

CHAPTER 138.

[H. B. 523.]

FACILITATING THE OPERATION OF THE INITIATIVE AND REFERENDUM.

(For appropriation of funds to carry out this act, see ch. 137 supra.)

AN ACT to facilitate the operation of the provisions of section 1 of article II of the constitution relating to the initiative and referendum, to prevent fraud, providing penalties for violations thereof, and declaring that this act shall take effect immediately.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That whenever any legal voter or committee or organization of legal voters of the state shall desire to propose any measure to be submitted to the legislature, or to the people upon initiative petition, or shall desire to order by petition the referendum of any act, bill or law, or any part thereof, passed by the legislature, he or they shall file in the office of the secretary of state five printed or typewritten copies of the proposed measure or of the act or part thereof on which a referendum is desired, accompanied by the name and postoffice address of the person, committee or organization proposing the same, and the affidavit of such person, or the affidavit of some member of such committee or organization that such person is, or the members of such committee or organization, are legal voters. Measures to be submitted upon initiative petition shall be filed within ten months prior to the election or the session of the legislature at which they are to be submitted. The secretary of state shall give to each such measure a serial number, using a separate series for initiative and referendum measures, respectively, and forthwith transmit to the attorney general a copy of such measure bearing its serial number, and thereafter, such measure shall be known and designated in all petitions, ballots and proceedings as "Initiative Measure No.," or "Referendum Measure No.," as the case may be.

Five copies of proposed measure to be filed with Secretary of State.

Name and address of submitters.

Serial number for proposed measure.

Designation.

SEC. 2. Within ten days after the receipt of any such measure the attorney general shall formulate therefor and

transmit to the secretary of state a ballot title of not to exceed one hundred words, bearing the serial number of such measure, which ballot title may be distinct from the legislative title of such measure, and shall express, and give a true and impartial statement of the purpose of such measure, and shall not be intentionally an argument, or likely to create prejudice, either for or against the measure. Such ballot title formulated by the attorney general shall be the ballot title of such measure unless changed on appeal as hereinafter provided.

Attorney General to formulate ballot title.

SEC. 3. Upon the filing of such ballot title in his office, the secretary of state shall forthwith notify the persons proposing the measure by telegraph and by mail of the exact language thereof. In case such persons are dissatisfied with said ballot title they may at any time within ten days from the filing thereof in the office of the secretary of state appeal from the decision of the attorney general to the superior court of Thurston county by petition setting forth the measure, the title formulated by the attorney general and their objections thereto, and praying for amendment thereof. A copy of said petition together with a notice that an appeal has been taken shall be served upon the secretary of state and upon the attorney general. Upon the filing of such petition on appeal the court shall forthwith, or at such time to which the hearing may be adjourned by consent of the appellants, examine the proposed measure, the title prepared by the attorney general and the objections thereto and may hear argument thereon, and shall as soon as possible render its decision and certify to and file with the secretary of state such ballot title as it shall determine will meet the requirements of this act. The decision of the superior court shall be final, and the title so certified shall be the established ballot title. Such appeal shall be heard without costs to either party.

Appeal to superior court for Thurston county.

Court to fix title.

SEC. 4. When the ballot title shall have been finally established, the secretary of state shall file the instrument establishing it with the proposed measure and transmit a

Title mailed to proposers.

copy thereof by mail to the persons proposing the measure. Thereafter such ballot title shall be the title of the measure in all petitions, ballots and other proceedings, if any, in relation thereto. Upon the ballot title being established, the persons proposing the measure may prepare and cause to be printed upon single sheets of white paper of good quality twelve inches in width and fourteen inches in length, with a margin of one and three-quarters inches at the top for binding, blank petitions for proposing measures for submission to the legislature or to the people, or for ordering legislative enactments to be referred to the people, as the case may be.

Blank petitions

SEC. 5. Petitions for proposing measures for submission to the legislature at its next regular session, to be filed with the secretary of state not less than ten days before such regular session, shall be substantially in the following form:

Petitions to legislature.

WARNING.

Every person who shall sign this petition with any other than his true name, or who shall knowingly sign more than one of these petitions, or who shall sign this petition when he is not a legal voter, or who shall make herein any false statement, shall be punished by fine or imprisonment or both.

