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HOUSE BILL 2395

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State of Washington                      53rd Legislature                      1994 Regular Session

By Representatives Campbell, Reams, Talcott, Finkbeiner and Padden

Read first time 01/14/94. Referred to Committee on State Government.

1            AN ACT Relating to establishing a public election commission;  
2 amending RCW 42.17.350, 42.17.370, 29.04.025, 29.15.030, 29.80.090,  
3 41.06.450, 42.17.190, 42.17.510, and 44.05.020; reenacting and amending  
4 RCW 41.64.030, 42.17.2401, 42.17.2401, 42.17.310, 42.17.310, and  
5 43.03.028; adding a new section to chapter 43.88 RCW; creating a new  
6 section; providing an effective date; and providing an expiration date.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8            **Sec. 1.** RCW 42.17.350 and 1984 c 287 s 74 are each amended to read  
9 as follows:

10            There is hereby established a "public ~~((disclosure))~~ election  
11 commission" which shall be composed of five members who shall be  
12 appointed by the ~~((governor))~~ secretary of state, with the consent of  
13 the senate. All appointees shall be persons of the highest integrity  
14 and qualifications. No more than three members shall have an  
15 identification with the same political party. The original members  
16 shall be appointed within sixty days after January 1, 1973. The term  
17 of each member shall be five years ~~((except that the original five~~  
18 ~~members shall serve initial terms of one, two, three, four, and five~~  
19 ~~years, respectively, as designated by the governor))~~. No member of the

1 commission, during his or her tenure, shall (1) hold or campaign for  
2 elective office; (2) be an officer of any political party or political  
3 committee; (3) permit his or her name to be used, or make  
4 contributions, in support of or in opposition to any candidate or  
5 proposition; (4) participate in any way in any election campaign; or  
6 (5) lobby or employ or assist a lobbyist: PROVIDED, That a member or  
7 the staff of the commission may lobby to the limited extent permitted  
8 by RCW 42.17.190 on matters directly affecting this chapter. No member  
9 shall be eligible for appointment to more than one full term. A  
10 vacancy on the commission shall be filled within thirty days of the  
11 vacancy by the (~~governor~~) secretary of state, with the consent of the  
12 senate, and the appointee shall serve for the remaining term of his or  
13 her predecessor. A vacancy shall not impair the powers of the  
14 remaining members to exercise all of the powers of the commission.  
15 Three members of the commission shall constitute a quorum. The  
16 commission shall elect its own (~~chairman~~) chair and adopt its own  
17 rules of procedure in the manner provided in chapter 34.05 RCW. Any  
18 member of the commission may be removed by the (~~governor~~) secretary  
19 of state, but only upon grounds of neglect of duty or misconduct in  
20 office.

21 Members shall be compensated in accordance with RCW 43.03.250 and  
22 in addition shall be reimbursed for travel expenses incurred while  
23 engaged in the business of the commission as provided in RCW 43.03.050  
24 and 43.03.060. The compensation provided pursuant to this section  
25 shall not be considered salary for purposes of the provisions of any  
26 retirement system created pursuant to the general laws of this state.

27 **Sec. 2.** RCW 42.17.370 and 1986 c 155 s 11 are each amended to read  
28 as follows:

29 The commission is empowered to:

30 (1) Adopt, promulgate, amend, and rescind suitable administrative  
31 rules to carry out the policies and purposes of this chapter, which  
32 rules shall be adopted under chapter 34.05 RCW;

33 (2) Appoint and set, within the limits established by the committee  
34 on agency officials' salaries under RCW 43.03.028, the compensation of  
35 an executive director (~~who~~). The personnel of the commission shall  
36 be supervised by the executive director and shall be arranged in two  
37 administrative divisions: The division of disclosure; and the division  
38 of investigations and enforcement. The executive director shall

1 perform such other duties and have such powers as the commission may  
2 prescribe and delegate to implement and enforce this chapter  
3 efficiently and effectively. The commission shall not delegate its  
4 authority to adopt, amend, or rescind rules nor shall it delegate  
5 authority to determine whether an actual violation of this chapter has  
6 occurred or to assess penalties for such violations;

7 (3) Prepare and publish such reports and technical studies as in  
8 its judgment will tend to promote the purposes of this chapter,  
9 including reports and statistics concerning campaign financing,  
10 lobbying, financial interests of elected officials, and enforcement of  
11 this chapter;

12 (4) Make from time to time, on its own motion, audits and field  
13 investigations;

14 (5) Make public the time and date of any formal hearing set to  
15 determine whether a violation has occurred, the question or questions  
16 to be considered, and the results thereof;

17 (6) Administer oaths and affirmations, issue subpoenas, and compel  
18 attendance, take evidence and require the production of any books,  
19 papers, correspondence, memorandums, or other records relevant or  
20 material for the purpose of any investigation authorized under this  
21 chapter, or any other proceeding under this chapter;

22 (7) Adopt and promulgate a code of fair campaign practices;

23 (8) Relieve, by rule, candidates or political committees of  
24 obligations to comply with the provisions of this chapter relating to  
25 election campaigns, if they have not received contributions nor made  
26 expenditures in connection with any election campaign of more than one  
27 thousand dollars;

28 (9) Adopt rules prescribing reasonable requirements for keeping  
29 accounts of and reporting on a quarterly basis costs incurred by state  
30 agencies, counties, cities, and other municipalities and political  
31 subdivisions in preparing, publishing, and distributing legislative  
32 information. The term "legislative information," for the purposes of  
33 this subsection, means books, pamphlets, reports, and other materials  
34 prepared, published, or distributed at substantial cost, a substantial  
35 purpose of which is to influence the passage or defeat of any  
36 legislation. The state auditor in his or her regular examination of  
37 each agency under chapter 43.09 RCW shall review the rules, accounts,  
38 and reports and make appropriate findings, comments, and

1 recommendations in his or her examination reports concerning those  
2 agencies;

3 (10) After hearing, by order approved and ratified by a majority of  
4 the membership of the commission, suspend or modify any of the  
5 reporting requirements of this chapter in a particular case if it finds  
6 that literal application of this chapter works a manifestly  
7 unreasonable hardship and if it also finds that the suspension or  
8 modification will not frustrate the purposes of the chapter. The  
9 commission shall find that a manifestly unreasonable hardship exists if  
10 reporting the name of an entity required to be reported under RCW  
11 42.17.241(1)(g)(ii) would be likely to adversely affect the competitive  
12 position of any entity in which the person filing the report or any  
13 member of his or her immediate family holds any office, directorship,  
14 general partnership interest, or an ownership interest of ten percent  
15 or more. Any suspension or modification shall be only to the extent  
16 necessary to substantially relieve the hardship. The commission shall  
17 act to suspend or modify any reporting requirements only if it  
18 determines that facts exist that are clear and convincing proof of the  
19 findings required under this section. Any citizen has standing to  
20 bring an action in Thurston county superior court to contest the  
21 propriety of any order entered under this section within one year from  
22 the date of the entry of the order; and

