

compensation for initiative petition signature gatherers

Stefan Sharkansky

Wed, Jan 10, 2007 at 9:42 AM

Reply-To: theshark

To: "Excell, Steve" <sexcell@secstate.wa.gov>

Steve,

As you may know, there's a bill before the legislature to prohibit per-signature compensation for signature gatherers (HB 1087). The stated reason is that such compensation "increases the possibility of fraud in the signature gathering process".

By any chance, has the OSOS collected statistics on the rates of fraudulent signatures in petitions collected by (1) paid gatherers compensated per-signature, (2) paid gatherers compensated some other way and (3) volunteer gatherers?

thanks
Stefan

Excell, Steve <sexcell@secstate.wa.gov>

Wed, Jan 10, 2007 at 12:19 PM

To: theshark

Hello Stefan,

Historically, there was no real way to tell which petitions were circulated by volunteers and which were circulated by paid signature gatherers.

So we do not have any historical statistical data that proves that point.

Had the new statute re "certification by paid signature gatherers" not been overturned by an AGO, we might have been able to collect some new data that would shed some light on this issue.

Washington did have a statute prohibiting paid signature gatherers and it was overturned in Federal court because the state did not have hard evidence of abuse -- thus the court found "no compelling state interest." This happened in the 1990s. The court order is still in effect.

However, Oregon won a similar case because they did have some hard evidence of fraudulent petitions.

We do not know how a new statute would stand-up vis-à-vis the standing court order. The AG will have to help us sort that out. A judge might get the final word.

Hope this helps.

Steve