured by weight or volume.

(iii) The preferential tax rate provided to taxpayers under this subsection (1)(c) does not apply to sales of dairy products on or after July 1, 2023, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product;

(d)(i) Beginning July 1, 2015, fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of ((~~0.138~~)) 0.001 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(ii) For purposes of this subsection (1)(d), "fruits" and "vegetables" do not include marijuana, useable marijuana, or marijuana-infused products;

(e) Until July 1, 2009, alcohol fuel, biodiesel fuel, or biodiesel feedstock, as those terms are defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of alcohol fuel, biodiesel fuel, or biodiesel feedstock manufactured, multiplied by the rate of ((~~0.138~~)) 0.001 percent; and

(f) Wood biomass fuel as defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of ((~~0.138~~)) 0.001 percent.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of ((~~0.138~~)) 0.001 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of ((~~0.138~~)) 0.001 percent.

(5) Upon every person engaging within this state in the business of acting as a travel agent or tour operator; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(6) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(7) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to

plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(8)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 43.200 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(9) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

(10) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political subdivisions, as to such persons, the amount of tax with respect to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

(11)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007; and

(ii) ((~~0.2904~~)) 0.001 percent beginning July 1, 2007.

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection (11) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of ((~~0.2904~~)) 0.001 percent.

(c) For the purposes of this subsection (11), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection (11) must file a complete annual report with the department under RCW 82.32.534.

(e)(i) Except as provided in (e)(ii) of this subsection (11), this subsection (11) does not apply on and after July 1, 2040.

(ii) With respect to the manufacturing of commercial airplanes or making sales, at retail or wholesale, of commercial airplanes, this subsection (11) does not apply on and after July 1st of the year in which the department makes a determination that any final assembly or wing assembly of any version or variant of a commercial airplane that is the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850 has been sited outside the state of Washington. This subsection (11)(e)(ii) only applies to the manufacturing or sale of commercial airplanes that are the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850.

(12)(a) Until July 1, 2024, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(b) Until July 1, 2024, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; or (ii) timber products into other timber products or wood products; as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and ((~~0.2904~~)) 0.001 percent from July 1, 2007, through June 30, 2024.

(c) Until July 1, 2024, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; or (iii) wood products manufactured by that person from timber or timber products; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, or wood products multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(d) Until July 1, 2024, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection (12)(d), "selling standing timber" means the sale

of timber apart from the land, where the buyer is required to sever the timber within thirty months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than fifty percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellulosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellulosic products containing primarily, by weight or volume, cellulosic materials. "Paper and paper products" does not include books, newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having fifty percent or more of their fiber content that comes from postconsumer waste. For purposes of this subsection (12)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (12) must file a complete annual survey with the department under RCW 82.32.585.

(13) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(14)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.2904 percent.

(b) A person reporting under the tax rate provided in this subsection (14) must file a complete annual report with the department under RCW 82.32.534.

**Sec. 14.** RCW 82.08.020 and 2014 c 140 s 12 are each amended to read as follows:

(1) There is levied and collected a tax equal to six and five-tenths percent<u>, decreasing to six percent beginning July 1, 2017, and to five and five-tenths percent beginning July 1, 2018,</u> of the selling price on each retail sale in this state of:

(a) Tangible personal property, unless the sale is specifically excluded from the RCW 82.04.050 definition of retail sale;

(b) Digital goods, digital codes, and digital automated services, if the sale is included within the RCW 82.04.050 definition of retail sale;

(c) Services, other than digital automated services, included within the RCW 82.04.050 definition of retail sale;

(d) Extended warranties to consumers; and

(e) Anything else, the sale of which is included within the RCW 82.04.050 definition of retail sale.

(2) There is levied and collected an additional tax on each retail car rental, regardless of whether the vehicle is licensed in this state, equal to five and nine-tenths percent of the selling price. The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

(3) Beginning July 1, 2003, there is levied and collected an additional tax of three-tenths of one percent of the selling price on each retail sale of a motor vehicle in this state, other than retail car rentals taxed under subsection (2) of this section. The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

(4) For purposes of subsection (3) of this section, "motor vehicle" has the meaning provided in RCW 46.04.320, but does not include:

(a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181, unless the farm tractor or farm vehicle is for use in the production of marijuana;

(b) Off-road vehicles as defined in RCW 46.04.365;

(c) Nonhighway vehicles as defined in RCW 46.09.310; and

(d) Snowmobiles as defined in RCW 46.04.546.