23 (11) Revise, at least once every five years but no more often than  
24 every two years, the monetary reporting thresholds and reporting code  
25 values of this chapter. The revisions shall be only for the purpose of  
26 recognizing economic changes as reflected by an inflationary index  
27 recommended by the office of financial management. The revisions shall  
28 be guided by the change in the index for the period commencing with the  
29 month of December preceding the last revision and concluding with the  
30 month of December preceding the month the revision is adopted. As to  
31 each of the three general categories of this chapter (reports of  
32 campaign finance, reports of lobbyist activity, and reports of the  
33 financial affairs of elected and appointed officials), the revisions  
34 shall equally affect all thresholds within each category. Revisions  
35 shall be adopted as rules under chapter 34.05 RCW. The first revision  
36 authorized by this subsection shall reflect economic changes from the  
37 time of the last legislative enactment affecting the respective code or  
38 threshold through December 1985.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 43.88 RCW  
2 to read as follows:

3        The budget of the public election commission shall be submitted as  
4 and considered to be a part of the budget of the office of the  
5 secretary of state.

6        NEW SECTION.    **Sec. 4.**    The public disclosure commission is hereby  
7 abolished and its powers, duties, and functions are hereby transferred  
8 to the public election commission.    The members of the public  
9 disclosure commission immediately before the effective date of this  
10 section shall become the initial members of the public election  
11 commission on the effective date of this section and shall serve the  
12 remainder of the terms for which they were appointed to the public  
13 disclosure commission except as they are replaced in accordance with  
14 RCW 42.17.350.    The executive director of the public disclosure  
15 commission immediately before the effective date of this section shall  
16 become the executive director of the public election commission on the  
17 effective date of this section.    The rules of or proposed by the public  
18 disclosure commission immediately before the effective date of this  
19 section shall be the rules and proposed rules of the public election  
20 commission on the effective date of this section.    All pending business  
21 before the public disclosure commission including enforcement actions  
22 shall be continued and acted upon by the public election commission.  
23 All existing contracts and obligations shall remain in full force and  
24 shall be performed by the public election commission.    The transfer of  
25 the powers, duties, functions, and personnel of the public disclosure  
26 commission shall not affect the validity of any act performed prior to  
27 the effective date of this section.

28        All reports, documents, surveys, books, records, files, papers, or  
29 written material in the possession of the public disclosure commission  
30 shall be delivered to the custody of the public election commission.  
31 All cabinets, furniture, office equipment, motor vehicles, and other  
32 tangible property employed by the public disclosure commission shall be  
33 made available to the public election commission.    All funds, credits,  
34 or other assets held by the public disclosure commission shall be  
35 assigned to the public election commission.

36        Any appropriations made to the public disclosure commission shall,  
37 on the effective date of this section, be transferred and credited to  
38 the public election commission.

1 Whenever any question arises as to the transfer of any personnel,  
2 funds, books, documents, records, papers, files, equipment, or other  
3 tangible property used or held in the exercise of the powers and the  
4 performance of the duties and functions transferred, the director of  
5 financial management shall make a determination as to the proper  
6 allocation and certify the same to the state agencies concerned.

7 All employees of the public disclosure commission are transferred  
8 to the jurisdiction of the public election commission. All employees  
9 assigned to the public election commission shall perform their usual  
10 duties upon the same terms as formerly, without any loss of rights,  
11 subject to any action that may be appropriate thereafter.

12 Nothing contained in this section may be construed to alter any  
13 existing collective bargaining unit or the provisions of any existing  
14 collective bargaining agreement until the agreement has expired or  
15 until the bargaining unit has been modified by action of the personnel  
16 board as provided by law.

17 **Sec. 5.** RCW 29.04.025 and 1983 c 294 s 2 are each amended to read  
18 as follows:

19 Each county auditor or county elections official shall ensure that  
20 reports filed pursuant to chapter 42.17 RCW are arranged, handled,  
21 indexed, and disclosed in a manner consistent with the rules of the  
22 public ((disclosure)) election commission adopted under RCW 42.17.375.

23 **Sec. 6.** RCW 29.15.030 and 1990 c 59 s 84 are each amended to read  
24 as follows:

25 Declarations of candidacy shall be filed with the following filing  
26 officers:

27 (1) The secretary of state for declarations of candidacy for state-  
28 wide offices, United States senate, and United States house of  
29 representatives;

30 (2) The secretary of state for declarations of candidacy for the  
31 state legislature, the court of appeals, and the superior court when  
32 voters from a district comprising more than one county vote upon the  
33 candidates;

34 (3) The county auditor for all other offices. For any nonpartisan  
35 office, other than judicial offices, where voters from a district  
36 comprising more than one county vote upon the candidates, a declaration

1 of candidacy shall be filed with the county auditor of the county in  
2 which a majority of the registered voters of the district reside.

3 Each official with whom declarations of candidacy are filed under  
4 this section, within one business day following the closing of the  
5 applicable filing period, shall forward to the public ((disclosure))  
6 election commission a copy of each declaration of candidacy filed in  
7 his or her office during such filing period or a list containing the  
8 name of each candidate who files such a declaration in his or her  
9 office during such filing period together with a precise identification  
10 of the position sought by each such candidate and the date on which  
11 each such declaration was filed. Such official, within three days  
12 following his or her receipt of any letter withdrawing a person's name  
13 as a candidate, shall also forward a copy of such withdrawal letter to  
14 the public ((disclosure)) election commission.