INITIATIVE PETITION FOR SUBMISSION TO THE LEGISLATURE.

To the Honorable....., Secretary of State of the State of Washington:

Form.

We, the undersigned citizens of the State of Washington and legal voters of the respective precincts set opposite our names, respectfully direct that this petition and that certain proposed measure known as Initiative Measure No....., and entitled (here set forth the established ballot title of the measure), a full, true and correct copy of which is hereto attached, shall be transmitted to the legislature of the State of Washington at its next ensuing regular session, and we hereby respectfully petition the legislature to enact said proposed measure into law; and each of us for himself says: I have personally signed this petition; I am a legal voter of the State of Washington in the precinct, city (or town),

and county written after my name, and my residence address is correctly stated.

Petitioner's signature	Residence address. Street and number, if any	Precinct name or number	Ward number	City or town	County
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(Here follow 20 numbered lines divided into columns as below).

1.
2.
3.
etc.					

I, the undersigned, hereby certify that I am the officer of the city (town or precinct) of.....county of, State of Washington, having the custody of the registration books containing the signatures, addresses and precincts of the registered legal voters of said city (town or precinct); that I have carefully compared the signatures on the foregoing petitions with said registration books, and the signatures on the petitions opposite which I have written my initials are the signatures of legal voters of the State of Washington.

Dated the.....day of, 19...

(SEAL)

.....
of the city (town or precinct) of
.....
By.....Deputy.

SEC. 6. Petitions for proposing measures for submission to the people for their approval or rejection at the next ensuing general election, to be filed with the secretary of state not less than four months before such general election, shall be substantially in the following form:

Petitions to people.

WARNING.

(Same form as in section 5).

INITIATIVE PETITION FOR SUBMISSION TO THE PEOPLE.

To the Honorable....., Secretary of State of the State of Washington:

We, the undersigned citizens of the State of Washington and legal voters of the respective precincts set opposite our names, respectfully direct that that certain proposed measure known as Initiative Measure No....., entitled (here insert the established ballot title of the measure), a full, true and correct copy of which is hereto attached shall be submitted to the legal voters of the State of Washington for their approval or rejection at the general election to be held on the.....day of....., A. D. 19...; and each of us for himself says: I have personally signed this peti-

Form.

tion; I am a legal voter of the State of Washington, in the precinct, city (or town), and county written after my name, and my residence address is correctly stated.

(Followed by the same form of blanks and certificate as in section 5).

Petitions to refer.

SEC. 7. Petitions ordering that bills or parts of bills passed by the legislature be referred to the people at the next ensuing general election, or special election ordered by the legislature, to be filed with the secretary of state within ninety days after the final adjournment of the session of the legislature at which such bill was passed, shall be substantially in the following form:

WARNING.

(Same form as in section 5).

PETITION FOR REFERENDUM.

To the Honorable....., Secretary of State of the State of Washington:

Form.

We, the undersigned citizens of the State of Washington and legal voters of the respective precincts set opposite our names, respectfully order and direct that Referendum Measure No....., entitled (here insert the established ballot title of the measure) being a (or part or parts of a) bill passed by the.....th legislature of the State of Washington at the last regular (special) session of said legislature, shall be referred to the people of the state for their approval or rejection at the regular (special) election to be held on the.....day of.....A. D. 19...; and each of us for himself says: I have personally signed this petition; I am a legal voter of the State of Washington, in the precinct, city (or town), and county written after my name, and my residence address is correctly stated.

(Followed by the same form of blanks and certificate as in section 5).

Certificate of genuineness of signatures. (Each signature to be initialed, see § 10.)

SEC. 8. Blank petitions for circulation in precincts where registration of voters is not required shall bear certificates, in lieu of those contained in the foregoing forms, to be signed by a justice of the peace, road supervisor, member of a school board or a postmaster, to the effect that he resides in the precinct, naming it, and is acquainted with the legal voters thereof and that he believes the signatures opposite which he has written his initials are the signatures of legal voters of such precinct.