(5) Beginning on December 8, 2005, 0.16 percent of the taxes collected under subsection (1) of this section must be dedicated to funding comprehensive performance audits required under RCW 43.09.470. The revenue identified in this subsection must be deposited in the performance audits of government account created in RCW 43.09.475.

(6) The taxes imposed under this chapter apply to successive retail sales of the same property.

(7) The rates provided in this section apply to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

**Sec. 15.** RCW 82.08.0206 and 2008 c 325 s 2 are each amended to read as follows:

(1) A working families' tax exemption, in the form of a remittance tax due under this chapter and chapter 82.12 RCW, is provided to eligible low-income persons for sales taxes paid under this chapter after January 1, 2008.

(2) For purposes of the exemption in this section, an eligible low-income person is:

(a) An individual((~~, or an individual and that individual's spouse if they file a federal joint income tax return~~)) who is alive at the time of filing of a complete application for remittance under subsection (3) of this section;

(b) ((~~[An individual who]~~)) An individual who is eligible for, and ((~~is granted~~)) has claimed, the credit provided in Title 26 U.S.C. Sec. 32; and

(c) ((~~[An individual who]~~)) An individual who properly files a federal income tax return as a Washington resident, and has been a resident of the state of Washington more than one hundred eighty days of the year for which the exemption is claimed.

(3) For remittances made in 2009 and 2010, the working families' tax exemption for the prior year is a retail sales tax exemption equal to the greater of five percent of the credit ((~~granted as a result of~~)) claimed and claimable under Title 26 U.S.C. Sec. 32 of the federal internal revenue code in the most recent year for which data is available or twenty-five dollars. For ((~~2011 and thereafter~~)) 2017, the working families' tax exemption for the prior year is equal to the greater of ((~~ten~~)) fifteen percent of the credit ((~~granted as a result of~~)) claimed and claimable under Title 26 U.S.C. Sec. 32 of the federal internal revenue code in the most recent year for which ((~~data is available or fifty~~)) the applicant has filed a federal income tax return with the internal revenue service or one hundred dollars. For 2018 and thereafter, the working families' tax exemption for the prior year is equal to the greater of twenty-five percent of the credit claimed and claimable under 26 U.S.C. Sec. 32 of the federal internal revenue code in the most recent year for which the applicant has filed a federal income tax return with the internal revenue service or one hundred dollars.

(4) ((~~For any fiscal period, the working families' tax exemption authorized under this section shall must be approved by the legislature in the state omnibus appropriations act before persons may claim the exemption during the fiscal period.~~

~~(5)~~)) The working families' tax exemption ((~~shall~~)) must be administered as provided in this subsection.

(a) An eligible low-income person claiming an exemption under this section must pay the tax imposed under chapters 82.08, 82.12, and 82.14 RCW in the year for which the exemption is claimed. The eligible low-income person may then apply to the department for the remittance as calculated under subsection (3) of this section.

(b) Application ((~~shall~~)) must be made to the department under penalty of perjury and must include a true and complete copy of the applicant's federal income tax return to which the application pertains including the applicant's claim under 26 U.S.C. Sec. 32 of the federal internal revenue code, all in a form and manner determined by the department, but the department must provide alternative filing methods for applicants who do not have access to electronic filing. Application for the exemption remittance under this section must include authorizing the department to make such inquiries and obtain such information from the internal revenue service as the department may deem necessary or appropriate to verify the information set forth in the application for the exemption remittance.

(c) Application for the exemption remittance under this section must be made in the year following the year for which the federal return was filed, but in no case may any remittance be provided for any period before January 1, 2008. The department may use the best available data to process the exemption remittance. The department ((~~shall~~)) must begin accepting applications October 1, 2009.

(d) The department ((~~shall~~)) must review the application and determine eligibility for the working families' tax exemption based on information provided by the applicant and through audit and other administrative records, including, when it deems it necessary, verification through internal revenue service data.

(e) The department ((~~shall~~)) must remit the exempted amounts to eligible low-income persons who submitted applications. Remittances may be made by electronic funds transfer or other means.

(f) The department may, in conjunction with other agencies or organizations, design and implement a public information campaign to inform potentially eligible persons of the existence of and requirements for this exemption.