15 **Sec. 7.** RCW 29.80.090 and 1984 c 54 s 7 are each amended to read  
16 as follows:

17 In addition to other contents included in the candidates' pamphlet,  
18 the secretary of state shall prepare and include a section containing  
19 (1) a brief explanation of how voters may participate in the election  
20 campaign process; (2) the name, address, and telephone number of each  
21 political party that has one or more nominees listed in the candidates'  
22 pamphlet, but this information shall be included in the candidates'  
23 pamphlet only if and as filed with the secretary of state by the state  
24 committee of a major political party or the presiding officer of the  
25 convention of a minor political party; (3) the address and telephone  
26 number of the public ((disclosure)) election commission established  
27 under RCW 42.17.350; (4) a summary of the disclosure requirements that  
28 apply when contributions are made to candidates and political  
29 committees; and (5) an explanation of the federal income tax credits  
30 and deductions that are available to persons who make such  
31 contributions. Whenever the candidates' pamphlet is combined with the  
32 voters' pamphlet, the section shall be placed at or near the beginning  
33 of the combined publication.

34 **Sec. 8.** RCW 41.06.450 and 1993 c 281 s 37 are each amended to read  
35 as follows:

36 (1) By January 1, 1983, the Washington personnel resources board  
37 shall adopt rules applicable to each agency to ensure that information

1 relating to employee misconduct or alleged misconduct is destroyed or  
2 maintained as follows:

3 (a) All such information determined to be false and all such  
4 information in situations where the employee has been fully exonerated  
5 of wrongdoing, shall be promptly destroyed;

6 (b) All such information having no reasonable bearing on the  
7 employee's job performance or on the efficient and effective management  
8 of the agency, shall be promptly destroyed;

9 (c) All other information shall be retained only so long as it has  
10 a reasonable bearing on the employee's job performance or on the  
11 efficient and effective management of the agency.

12 (2) Notwithstanding subsection (1) of this section, an agency may  
13 retain information relating to employee misconduct or alleged  
14 misconduct if:

15 (a) The employee requests that the information be retained; or

16 (b) The information is related to pending legal action or legal  
17 action may be reasonably expected to result.

18 (3) In adopting rules under this section, the Washington personnel  
19 resources board shall consult with the public ((~~disclosure~~)) election  
20 commission to ensure that the public policy of the state, as expressed  
21 in chapter 42.17 RCW, is adequately protected.

22 **Sec. 9.** RCW 41.64.030 and 1984 c 287 s 73 and 1984 c 34 s 4 are  
23 each reenacted and amended to read as follows:

24 (1) The board shall operate on either a part-time or a full-time  
25 basis, as determined by the governor. If it is determined that the  
26 board shall operate on a full-time basis, each member of the board  
27 shall receive an annual salary to be determined by the governor  
28 pursuant to RCW 43.03.040. If it is determined that the board shall  
29 operate on a part-time basis, each member of the board shall be  
30 compensated in accordance with RCW 43.03.250. Each board member shall  
31 receive reimbursement for travel expenses incurred in the discharge of  
32 his or her duties in accordance with RCW 43.03.050 and 43.03.060.

33 (2) Members of the board shall report their financial affairs to  
34 the public ((~~disclosure~~)) election commission pursuant to RCW 42.17.240  
35 and 42.17.241.

36 **Sec. 10.** RCW 42.17.190 and 1986 c 239 s 1 are each amended to read  
37 as follows:

1 (1) Every legislator and every committee of the legislature shall  
2 file with the commission quarterly reports listing the names,  
3 addresses, and salaries of all persons employed by the person or  
4 committee making the filing for the purpose of aiding in the  
5 preparation or enactment of legislation or the performance of  
6 legislative duties of such legislator or committee during the preceding  
7 quarter. The reports shall be made in the form and the manner  
8 prescribed by the commission and shall be filed between the first and  
9 tenth days of each calendar quarter: PROVIDED, That the information  
10 required by this subsection may be supplied, insofar as it is  
11 available, by the chief clerk of the house of representatives or by the  
12 secretary of the senate on a form prepared by the commission.

13 (2) Unless authorized by subsection (3) of this section or  
14 otherwise expressly authorized by law, no public funds may be used  
15 directly or indirectly for lobbying: PROVIDED, This does not prevent  
16 officers or employees of an agency from communicating with a member of  
17 the legislature on the request of that member; or communicating to the  
18 legislature, through the proper official channels, requests for  
19 legislative action or appropriations which are deemed necessary for the  
20 efficient conduct of the public business or actually made in the proper  
21 performance of their official duties: PROVIDED FURTHER, That this  
22 subsection does not apply to the legislative branch.

23 (3) Any agency, not otherwise expressly authorized by law, may  
24 expend public funds for lobbying, but such lobbying activity shall be  
25 limited to (a) providing information or communicating on matters  
26 pertaining to official agency business to any elected official or  
27 officer or employee of any agency or (b) advocating the official  
28 position or interests of the agency to any elected official or officer  
29 or employee of any agency: PROVIDED, That public funds may not be  
30 expended as a direct or indirect gift or campaign contribution to any  
31 elected official or officer or employee of any agency. For the  
32 purposes of this subsection, the term "gift" means a voluntary transfer  
33 of any thing of value without consideration of equal or greater value,  
34 but does not include informational material transferred for the sole  
35 purpose of informing the recipient about matters pertaining to official  
36 agency business: PROVIDED FURTHER, That this section does not permit  
37 the printing of a state publication which has been otherwise prohibited  
38 by law.

1 (4) No elective official or any employee of his or her office or  
2 any person appointed to or employed by any public office or agency may  
3 use or authorize the use of any of the facilities of a public office or  
4 agency, directly or indirectly, in any effort to support or oppose an  
5 initiative to the legislature. "Facilities of a public office or  
6 agency" has the same meaning as in RCW 42.17.130. The provisions of  
7 this subsection shall not apply to the following activities:

8 (a) Action taken at an open public meeting by members of an elected  
9 legislative body to express a collective decision, or to actually vote  
10 upon a motion, proposal, resolution, order, or ordinance, or to support  
11 or oppose an initiative to the legislature so long as (i) any required  
12 notice of the meeting includes the title and number of the initiative  
13 to the legislature, and (ii) members of the legislative body or members  
14 of the public are afforded an approximately equal opportunity for the  
15 expression of an opposing view;

16 (b) A statement by an elected official in support of or in  
17 opposition to any initiative to the legislature at an open press  
18 conference or in response to a specific inquiry;

19 (c) Activities which are part of the normal and regular conduct of  
20 the office or agency.