SEC. 9. Each initiative or referendum petition for circulation and signing shall at the time of signing, certifying and filing with the secretary of state, as hereinafter in this act provided, consist of not more than five sheets with numbered lines for not more than twenty signatures on each sheet, with the prescribed warning, title and form of petition on each sheet, but with the prescribed form of certificate only on the last sheet, and a full, true and correct copy of the proposed measure referred to therein printed on sheets of paper of like size and quality as the petition, firmly fastened together.

Size of petitions.

SEC. 10. Every initiative and referendum petition, before it is filed with the secretary of state as hereinafter provided, shall be filed with the officer having custody of the registration books containing the signatures, addresses and precincts of the registered voters of the city, town or precinct, as the case may be, where the persons who have signed such petition claim to be legal voters. Upon the filing of any such petition it shall be the duty of such officer to forthwith compare or cause a deputy to compare the signatures, addresses and precinct numbers on such petition with said registration books. The officer or deputy making the comparison shall place his initials in ink opposite the signature of those persons who are shown by the registration books to be legal voters, and shall certify upon the last signature sheet of such petition that the signatures so initialed are the signatures of legal voters of the State of Washington, and shall sign such certificate and attach thereto the seal of the registration officer, if such officer have a seal, and return such petition to the person filing the same upon demand. The omission to fill any blank shall not prevent the initialing or certification of any name, if sufficient information is given to enable the officer, by a comparison of the signatures, to identify the voter. Every such petition bearing the signatures of persons residing in precincts where registration of voters is not required, before it is filed with the secretary of state, shall be submitted to and initialed and certified by a justice

Registration officers to check petitions.

Certificate of registration officer.

Each signature to be marked.

of the peace, road supervisor, member of a school board or a postmaster residing in such precinct in the form provided in section 8 of this act. It shall be the duty of such justice of the peace, road supervisor or member of a school board to examine and initial and certify the signatures of legal voters on any such petition upon demand.

SEC. 11. When the person, committee or organization proposing any such initiative measure or demanding any such referendum shall have secured upon any such initiative petition the signatures of fifty thousand legal voters or the signatures of legal voters equal in number to or exceeding ten per centum of the whole number of electors who voted for governor at the regular gubernatorial election last preceding, or shall have secured upon any such referendum petition the signatures of thirty thousand legal voters, or the signatures of legal voters equal in number to or exceeding six per centum of the whole number of electors who voted for governor at the regular gubernatorial election last preceding, he or they may submit said petition to the secretary of state for filing in his office. At the time of submitting such petition the person, committee or organization submitting the same shall file with the secretary of state a full, true and detailed statement giving the names and post office addresses of all persons, corporations and organizations who have contributed any monies to aid in the preparation, publication and advertising of the measure and the preparation, circulation and filing of the petition, with the amount contributed by each, and a full, true and detailed statement of all expenditures, giving the amounts expended, the purpose for which expended, and the names and post office addresses of the persons and corporations to whom paid, which statement shall be verified by the affidavit of the person or some member of the committee or organization in charge of the measure, and until such statement is filed the secretary of state shall refuse to receive such petition.

Number of signatures required.

Contributors to petition fund must be noted.

Expenditures to be filed.

SEC. 12. The secretary of state upon any such petition being submitted to him for filing shall examine the same,

and if upon examination said petition appear to be in proper form and to bear the requisite number of signatures of legal voters, and if said petition be an initiative petition proposing a measure to be submitted to the legislature at its next ensuing regular session and is submitted for filing not less than ten days before such regular session, or if said petition be an initiative petition proposing a measure to be submitted to the people for their approval or rejection at the next ensuing general election and is submitted for filing not less than four months before such general election, or if said petition be a referendum petition ordering and directing that the whole or some part or parts of a bill passed by the legislature be referred to the people for their approval or rejection at the next ensuing general election or a special election ordered by the legislature, and such petition is submitted for filing not more than ninety days after the final adjournment of the session of the legislature which passed the bill, the secretary of state shall accept and file said petition in his office; otherwise, he shall refuse to file the same, but shall stamp on said petitions the word "submitted" and the date of submission, and shall retain said petitions pending appeal.

Limit of time
for filing
petition.

Secretary
of State to
file petition.