(g) The department may contact persons who appear to be eligible low-income persons as a result of information received from the internal revenue service under such conditions and requirements as the internal revenue service may by law require.

((~~(6)~~)) (5) The provisions of chapter 82.32 RCW apply to the exemption in this section.

((~~(7)~~)) (6) The department may adopt rules necessary to implement this section.

((~~(8) The department shall limit its costs for the exemption program to the initial start-up costs to implement the program. The state omnibus appropriations act shall specify funding to be used for the ongoing administrative costs of the program. These ongoing administrative costs include, but are not limited to, costs for: The processing of internet and mail applications, verification of application claims, compliance and collections, additional full-time employees at the department's call center, processing warrants, updating printed materials and web information, media advertising, and support and maintenance of computer systems.~~))

NEW SECTION. **Sec. 16.** RULE MAKING. (1) The directors of the department and of the department of licensing must

adopt such rules and regulations as necessary for the implementation and proper administration of this chapter and may coordinate concerning the process, timelines, and documentation related to such rule making, as necessary.

(2) The department and the department of licensing may commence administrative work, including rule making, necessary to implement this act beginning July 1, 2016, as deemed necessary.

NEW SECTION. **Sec. 17.** This chapter may be known and cited as the carbon pollution tax act.

NEW SECTION. **Sec. 18.** Sections 1 through 8, 16, and 17 of this act constitute a new chapter in Title 82 RCW.

NEW SECTION. **Sec. 19.** This act takes effect July 1, 2017.

**--- END ---**

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## Initiative Measure No. 735

An Act Relating to the influence of corporations and money in our political system; and creating new section.

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

New Section. **Sec. 1.** INTENT

This act declares that the people of Washington State support amending The Constitution of the United States to eliminate the undue influence of concentrated money and political power on elections and governmental policy. The amendment would overturn decisions by the Supreme Court of the United States extending constitutional rights to corporations and other artificial legal entities as well as those decisions equating the spending of money with free speech. It also provides for the regulation and disclosure of political contributions and spending.

New Section. **Sec. 2.** FINDINGS

1. Free and fair elections, as well as honest representation, are essential to self-determination and self-governance as described in The Declaration of Independence and established in The Constitution of the United States.
2. The American people have lost faith in the political process because their voices are not heard and their interests are not represented. Thus, an ever smaller percentage of Americans is motivated to vote.
3. The U.S. Constitution makes no mention of corporations or other artificial entities; there are no provisions extending rights to such entities. However, through a series of decisions equating a "corporation" with a "person," the U.S. Supreme Court extended to corporations the constitutional rights and protections intended for people only.
4. Unlike human beings, corporations can exist in perpetuity and in many countries at the same time. As a result many large corporations, both foreign and domestic, invest in campaigns to invalidate or bypass regulatory law intended to protect the public. Thus, corporate participation in the political process often conflicts with the public interest.
5. Money is property; it is not speech. Nowhere in the U.S. Constitution is money equated with speech. Because advertising is limited and costly, equating the spending of money with free speech gives those with the most money the most speech.
6. Whenever special interests, including very wealthy individuals, are able to spend unlimited amounts of money on political speech, candidates and officeholders can be corrupted and intimidated, and the free speech of most citizens is drowned out and denied. Monopolizing public speech neither promotes nor protects free speech.

7. Anonymous contributions and spending for political gain promote dishonesty and corruption, preventing voters from assessing the motives of the speaker. The public must be able to hold funders of political speech accountable when their messages prove false or misleading. Full and prompt disclosure of funding sources is essential to an informed electorate, fair elections, and effective governance.
8. Article V of the U.S. Constitution empowers the people and the states to use the amendment process to correct egregious decisions by the U.S. Supreme Court that subvert our representative government.

New Section. **Sec. 3.** POLICY & PROMOTION

The voters of the State of Washington urge immediate action by the current and future Washington State congressional delegations to propose a joint resolution for an amendment to The Constitution of the United States clarifying that:

1. The rights listed and acknowledged in The Constitution of the United States are the rights of individual human beings only.
2. The judiciary shall not construe the spending of money to be free speech under the First Amendment of The Constitution of the United States. Federal, state, and local governments shall be fully empowered to regulate political contributions and expenditures to ensure that no person or artificial legal entity gains undue influence over government and the political process.
3. All political contributions and expenditures shall be disclosed promptly and in a manner accessible to voters prior to elections.
4. This act does not limit the people's rights to freedom of speech, freedom of the press, free exercise of religion, or freedom of association.