21 (5) Each state agency, county, city, town, municipal corporation,  
22 quasi-municipal corporation, or special purpose district which expends  
23 public funds for lobbying shall file with the commission, except as  
24 exempted by (d) of this subsection, quarterly statements providing the  
25 following information for the quarter just completed:

26 (a) The name of the agency filing the statement;

27 (b) The name, title, and job description and salary of each elected  
28 official, officer, or employee who lobbied, a general description of  
29 the nature of the lobbying, and the proportionate amount of time spent  
30 on the lobbying;

31 (c) A listing of expenditures incurred by the agency for lobbying  
32 including but not limited to travel, consultant or other special  
33 contractual services, and brochures and other publications, the  
34 principal purpose of which is to influence legislation;

35 (d) For purposes of this subsection the term "lobbying" does not  
36 include:

37 (i) Requests for appropriations by a state agency to the office of  
38 financial management pursuant to chapter 43.88 RCW nor requests by the

1 office of financial management to the legislature for appropriations  
2 other than its own agency budget requests;

3 (ii) Recommendations or reports to the legislature in response to  
4 a legislative request expressly requesting or directing a specific  
5 study, recommendation, or report by an agency on a particular subject;

6 (iii) Official reports including recommendations submitted to the  
7 legislature on an annual or biennial basis by a state agency as  
8 required by law;

9 (iv) Requests, recommendations, or other communication between or  
10 within state agencies or between or within local agencies;

11 (v) Any other lobbying to the extent that it includes:

12 (A) Telephone conversations or preparation of written  
13 correspondence;

14 (B) In-person lobbying on behalf of an agency of no more than four  
15 days or parts thereof during any three-month period by officers or  
16 employees of that agency and in-person lobbying by any elected official  
17 of such agency on behalf of such agency or in connection with the  
18 powers, duties, or compensation of such official: PROVIDED, That the  
19 total expenditures of nonpublic funds made in connection with such  
20 lobbying for or on behalf of any one or more members of the legislature  
21 or state elected officials or public officers or employees of the state  
22 of Washington do not exceed fifteen dollars for any three-month period:  
23 PROVIDED FURTHER, That the exemption under this subsection is in  
24 addition to the exemption provided in (A) of this subsection;

25 (C) Preparation or adoption of policy positions.

26 The statements shall be in the form and the manner prescribed by  
27 the commission and shall be filed within one month after the end of the  
28 quarter covered by the report.

29 (6) In lieu of reporting under subsection (5) of this section any  
30 county, city, town, municipal corporation, quasi municipal corporation,  
31 or special purpose district may determine and so notify the public  
32 ((disclosure)) election commission, that elected officials, officers,  
33 or employees who on behalf of any such local agency engage in lobbying  
34 reportable under subsection (5) of this section shall register and  
35 report such reportable lobbying in the same manner as a lobbyist who is  
36 required to register and report under RCW 42.17.150 and 42.17.170.  
37 Each such local agency shall report as a lobbyist employer pursuant to  
38 RCW 42.17.180.

1 (7) The provisions of this section do not relieve any elected  
2 official or officer or employee of an agency from complying with other  
3 provisions of this chapter, if such elected official, officer, or  
4 employee is not otherwise exempted.

5 (8) The purpose of this section is to require each state agency and  
6 certain local agencies to report the identities of those persons who  
7 lobby on behalf of the agency for compensation, together with certain  
8 separately identifiable and measurable expenditures of an agency's  
9 funds for that purpose. This section shall be reasonably construed to  
10 accomplish that purpose and not to require any agency to report any of  
11 its general overhead cost or any other costs which relate only  
12 indirectly or incidentally to lobbying or which are equally  
13 attributable to or inseparable from nonlobbying activities of the  
14 agency.

15 The public ((disclosure)) election commission may adopt rules  
16 clarifying and implementing this legislative interpretation and policy.

17 **Sec. 11.** RCW 42.17.2401 and 1993 c 492 s 488 and 1993 c 281 s 43  
18 are each reenacted and amended to read as follows:

19 For the purposes of RCW 42.17.240, the term "executive state  
20 officer" includes:

21 (1) The chief administrative law judge, the director of  
22 agriculture, the administrator of the office of marine safety, the  
23 administrator of the Washington basic health plan, the director of the  
24 department of services for the blind, the director of the state system  
25 of community and technical colleges, the director of community  
26 development, the secretary of corrections, the director of ecology, the  
27 commissioner of employment security, the chairman of the energy  
28 facility site evaluation council, the director of the energy office,  
29 the secretary of the state finance committee, the director of financial  
30 management, the director of fisheries, the executive secretary of the  
31 forest practices appeals board, the director of the gambling  
32 commission, the director of general administration, the secretary of  
33 health, the administrator of the Washington state health care  
34 authority, the executive secretary of the health care facilities  
35 authority, the executive secretary of the higher education facilities  
36 authority, the executive secretary of the horse racing commission, the  
37 executive secretary of the human rights commission, the executive  
38 secretary of the indeterminate sentence review board, the director of

1 the department of information services, the director of the interagency  
2 committee for outdoor recreation, the executive director of the state  
3 investment board, the director of labor and industries, the director of  
4 licensing, the director of the lottery commission, the director of the  
5 office of minority and women's business enterprises, the director of  
6 parks and recreation, the director of personnel, the executive director  
7 of the public ((disclosure)) election commission, the director of  
8 retirement systems, the director of revenue, the secretary of social  
9 and health services, the chief of the Washington state patrol, the  
10 executive secretary of the board of tax appeals, the director of trade  
11 and economic development, the secretary of transportation, the  
12 secretary of the utilities and transportation commission, the director  
13 of veterans affairs, the director of wildlife, the president of each of  
14 the regional and state universities and the president of The Evergreen  
15 State College, each district and each campus president of each state  
16 community college;

17 (2) Each professional staff member of the office of the governor;

18 (3) Each professional staff member of the legislature; and

19 (4) Central Washington University board of trustees, board of  
20 trustees of each community college, each member of the state board for  
21 community and technical colleges, state convention and trade center  
22 board of directors, committee for deferred compensation, Eastern  
23 Washington University board of trustees, Washington economic  
24 development finance authority, The Evergreen State College board of  
25 trustees, forest practices appeals board, forest practices board,  
26 gambling commission, Washington health care facilities authority, each  
27 member of the Washington health services commission, higher education  
28 coordinating board, higher education facilities authority, horse racing  
29 commission, state housing finance commission, human rights commission,  
30 indeterminate sentence review board, board of industrial insurance  
31 appeals, information services board, interagency committee for outdoor  
32 recreation, state investment board, liquor control board, lottery  
33 commission, marine oversight board, oil and gas conservation committee,  
34 Pacific Northwest electric power and conservation planning council,  
35 parks and recreation commission, personnel appeals board, board of  
36 pilotage commissioners, pollution control hearings board, public  
37 ((disclosure)) election commission, public pension commission,  
38 shorelines hearing board, public employees' benefits board, board of  
39 tax appeals, transportation commission, University of Washington board

1 of regents, utilities and transportation commission, Washington state  
2 maritime commission, Washington personnel resources board, Washington  
3 public power supply system executive board, Washington State University  
4 board of regents, Western Washington University board of trustees, and  
5 wildlife commission.