SEC. 13. If the secretary of state shall refuse to file any such initiative or referendum petition when submitted to him for filing, the persons submitting the same for filing may, within ten days after such refusal, apply to the superior court of Thurston county for a citation requiring the secretary of state to bring such petitions before the court, and for a writ of mandate to compel him to file the same. Such application shall take precedence over other cases and matters and shall be speedily heard and determined. If the court shall issue citation, and upon final hearing shall determine that the petitions are legal in form and apparently contain the requisite number of signatures and were submitted for filing within the time prescribed in the constitution, it shall issue its mandate requiring the same to be filed in his office by the secretary of state as of

Appeal from
refusal of
Secretary
of State
to file.
(See also
§ 17 *infra*.)

No appeal
from
superior
court.

Certiorari
to supreme
court.

the date of submission for filing. The decision of the superior court granting a writ of mandate shall be final and no appeal shall be allowed from the decision of the superior court refusing to grant a writ of mandate, but such decision may be reviewed by the supreme court on a writ of *certiorari* sued out within five days after the decision of the superior court, and such review shall be considered an emergency matter of public concern, and shall be heard and determined with all convenient speed, and if the supreme court shall decide that the petitions are legal in form and apparently contain the requisite number of signatures of legal voters, and were filed within the time prescribed in the constitution, it shall issue its mandate direct to the secretary of state, requiring that said petitions be filed in his office as of the date of submission. In case no appeal is taken from the refusal of the secretary of state to file said petitions within the time prescribed, or in case an appeal is taken and the secretary of state is not required to file said petitions by the mandate of either the superior or the supreme court, the secretary of state shall destroy said petitions.

Petitions to
be volumed
and filed.

SEC. 14. If the secretary of state accept and file any such initiative or referendum petition upon its being submitted for filing or if he be required to file the same by the court he shall forthwith, in the presence of the governor, or, if the governor be absent, in the presence of some other state officer and in the presence of the persons submitting such petition for filing, if such persons desire to be present, detach the sheets containing the signatures and certificates and cause them all to be firmly attached to one or more printed copies of the proposed initiative or referendum measure in such volumes as will be most convenient for canvassing and filing, and shall number such volumes and file the same and stamp on each thereof the date of filing.

SEC. 15. Upon filing such volumes of an initiative petition proposing a measure for submission to the legislature at its next regular session, the secretary of state shall

forthwith in the presence of at least one person representing the advocates and one person representing the opponents of the proposed measure, should either desire to be present, proceed to canvass and count the names of certified legal voters on such petition. If he find the same name signed to more than one petition he shall reject both names from the count. If, at the conclusion of the canvass and count, it shall appear that such petition bears the requisite number of names of certified legal voters, the secretary of state shall transmit a certified copy of such proposed measure to the legislature at the opening of its session together with a certificate of the facts relating to the filing of such petition and the canvass thereof.

Canvass of
petition.

Sent to
legislature.

SEC. 16. The secretary of state shall, while making said canvass, keep a record of all names appearing on said petition which are not certified to be legal voters and of all names appearing more than once on said petition, and shall report the same to the prosecuting attorneys of the respective counties where such names were signed to the end that prosecutions may be had for violations of this act.

Fraudulent
names to be
reported to
prosecuting
attorney.

SEC. 17. Any citizen who shall be dissatisfied with the determination of the secretary of state that the petition contains or does not contain the requisite number of signatures of legal voters may, within five days after such determination, apply to the superior court of Thurston county for a citation requiring the secretary of state to submit said petitions to said court for examination, and for a writ of mandate compelling the certification of the measure and petition, or for an injunction to prevent the certification thereof to the legislature, as the case may be, which application and all proceedings had thereunder shall take precedence over other cases and shall be speedily heard and determined. No appeal shall be allowed from the decision of the superior court granting or refusing to grant the writ of mandate or injunction, but such decision may be reviewed by the supreme court on a writ of *certiorari* sued out within five days after the decision of the superior court, and if the supreme court shall decide that a writ of

Appeal to
superior
court of
Thurston
county.
(See also
§ 13 *supra.*)

mandate or injunction, as the case may be, should issue, it shall issue such writ direct to the secretary of state; otherwise, it shall dismiss the proceedings, and the clerk of the supreme court shall forthwith notify the secretary of state of the decision of the supreme court.