New Section. **Sec. 4.** RECOMMENDATION TO CONGRESS

In accordance with the U.S. Constitution, the voters of the State of Washington urge the Washington state congressional delegation, and the U.S. Congress generally, to include an amendment ratification method which will best ensure that the people are heard and represented during the ratification process.

New Section. **Sec. 5.** RECOMMENDATION TO STATE LEGISLATURE

The voters of the State of Washington urge our current and future Washington state legislatures to ratify such an amendment when passed by Congress and delivered to the states for ratification.

New Section. **Sec. 6.** DIRECTION TO SECRETARY OF STATE

The Washington Secretary of State is authorized and directed to immediately deliver copies of this initiative, when enacted, to the following persons: the governor of the State of Washington, all current members of the Washington State legislature, all current members of the United States Congress, and the president of the United States.

New Section. **Sec. 7.** CONSTRUCTION.

The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

New Section. **Sec. 8.** SEVERABILITY.

If any provision of this act or its application to any person, entity, or circumstance is held invalid, the remainder of the act or the application of the provision to other persons, artificial legal entities, or circumstances is not affected.

New Section. **Sec. 9.** MISCELLANEOUS.

This act is known and may be cited as the "Government of, by, and for the People Act."

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## Senate Joint Resolution No. 8210

BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

THAT, At the next general election to be held in this state the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article II, section 43 of the Constitution of the state of Washington to read as follows:

Article II, section 43. (1) In January of each year ending in one, a commission shall be established to provide for the redistricting of state legislative and congressional districts.

(2) The commission shall be composed of five members to be selected as follows: The legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one. By January 31st of each year ending in one, the four appointed members, by an affirmative vote of at least three, shall appoint the remaining member. The fifth member of the commission, who shall be nonvoting, shall act as its chairperson. If any appointing authority fails to make the required appointment by the date established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) No elected official and no person elected to legislative district, county, or state political party office may serve on the commission. A commission member shall not have been an elected official and shall not have been an elected legislative district, county, or state political party officer within two years of his or her appointment to the commission. The provisions of this subsection do not apply to the office of precinct committee person.

(4) The legislature shall enact laws providing for the implementation of this section, to include additional qualifications for commissioners and additional standards to govern the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(5) Each district shall contain a population, excluding nonresident military personnel, as nearly equal as practicable to the population of any other district. To the extent reasonable, each district shall contain contiguous territory, shall be compact and convenient, and shall be separated from adjoining districts by natural geographic barriers, artificial barriers, or political subdivision boundaries. The commission's plan shall not provide for a number of legislative districts different than that established by the legislature. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

(6) The commission shall complete redistricting as soon as possible following the federal decennial census, but no later than ((~~January 1st~~)) November 15th of each year ending in ((~~two~~)) one. At least three of the voting members shall approve such a redistricting plan. If three of the voting members of the commission fail to approve a plan within the time limitations provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending in two in conformance with the standards set forth in subsection (5) of this section.

(7) The legislature may amend the redistricting plan but must do so by a two-thirds vote of the legislators elected or appointed to each house of the legislature. Any amendment must have passed both houses by the end of the thirtieth day of the first session convened after the commission has submitted its plan to the legislature. After that day, the plan, with any legislative amendments, constitutes the state districting law.

(8) The legislature shall enact laws providing for the reconvening of a commission for the purpose of modifying a districting law adopted under this section. Such reconvening requires a two-thirds vote of the legislators elected or appointed to each house of the legislature. The commission shall conform to the standards prescribed under subsection (5) of this section and any other standards or procedures that the legislature may provide by law. At least three of the voting members shall approve such a modification. Any modification adopted by the commission may be amended by a two-thirds vote of the legislators elected and appointed to each house of the legislature. The state districting law shall include the modifications with amendments, if any.

(9) The legislature shall prescribe by law the terms of commission members and the method of filling vacancies on the commission.

(10) The supreme court has original jurisdiction to hear and decide all cases involving congressional and legislative redistricting.

(11) Legislative and congressional districts may not be changed or established except pursuant to this section. A districting plan and any legislative amendments to the plan are not subject to Article III, section 12 of this Constitution.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of this constitutional amendment to be published as least four times during the four weeks next preceding the election in every legal newspaper in the state.

**--- END ---**

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