6 **Sec. 12.** RCW 42.17.2401 and 1993 sp.s. c 2 s 18, 1993 c 492 s 488,  
7 and 1993 c 281 s 43 are each reenacted and amended to read as follows:

8 For the purposes of RCW 42.17.240, the term "executive state  
9 officer" includes:

10 (1) The chief administrative law judge, the director of  
11 agriculture, the administrator of the office of marine safety, the  
12 administrator of the Washington basic health plan, the director of the  
13 department of services for the blind, the director of the state system  
14 of community and technical colleges, the director of community, trade,  
15 and economic development, the secretary of corrections, the director of  
16 ecology, the commissioner of employment security, the chairman of the  
17 energy facility site evaluation council, the director of the energy  
18 office, the secretary of the state finance committee, the director of  
19 financial management, the director of fish and wildlife, the executive  
20 secretary of the forest practices appeals board, the director of the  
21 gambling commission, the director of general administration, the  
22 secretary of health, the administrator of the Washington state health  
23 care authority, the executive secretary of the health care facilities  
24 authority, the executive secretary of the higher education facilities  
25 authority, the executive secretary of the horse racing commission, the  
26 executive secretary of the human rights commission, the executive  
27 secretary of the indeterminate sentence review board, the director of  
28 the department of information services, the director of the interagency  
29 committee for outdoor recreation, the executive director of the state  
30 investment board, the director of labor and industries, the director of  
31 licensing, the director of the lottery commission, the director of the  
32 office of minority and women's business enterprises, the director of  
33 parks and recreation, the director of personnel, the executive director  
34 of the public ((~~disclosure~~)) election commission, the director of  
35 retirement systems, the director of revenue, the secretary of social  
36 and health services, the chief of the Washington state patrol, the  
37 executive secretary of the board of tax appeals, ((~~the director of~~  
38 ~~trade and economic development,~~)) the secretary of transportation, the

1 secretary of the utilities and transportation commission, the director  
2 of veterans affairs, the president of each of the regional and state  
3 universities and the president of The Evergreen State College, each  
4 district and each campus president of each state community college;

5 (2) Each professional staff member of the office of the governor;

6 (3) Each professional staff member of the legislature; and

7 (4) Central Washington University board of trustees, board of  
8 trustees of each community college, each member of the state board for  
9 community and technical colleges, state convention and trade center  
10 board of directors, committee for deferred compensation, Eastern  
11 Washington University board of trustees, Washington economic devel-  
12 opment finance authority, The Evergreen State College board of  
13 trustees, forest practices appeals board, forest practices board, gam-  
14 bling commission, Washington health care facilities authority, each  
15 member of the Washington health services commission, higher education  
16 coordinating board, higher education facilities authority, horse racing  
17 commission, state housing finance commission, human rights commission,  
18 indeterminate sentence review board, board of industrial insurance  
19 appeals, information services board, interagency committee for outdoor  
20 recreation, state investment board, liquor control board, lottery  
21 commission, marine oversight board, oil and gas conservation committee,  
22 Pacific Northwest electric power and conservation planning council,  
23 parks and recreation commission, personnel appeals board, board of  
24 pilotage commissioners, pollution control hearings board, public  
25 ((~~disclosure~~)) election commission, public pension commission, shore-  
26 lines hearing board, public employees' benefits board, board of tax  
27 appeals, transportation commission, University of Washington board of  
28 regents, utilities and transportation commission, Washington state  
29 maritime commission, Washington personnel resources board, Washington  
30 public power supply system executive board, Washington State University  
31 board of regents, Western Washington University board of trustees, and  
32 fish and wildlife commission.

33 **Sec. 13.** RCW 42.17.310 and 1993 c 360 s 2 and 1993 c 320 s 9 are  
34 each reenacted and amended to read as follows:

35 (1) The following are exempt from public inspection and copying:

36 (a) Personal information in any files maintained for students in  
37 public schools, patients or clients of public institutions or public  
38 health agencies, or welfare recipients.

1 (b) Personal information in files maintained for employees,  
2 appointees, or elected officials of any public agency to the extent  
3 that disclosure would violate their right to privacy.

4 (c) Information required of any taxpayer in connection with the  
5 assessment or collection of any tax if the disclosure of the  
6 information to other persons would (i) be prohibited to such persons by  
7 RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result  
8 in unfair competitive disadvantage to the taxpayer.

9 (d) Specific intelligence information and specific investigative  
10 records compiled by investigative, law enforcement, and penology  
11 agencies, and state agencies vested with the responsibility to  
12 discipline members of any profession, the nondisclosure of which is  
13 essential to effective law enforcement or for the protection of any  
14 person's right to privacy.

15 (e) Information revealing the identity of persons who are witnesses  
16 to or victims of crime or who file complaints with investigative, law  
17 enforcement, or penology agencies, other than the public ((disclosure))  
18 election commission, if disclosure would endanger any person's life,  
19 physical safety, or property. If at the time a complaint is filed the  
20 complainant, victim or witness indicates a desire for disclosure or  
21 nondisclosure, such desire shall govern. However, all complaints filed  
22 with the public ((disclosure)) election commission about any elected  
23 official or candidate for public office must be made in writing and  
24 signed by the complainant under oath.

25 (f) Test questions, scoring keys, and other examination data used  
26 to administer a license, employment, or academic examination.

27 (g) Except as provided by chapter 8.26 RCW, the contents of real  
28 estate appraisals, made for or by any agency relative to the  
29 acquisition or sale of property, until the project or prospective sale  
30 is abandoned or until such time as all of the property has been  
31 acquired or the property to which the sale appraisal relates is sold,  
32 but in no event shall disclosure be denied for more than three years  
33 after the appraisal.

34 (h) Valuable formulae, designs, drawings, and research data  
35 obtained by any agency within five years of the request for disclosure  
36 when disclosure would produce private gain and public loss.

37 (i) Preliminary drafts, notes, recommendations, and intra-agency  
38 memorandums in which opinions are expressed or policies formulated or

1 recommended except that a specific record shall not be exempt when  
2 publicly cited by an agency in connection with any agency action.