Canvass of
names within
thirty days.

SEC. 18. When the petition filed shall be a referendum petition or an initiative petition for submission of a measure to the people the secretary of state shall canvass and count the names on such petition within thirty days after filing and like proceedings shall and may be had thereon as provided in sections 15, 16, and 17.

Certificate
to county
auditor.

SEC. 19. If such referendum or such initiative petition for submission to the people shall be found sufficient, the secretary of state shall at the time and in the manner he certifies to the county auditors of the various counties the names of candidates for state and district officers certify to each county auditor the serial numbers and ballot titles of the several initiative and referendum measures to be voted upon at the next ensuing general election or special election ordered by the legislature.

Serial
number for
referendum
bills.

SEC. 20. Whenever any bill passed by the legislature shall be by the legislature referred to the people for their approval or rejection at the next ensuing general election or at a special election ordered by the legislature, the secretary of state shall give such bill a serial number, using a separate series, such series being designated "Referendum Bills," and if the legislature shall not have prescribed a ballot title shall obtain from the attorney general a ballot title therefor in the manner provided in this act for obtaining ballot titles for initiative measures, and shall certify the serial number and ballot title of such bill to the county auditors for printing on the ballots for such general or special election in like manner as initiative measures for submission to the people are certified.

Certified
by serial
number.

SEC. 21. Whenever any measure proposed by initiative petition for submission to the legislature is rejected by the legislature or the legislature shall take no action thereon before the end of the regular session at which it is sub-

mitted, the secretary of state shall certify the serial number and ballot title thereof to the county auditors for printing on the ballots at the next ensuing general election in like manner as initiative measures for submission to the people are certified.

SEC. 22. Whenever any measure proposed by initiative petition for submission to the legislature is rejected by the legislature and the legislature proposes a different measure dealing with the same subject, the secretary of state shall give such different measure the same serial number as that borne by the initiative measure followed by the letter "B," and such measure proposed by the legislature shall be designated as "Alternative Measure No. . . . B," and the secretary of state shall obtain from the attorney general a ballot title therefor in the manner provided in this act for obtaining ballot titles for initiative measures, and shall certify the alternative serial number and ballot title of such alternative measure to the county auditors for printing on the ballots for the election at which such measures are to be submitted to the people, in like manner as initiative measures for submission to the people are certified. The ballot title for such alternative measure shall be different from the ballot title of the initiative measure in lieu of which it is proposed, and shall indicate as clearly as possible the essential differences in the measure.

Substitute measure to take same number.

Ballot title must be different.

SEC. 23. It shall be the duty of the several county auditors to cause to be printed on the official ballots for the election at which initiative and referendum measures are to be submitted to the people for their approval or rejection the serial numbers and ballot titles, certified by the secretary of state, under separate headings in the order of the serial numbers. Measures proposed for submission to the people by initiative petition shall be under the heading, "Proposed by Initiative Petition;" bills passed by the legislature and ordered referred to the people by referendum petition shall be under the heading, "Passed by the Legislature and Ordered Referred by Petition;" bills passed and referred to the people by the legislature shall

Auditors to print numbers and titles on ballots.

Form of headings.

be under the heading, "Proposed to the People by the Legislature;" measures proposed to the legislature and rejected or not acted upon shall be under the heading, "Proposed to the Legislature and Referred to the People;" measures proposed to the legislature and alternative measures passed by the legislature in lieu thereof shall be under the heading, "Initiated by Petition and Alternative by Legislature."

Provision for voting.

SEC. 24. Except as in the next succeeding section provided, each measure submitted to the people for approval or rejection shall be so printed on the ballot, under the proper heading, that a voter can by making one cross (x) express his approval or rejection of such measure. Substantially the following form shall be a compliance with this section:

PROPOSED BY INITIATIVE PETITION

Ballot.

Initiative Measure No. 22, entitled (here insert the ballot title of the measure).

FOR Initiative Measure No. 22.....
 AGAINST Initiative Measure No. 22.....