3 (j) Records which are relevant to a controversy to which an agency  
4 is a party but which records would not be available to another party  
5 under the rules of pretrial discovery for causes pending in the  
6 superior courts.

7 (k) Records, maps, or other information identifying the location of  
8 archaeological sites in order to avoid the looting or depredation of  
9 such sites.

10 (l) Any library record, the primary purpose of which is to maintain  
11 control of library materials, or to gain access to information, which  
12 discloses or could be used to disclose the identity of a library user.

13 (m) Financial information supplied by or on behalf of a person,  
14 firm, or corporation for the purpose of qualifying to submit a bid or  
15 proposal for (i) a ferry system construction or repair contract as  
16 required by RCW 47.60.680 through 47.60.750 or (ii) highway construc-  
17 tion or improvement as required by RCW 47.28.070.

18 (n) Railroad company contracts filed prior to July 28, 1991, with  
19 the utilities and transportation commission under RCW 81.34.070, except  
20 that the summaries of the contracts are open to public inspection and  
21 copying as otherwise provided by this chapter.

22 (o) Financial and commercial information and records supplied by  
23 private persons pertaining to export services provided pursuant to  
24 chapter 43.163 RCW and chapter 53.31 RCW.

25 (p) Financial disclosures filed by private vocational schools under  
26 chapter 28C.10 RCW.

27 (q) Records filed with the utilities and transportation commission  
28 or attorney general under RCW 80.04.095 that a court has determined are  
29 confidential under RCW 80.04.095.

30 (r) Financial and commercial information and records supplied by  
31 businesses during application for loans or program services provided by  
32 chapter 43.163 RCW and chapters 43.31, 43.63A, 43.160, and 43.168 RCW.

33 (s) Membership lists or lists of members or owners of interests of  
34 units in timeshare projects, subdivisions, camping resorts,  
35 condominiums, land developments, or common-interest communities  
36 affiliated with such projects, regulated by the department of  
37 licensing, in the files or possession of the department.

1 (t) All applications for public employment, including the names of  
2 applicants, resumes, and other related materials submitted with respect  
3 to an applicant.

4 (u) The residential addresses and residential telephone numbers of  
5 employees or volunteers of a public agency which are held by the agency  
6 in personnel records, employment or volunteer rosters, or mailing lists  
7 of employees or volunteers.

8 (v) The residential addresses and residential telephone numbers of  
9 the customers of a public utility contained in the records or lists  
10 held by the public utility of which they are customers.

11 (w)(i) The federal social security number of individuals governed  
12 under chapter 18.130 RCW maintained in the files of the department of  
13 health, except this exemption does not apply to requests made directly  
14 to the department from federal, state, and local agencies of  
15 government, and national and state licensing, credentialing,  
16 investigatory, disciplinary, and examination organizations; (ii) the  
17 current residential address and current residential telephone number of  
18 a health care provider governed under chapter 18.130 RCW maintained in  
19 the files of the department, if the provider requests that this  
20 information be withheld from public inspection and copying, and  
21 provides to the department an accurate alternate or business address  
22 and business telephone number. On or after January 1, 1995, the  
23 current residential address and residential telephone number of a  
24 health care provider governed under RCW 18.130.140 maintained in the  
25 files of the department shall automatically be withheld from public  
26 inspection and copying if the provider has provided the department with  
27 an accurate alternative or business address and telephone number.

28 (x) Information obtained by the board of pharmacy as provided in  
29 RCW 69.45.090.

30 (y) Information obtained by the board of pharmacy or the department  
31 of health and its representatives as provided in RCW 69.41.044,  
32 69.41.280, and 18.64.420.

33 (z) Financial information, business plans, examination reports, and  
34 any information produced or obtained in evaluating or examining a  
35 business and industrial development corporation organized or seeking  
36 certification under chapter 31.24 RCW.

37 (aa) Financial and commercial information supplied to the state  
38 investment board by any person when the information relates to the  
39 investment of public trust or retirement funds and when disclosure

1 would result in loss to such funds or in private loss to the providers  
2 of this information.

3 (bb) Financial and valuable trade information under RCW 51.36.120.

4 (cc) Client records maintained by an agency that is a domestic  
5 violence program as defined in RCW 70.123.020 or a rape crisis center  
6 as defined in RCW 70.125.030.

7 (dd) Information that identifies a person who, while an agency  
8 employee: (i) Seeks advice, under an informal process established by  
9 the employing agency, in order to ascertain his or her rights in  
10 connection with a possible unfair practice under chapter 49.60 RCW  
11 against the person; and (ii) requests his or her identity or any  
12 identifying information not be disclosed.

13 (ee) Business related information protected from public inspection  
14 and copying under RCW 15.86.110.

15 (2) Except for information described in subsection (1)(c)(i) of  
16 this section and confidential income data exempted from public  
17 inspection pursuant to RCW 84.40.020, the exemptions of this section  
18 are inapplicable to the extent that information, the disclosure of  
19 which would violate personal privacy or vital governmental interests,  
20 can be deleted from the specific records sought. No exemption may be  
21 construed to permit the nondisclosure of statistical information not  
22 descriptive of any readily identifiable person or persons.

23 (3) Inspection or copying of any specific records exempt under the  
24 provisions of this section may be permitted if the superior court in  
25 the county in which the record is maintained finds, after a hearing  
26 with notice thereof to every person in interest and the agency, that  
27 the exemption of such records is clearly unnecessary to protect any  
28 individual's right of privacy or any vital governmental function.

29 (4) Agency responses refusing, in whole or in part, inspection of  
30 any public record shall include a statement of the specific exemption  
31 authorizing the withholding of the record (or part) and a brief  
32 explanation of how the exemption applies to the record withheld.

33 **Sec. 14.** RCW 42.17.310 and 1993 c 360 s 2, 1993 c 320 s 9, and  
34 1993 c 280 s 35 are each reenacted and amended to read as follows:

35 (1) The following are exempt from public inspection and copying:

36 (a) Personal information in any files maintained for students in  
37 public schools, patients or clients of public institutions or public  
38 health agencies, or welfare recipients.

1 (b) Personal information in files maintained for employees,  
2 appointees, or elected officials of any public agency to the extent  
3 that disclosure would violate their right to privacy.

4 (c) Information required of any taxpayer in connection with the  
5 assessment or collection of any tax if the disclosure of the  
6 information to other persons would (i) be prohibited to such persons by  
7 RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result  
8 in unfair competitive disadvantage to the taxpayer.

9 (d) Specific intelligence information and specific investigative  
10 records compiled by investigative, law enforcement, and penology  
11 agencies, and state agencies vested with the responsibility to  
12 discipline members of any profession, the nondisclosure of which is  
13 essential to effective law enforcement or for the protection of any  
14 person's right to privacy.

15 (e) Information revealing the identity of persons who are witnesses  
16 to or victims of crime or who file complaints with investigative, law  
17 enforcement, or penology agencies, other than the public ((disclosure))  
18 election commission, if disclosure would endanger any person's life,  
19 physical safety, or property. If at the time a complaint is filed the  
20 complainant, victim or witness indicates a desire for disclosure or  
21 nondisclosure, such desire shall govern. However, all complaints filed  
22 with the public ((disclosure)) election commission about any elected  
23 official or candidate for public office must be made in writing and  
24 signed by the complainant under oath.

25 (f) Test questions, scoring keys, and other examination data used  
26 to administer a license, employment, or academic examination.

27 (g) Except as provided by chapter 8.26 RCW, the contents of real  
28 estate appraisals, made for or by any agency relative to the  
29 acquisition or sale of property, until the project or prospective sale  
30 is abandoned or until such time as all of the property has been  
31 acquired or the property to which the sale appraisal relates is sold,  
32 but in no event shall disclosure be denied for more than three years  
33 after the appraisal.

34 (h) Valuable formulae, designs, drawings, and research data  
35 obtained by any agency within five years of the request for disclosure  
36 when disclosure would produce private gain and public loss.

37 (i) Preliminary drafts, notes, recommendations, and intra-agency  
38 memorandums in which opinions are expressed or policies formulated or

1 recommended except that a specific record shall not be exempt when  
2 publicly cited by an agency in connection with any agency action.

3 (j) Records which are relevant to a controversy to which an agency  
4 is a party but which records would not be available to another party  
5 under the rules of pretrial discovery for causes pending in the  
6 superior courts.

7 (k) Records, maps, or other information identifying the location of  
8 archaeological sites in order to avoid the looting or depredation of  
9 such sites.

10 (l) Any library record, the primary purpose of which is to maintain  
11 control of library materials, or to gain access to information, which  
12 discloses or could be used to disclose the identity of a library user.

13 (m) Financial information supplied by or on behalf of a person,  
14 firm, or corporation for the purpose of qualifying to submit a bid or  
15 proposal for (i) a ferry system construction or repair contract as  
16 required by RCW 47.60.680 through 47.60.750 or (ii) highway  
17 construction or improvement as required by RCW 47.28.070.

18 (n) Railroad company contracts filed prior to July 28, 1991, with  
19 the utilities and transportation commission under RCW 81.34.070, except  
20 that the summaries of the contracts are open to public inspection and  
21 copying as otherwise provided by this chapter.

22 (o) Financial and commercial information and records supplied by  
23 private persons pertaining to export services provided pursuant to  
24 chapter 43.163 RCW and chapter 53.31 RCW.

25 (p) Financial disclosures filed by private vocational schools under  
26 chapter 28C.10 RCW.

27 (q) Records filed with the utilities and transportation commission  
28 or attorney general under RCW 80.04.095 that a court has determined are  
29 confidential under RCW 80.04.095.

30 (r) Financial and commercial information and records supplied by  
31 businesses during application for loans or program services provided by  
32 chapters 43.163, 43.160, 43.330, and 43.168 RCW.

33 (s) Membership lists or lists of members or owners of interests of  
34 units in timeshare projects, subdivisions, camping resorts,  
35 condominiums, land developments, or common-interest communities  
36 affiliated with such projects, regulated by the department of  
37 licensing, in the files or possession of the department.

1 (t) All applications for public employment, including the names of  
2 applicants, resumes, and other related materials submitted with respect  
3 to an applicant.

4 (u) The residential addresses and residential telephone numbers of  
5 employees or volunteers of a public agency which are held by the agency  
6 in personnel records, employment or volunteer rosters, or mailing lists  
7 of employees or volunteers.

8 (v) The residential addresses and residential telephone numbers of  
9 the customers of a public utility contained in the records or lists  
10 held by the public utility of which they are customers.

11 (w)(i) The federal social security number of individuals governed  
12 under chapter 18.130 RCW maintained in the files of the department of  
13 health, except this exemption does not apply to requests made directly  
14 to the department from federal, state, and local agencies of  
15 government, and national and state licensing, credentialing,  
16 investigatory, disciplinary, and examination organizations; (ii) the  
17 current residential address and current residential telephone number of  
18 a health care provider governed under chapter 18.130 RCW maintained in  
19 the files of the department, if the provider requests that this  
20 information be withheld from public inspection and copying, and  
21 provides to the department an accurate alternate or business address  
22 and business telephone number. On or after January 1, 1995, the  
23 current residential address and residential telephone number of a  
24 health care provider governed under RCW 18.130.140 maintained in the  
25 files of the department shall automatically be withheld from public  
26 inspection and copying if the provider has provided the department with  
27 an accurate alternative or business address and telephone number.

28 (x) Information obtained by the board of pharmacy as provided in  
29 RCW 69.45.090.

30 (y) Information obtained by the board of pharmacy or the department  
31 of health and its representatives as provided in RCW 69.41.044,  
32 69.41.280, and 18.64.420.

33 (z) Financial information, business plans, examination reports, and  
34 any information produced or obtained in evaluating or examining a  
35 business and industrial development corporation organized or seeking  
36 certification under chapter 31.24 RCW.

37 (aa) Financial and commercial information supplied to the state  
38 investment board by any person when the information relates to the  
39 investment of public trust or retirement funds and when disclosure

1 would result in loss to such funds or in private loss to the providers  
2 of this information.

3 (bb) Financial and valuable trade information under RCW 51.36.120.

4 (cc) Client records maintained by an agency that is a domestic  
5 violence program as defined in RCW 70.123.020 or a rape crisis center  
6 as defined in RCW 70.125.030.

7 (dd) Information that identifies a person who, while an agency  
8 employee: (i) Seeks advice, under an informal process established by  
9 the employing agency, in order to ascertain his or her rights in  
10 connection with a possible unfair practice under chapter 49.60 RCW  
11 against the person; and (ii) requests his or her identity or any  
12 identifying information not be disclosed.

13 (ee) Business related information protected from public inspection  
14 and copying under RCW 15.86.110.