Alternative.

SEC. 25. In all cases where initiative measures proposed to the legislature have been rejected by the legislature and alternative measures passed by the legislature in lieu thereof the serial numbers and ballot titles of both such measures shall be so printed on the official ballots that a voter can express separately by making one cross (x) for each, two preferences: first, as between either measure and neither, and secondly, as between one and the other, as provided in the constitution. Substantially the following form shall be a compliance with the constitutional provision:

INITIATED BY PETITION AND ALTERNATIVE BY LEGISLATURE.

Ballot on alternative proposition.

Initiative Measure No. 25, entitled (here insert the ballot title of the Initiative Measure).

Alternative Measure No. 25B, entitled (here insert the ballot title of the alternative measure).

Vote FOR EITHER, or AGAINST BOTH

FOR EITHER Initiative No. 25 OR Alternative No. 25B.....

AGAINST Initiative No. 25 AND Alternative No. 25B.....

and vote FOR one.

FOR Initiative Measure No. 25.....

FOR Alternative Measure No. 25B.....

SEC. 26. The person, persons, committee or organization filing any initiative or referendum petition proposing a measure, or ordering a referendum for submission to the people, and any other citizen or committee or organization of citizens shall have the right at the time of filing such petition or within ten days after such petition has been accepted and filed, to file with the secretary of state for printing and distribution arguments advocating the proposed measure or referendum, and any citizen or committee or organization of citizens may, within twenty days after such petition has been accepted and filed, file an argument in opposition to such measure or referendum for printing and distribution, provided, that not more than two separate arguments advocating such measure or referendum and not more than three separate arguments in opposition thereto shall be printed by and distributed at the expense of the state. If more than two arguments advocating or more than three arguments in opposition to such measure or referendum are filed, the secretary of state shall forthwith notify the persons filing the arguments advocating or in opposition to such measure or referendum of that fact, and if the persons filing such arguments do not agree among themselves within thirty days after the acceptance and filing of such petition as to which of said arguments shall be printed by the state, the secretary of state shall select for printing, binding and distribution, in addition to the argument advocating such measure filed by the persons proposing the same, one additional argument, and shall select three arguments in opposition to such measure, to be printed by the state. In making such selections the secretary of state shall select the argument advocating and the three arguments in opposition to the

Arguments.

Opposition argument.

Limitation on the number of arguments to be printed.

Secretary of State to select.

Repulsive arguments rejected.

Board of censors.

Length of argument

Cost of printing argument.

Argument on alternative measure.

measure which he shall consider the strongest, taking into account the arguments proposed and the form in which they are presented. If in the opinion of the secretary of state any argument for or against a measure offered for filing contain any obscene, vulgar, profane, scandalous, libelous, defamatory or treasonable matter or any language tending to provoke crime or a breach of the peace, or any language or matter the circulation of which through the mails is prohibited by any act of congress, the secretary of state shall refuse to file such argument: *Provided*, That the person submitting such argument for filing may appeal to a board of censors consisting of the governor, the attorney general and the superintendent of public instruction, and the decision of a majority of such board shall be final. Each such argument either for or against the measure shall not exceed two pages of the pamphlet hereinafter required to be published by the state and shall contain the serial designation and number of the measure and state the name of the person or organization advancing it. The person or organization filing such argument shall at the time of filing the same deposit with the secretary of state sufficient money, the amount to be estimated by the secretary of state, to cover the increased cost of paper for the printing and binding of such argument. In the case of measures initiated by petition and submitted to the legislature and alternatives passed by the legislature in lieu thereof, the person, committee or organization proposing the measure may likewise within ten days after the filing of the petition, or within ten days after the final passage of the alternative measure, file an argument in support of the initiative measure, and other citizens may file arguments in support thereof within ten days after the final passage of the alternative measure, and the legislature may by resolution file an argument in support of the alternative measure, and other citizens may file arguments in support thereof. But only two arguments in support of each measure, in addition to the argument filed by the proponents of the measure, and by the

legislature, shall be printed by and distributed at the expense of the state, and if the persons filing arguments do not agree among themselves as to what arguments shall be printed the secretary of state shall select arguments to be printed. Arguments for and against bills passed and referred to the people by the legislature, including amendments to the constitution proposed by the legislature, shall be filed, selected and printed in the same manner.