15 (2) Except for information described in subsection (1)(c)(i) of  
16 this section and confidential income data exempted from public  
17 inspection pursuant to RCW 84.40.020, the exemptions of this section  
18 are inapplicable to the extent that information, the disclosure of  
19 which would violate personal privacy or vital governmental interests,  
20 can be deleted from the specific records sought. No exemption may be  
21 construed to permit the nondisclosure of statistical information not  
22 descriptive of any readily identifiable person or persons.

23 (3) Inspection or copying of any specific records exempt under the  
24 provisions of this section may be permitted if the superior court in  
25 the county in which the record is maintained finds, after a hearing  
26 with notice thereof to every person in interest and the agency, that  
27 the exemption of such records is clearly unnecessary to protect any  
28 individual's right of privacy or any vital governmental function.

29 (4) Agency responses refusing, in whole or in part, inspection of  
30 any public record shall include a statement of the specific exemption  
31 authorizing the withholding of the record (or part) and a brief  
32 explanation of how the exemption applies to the record withheld.

33 **Sec. 15.** RCW 42.17.510 and 1993 c 2 s 22 (Initiative Measure No.  
34 134, approved November 3, 1992) are each amended to read as follows:

35 (1) All written political advertising, whether relating to  
36 candidates or ballot propositions, shall include the sponsor's name and  
37 address. All radio and television political advertising, whether  
38 relating to candidates or ballot propositions, shall include the

1 sponsor's name. The use of an assumed name shall be unlawful. The  
2 party with which a candidate files shall be clearly identified in  
3 political advertising for partisan office.

4 (2) In addition to the materials required by subsection (1) of this  
5 section, all political advertising undertaken as an independent  
6 expenditure by a person or entity other than a party organization must  
7 include the following statement on the communication "NOTICE TO VOTERS  
8 (Required by law): This advertisement is not authorized or approved by  
9 any candidate. It is paid for by (name, address, city, state)." If  
10 the advertisement is undertaken by a nonindividual, then the following  
11 notation must also be included: "Top Five Contributors," followed by  
12 a listing of the names of the five persons or entities making the  
13 largest contributions reportable under this chapter during the twelve-  
14 month period before the date of the advertisement.

15 (3) The statements and listings of contributors required by  
16 subsections (1) and (2) of this section shall:

17 (a) Appear on each page or fold of the written communication in at  
18 least ten-point type, or in type at least ten percent of the largest  
19 size type used in a written communication directed at more than one  
20 voter, such as a billboard or poster, whichever is larger;

21 (b) Not be subject to the half-tone or screening process;

22 (c) Be in a printed or drawn box set apart from any other printed  
23 matter; and

24 (d) Be clearly spoken on any broadcast advertisement.

25 (4) Political yard signs are exempt from the requirement of  
26 subsections (1) and (2) of this section that the name and address of  
27 the sponsor of political advertising be listed on the advertising. In  
28 addition, the public ((disclosure)) election commission shall, by rule,  
29 exempt from the identification requirements of subsections (1) and (2)  
30 of this section forms of political advertising such as campaign  
31 buttons, balloons, pens, pencils, sky-writing, inscriptions, and other  
32 forms of advertising where identification is impractical.

33 (5) For the purposes of this section, "yard sign" means any outdoor  
34 sign with dimensions no greater than eight feet by four feet.

35 **Sec. 16.** RCW 43.03.028 and 1993 c 281 s 45 and 1993 c 101 s 14 are  
36 each reenacted and amended to read as follows:

37 (1) There is hereby created a state committee on agency officials'  
38 salaries to consist of seven members, or their designees, as follows:

1 The president of the University of Puget Sound; the chairperson of the  
2 council of presidents of the state's four-year institutions of higher  
3 education; the chairperson of the Washington personnel resources board;  
4 the president of the Association of Washington Business; the president  
5 of the Pacific Northwest Personnel Managers' Association; the president  
6 of the Washington State Bar Association; and the president of the  
7 Washington State Labor Council. If any of the titles or positions  
8 mentioned in this subsection are changed or abolished, any person  
9 occupying an equivalent or like position shall be qualified for  
10 appointment by the governor to membership upon the committee.

11 (2) The committee shall study the duties and salaries of the  
12 directors of the several departments and the members of the several  
13 boards and commissions of state government, who are subject to  
14 appointment by the governor or whose salaries are fixed by the  
15 governor, and of the chief executive officers of the following agencies  
16 of state government:

17 The arts commission; the human rights commission; the board of  
18 accountancy; the board of pharmacy; the eastern Washington historical  
19 society; the Washington state historical society; the interagency  
20 committee for outdoor recreation; the criminal justice training  
21 commission; the department of personnel; the state finance committee;  
22 the state library; the traffic safety commission; the horse racing  
23 commission; the advisory council on vocational education; the public  
24 ((~~disclosure~~)) election commission; the state conservation commission;  
25 the commission on Hispanic affairs; the commission on Asian-American  
26 affairs; the state board for volunteer fire fighters; the  
27 transportation improvement board; the public employment relations  
28 commission; the forest practices appeals board; and the energy  
29 facilities site evaluation council.

30 The committee shall report to the governor or the chairperson of  
31 the appropriate salary fixing authority at least once in each fiscal  
32 biennium on such date as the governor may designate, but not later than  
33 seventy-five days prior to the convening of each regular session of the  
34 legislature during an odd-numbered year, its recommendations for the  
35 salaries to be fixed for each position.

36 (3) Committee members shall be reimbursed by the department of  
37 personnel for travel expenses under RCW 43.03.050 and 43.03.060.

1       **Sec. 17.** RCW 44.05.020 and 1983 c 16 s 2 are each amended to read  
2 as follows:

3       The definitions set forth in this section apply throughout this  
4 chapter, unless the context requires otherwise.

5       (1) "Chief election officer" means the secretary of state.

6       (2) "Federal census" means the decennial census required by federal  
7 law to be prepared by the United States bureau of the census in each  
8 year ending in zero.

9       (3) "Lobbyist" means an individual required to register with the  
10 Washington public ((disclosure)) election commission pursuant to RCW  
11 42.17.150.

12       (4) "Plan" means a plan for legislative and congressional  
13 redistricting mandated by Article II, section 43 of the state  
14 Constitution.

15       NEW SECTION. **Sec. 18.** Sections 11 and 13 of this act shall expire  
16 June 30, 1994.

17       NEW SECTION. **Sec. 19.** Sections 12 and 14 of this act shall take  
18 effect July 1, 1994.

--- END ---