Arguments
on bills
proposed by
legislature.

SEC. 27. At least sixty days prior to any election at which any initiative or referendum measure is to be submitted to the people, the secretary of state shall cause to be printed in pamphlet form a true copy of the serial designation and number, the ballot title, the legislative title, the full text of and the argument for and arguments against each such measure, including amendments to the constitution proposed by the legislature, to be submitted to the people in the foregoing order, and shall cause all of such measures to be printed and bound in a single pamphlet in the following order: first, those "Proposed by Initiative Petition;" second, those "Proposed to the People by the Legislature;" third, those "Proposed to the Legislature and Referred to the People;" fourth, those "Initiated by Petition and Alternative by the Legislature," and fifth, "Amendments to the Constitution Proposed by the Legislature." The pages of such pamphlet shall be not larger than five and three-fourths by eight and three-fourths inches in size, and the outside measurement of the printed matter of each page shall be not less than four and one-half by seven and one third inches including running head, and shall be printed in eight-point Roman-faced type, set solid in two columns, each thirteen ems pica to the line, separated by a pica slug, with appropriate headings. Said pamphlet shall be printed on No. 1 print paper weighing thirty-two pounds to the ream of sheets twenty-four by thirty-six inches. The cost of printing and binding such pamphlets shall be paid from the money appropriated for printing for the secretary of state; *Provided*, The increased cost of printing and binding such arguments

Secretary
of State to
publish
pamphlet.

Order of
publication.

Size of
pages.

Type.

Cost of
printing,
how paid.

Index.

shall be paid from the monies deposited to cover the same and the balance of any such monies, if any, and the monies deposited for arguments not printed shall be returned to the persons depositing it respectively. Such number of pamphlets shall be printed as shall fill the requirements as to distribution hereinafter provided. It shall be the duty of the secretary of state to publish in such pamphlets a table of contents and a brief alphabetical index of subjects.

List of voters
to be filed
with the
Secretary
of State.

SEC. 28. Not more than four nor less than three months before any election at which initiative or referendum measures are to be submitted to the people, the officer having custody of the registration books in each city, town or precinct where registration of voters is required shall prepare and transmit to the secretary of state type-written lists of the names and addresses of the legal voters of such city, town or precinct, as shown by the registration books, and the county auditors of each county shall prepare and transmit to the secretary of state type-written lists of the names and postoffice addresses of the legal voters in each precinct in said county where registration of voters is not required, as shown by the poll books of the last preceding general election. The secretary of state shall notify such officers of the dates of such elections.

Pamphlet
sent to
each voter.

SEC. 29. Not less than fifty-five days before any election at which initiative or referendum measures are to be submitted to the people, the secretary of state shall transmit, by mail with postage fully prepaid, to every voter in the state whose address he has, or can with reasonable diligence ascertain, one copy of the pamphlet hereinabove provided for, and shall transmit by the least expensive means copies of such pamphlet as follows: to each county auditor three copies for each voting precinct in the county; to the libraries of each educational, charitable, penal and reformatory institution of the state three copies; to each state officer and member of a state board and to each county officer two copies; to each judge of the supreme and superior courts two copies; to the state library five

Additional
copies to
officers, etc.

copies; to each public library in the state two copies; to each member of the legislature two copies; and shall reserve for distribution on request such number of copies as he shall deem necessary. The cost of mailing or shipping said pamphlets shall be paid from the money appropriated for postage for the secretary of state. It shall be the duty of the county auditors of the several counties to transmit the copies of the pamphlets so furnished them to the election officers of the respective precincts, to be kept at the polling place throughout election day for the information of voters.

Cost of
distribution.

SEC. 30. The votes on the initiative and referendum measures submitted to the people, as in this act provided, shall be counted, canvassed and returned by the regular precinct election officers, and by the county auditors, in the manner provided by law for canvassing and returning votes for candidates for state offices. It shall be the duty of the secretary of state, in the presence of the governor, within thirty days after any such election to canvass the votes for each measure and certify to the governor the result thereof, and the governor shall forthwith issue his proclamation giving the whole number of votes cast in the state for and against such measure, and declaring such measures as are approved by the majority of those voting thereupon, provided that the vote cast upon such measure shall equal one-third of the total vote cast at such election, to be the law of the State of Washington from the date of such proclamation.

Election
returns.

Canvass
of votes.

Vote neces-
sary to carry.

SEC. 31. Every person who shall sign any initiative or referendum petition provided for in this act with any other than his true name shall be guilty of a felony. Every person who shall knowingly sign more than one of such petitions for the same measure or who shall sign any such petition knowing that he is not a legal voter or who shall make on any such petition any false statement as to his place of residence, and every registration officer who shall make any false report or certificate on any such petition shall be guilty of a gross misdemeanor.

Felony to
falsely sign
petition.

False state-
ment or
report
declared
gross mis-
demeanor.

SEC. 32. Every officer who shall wilfully violate any of the provisions of this act, for the violation of which no penalty is herein prescribed, or who shall wilfully fail to comply with the provisions of this act; and every person who shall for any consideration, compensation, gratuity, reward or thing of value or promise thereof sign or decline to sign any initiative or referendum petition; or who shall advertise in any newspaper, magazine or other periodical publication or in any book, pamphlet, circular or letter or by means of any sign, signboard, bill, poster, handbill or card or in any manner whatsoever, that he will either for or without compensation or consideration circulate, or solicit, procure or obtain signatures upon, or influence or induce or attempt to influence or induce persons to sign or not to sign any initiative or referendum petition or vote for or against any initiative or referendum measure; or who shall for pay or any consideration, compensation, gratuity, reward or thing of value or promise thereof, circulate, or solicit, procure or obtain or attempt to procure or obtain signatures upon any initiative or referendum petition; or who shall pay or offer or promise to pay, or give or offer or promise to give any consideration, compensation, gratuity, reward or thing of value to any person to induce him to sign or not to sign, or to circulate, or solicit, procure or attempt to procure or obtain signatures upon any initiative or referendum petition or to vote for or against any initiative or referendum measure; or who shall by any other corrupt means or practice or by threats or intimidation interfere with or attempt to interfere with the right of any legal voter to sign or not to sign any initiative or referendum petition or to vote for or against any initiative or referendum measure; or who shall receive, accept, handle, distribute, pay out or give away either directly or indirectly any money, consideration, compensation, gratuity, reward or thing of value contributed by or received from any person, firm, association or corporation having his, their or its residence or principal office outside of the State of Washington, or corporation

Professional
solicitors,
penalty.

Hiring
solicitors.

Corruption
in general.

the majority of whose stockholders are non-residents of the State of Washington, for any service, work or assistance of any kind done or rendered for the purpose of aiding in procuring signatures upon any initiative or referendum petition or the adoption or rejection of any initiative or referendum measure, shall be guilty of a gross misdemeanor.

SEC. 33. This act is necessary for the immediate preservation of the public peace and safety and the support of the state government, and shall take effect immediately. Emergency.

Passed the House February 24, 1913.

Passed the Senate March 5, 1913.

Approved by the Governor March 21, 1913.

CHAPTER 139.

[H. B. 175.]

PROHIBITING TRESPASSING.

AN ACT to amend section 2665 of Remington & Ballinger's Annotated Codes and Statutes of Washington relating to trespass.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 2665 of Remington & Ballinger's Annotated Codes and Statutes of Washington, relating to trespass, be and the same is hereby amended to read as follows:

[Amends Rem.-Bal., § 2665; Pierce's Code, 1912, 135 § 823.]

Section 2665. Every person who shall go upon the land of another with the intent to vex or annoy the owner, or occupant thereof, or to commit any unlawful act, or shall enter upon the enclosed land of another for the purpose of hunting or fishing without having first obtained the permission of the owner or occupant of said land, or shall enter upon any land of another bounded on one or more sides by water when notices not to trespass thereon have been posted as often as every 700 feet on or near the other boundaries thereof for either of said purposes, or shall wilfully go or remain upon any land after having

Going on enclosed land without consent or where notices are posted.