

HOUSE BILL REPORT

EHB 1271

As Passed House:

March 14, 1995

Title: An act relating to public agency lobbyists.

Brief Description: Regulating public agency lobbyists.

Sponsors: Representatives Morris, Blanton, Grant, Schoesler, Sheldon, Sherstad, Quall, Carlson, Hatfield, Mulliken, Elliot, Stevens, McMorris, Backlund, Johnson, Talcott, Kremen and Radcliff.

Brief History:

Committee Activity:

Government Operations: 2/7/95, 2/24/95 [DP].

Floor Activity:

Passed House: 3/14/95, 70-28.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass. Signed by 9 members: Representatives Reams, Chairman; Goldsmith, Vice Chairman; L. Thomas, Vice Chairman; Hargrove; Honeyford; Hymes; Mulliken; D. Schmidt and Van Luven.

Minority Report: Do not pass. Signed by 6 members: Representatives Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Chopp; R. Fisher; Sommers and Wolfe.

Staff: Steve Lundin (786-7127).

Background:

1. Registering and reporting of lobbying activities.

The Public Disclosure Act requires various persons to register as lobbyists and to file periodic reports of their lobbying activities to influence the passage or defeat of any matters by the state Legislature or the adoption or rejection of any rule, standard, or rate by any state agency under the Administrative Procedures Act. In addition, various groups are required to register as grass roots lobbying campaigns and to file periodic reports of their activities.

Among others, the following persons are exempt from registering and filing periodic reports of their lobbying activities:

- o Persons who limit their activities to appearing before public sessions of legislative committees or public hearings of state agencies.
- o Persons who lobby without compensation or consideration, if no expenditures are made for or on the behalf of legislators, elected officials, or public officers or employees.
- o Persons who restrict their lobbying to no more than four days during any three-month period and whose total expenditures for or on behalf of legislators, state-elected officials or public officers or employees does not exceed \$25.

State agencies and local governments are required to make quarterly reports of their lobbying activities. Public employees or officials who restrict their lobbying to no more than four days in any three-month period, and elected officials who do "in person lobbying," are not required to report these activities if the total expenditures of "nonpublic funds" for any lobbying purpose does not exceed \$15 during a three-month period.

2. Restrictions on expenditure of public funds for lobbying.

Public funds may not be used directly or indirectly for lobbying purposes. However, officers and employees may communicate with a legislator on the request of that legislator and, through proper channels, may communicate requests for legislative action or appropriations necessary for the efficient conduct of public business or in the proper performance of their official duties.

3. Biennial and supplemental state agency budget requests.

State law prescribes the contents of supplemental and biennial budget requests that are prepared by the Office of Financial Management.

Summary of Bill: Persons who lobby on behalf of a state agency or local government, and restrict their lobbying to no more than four days during any three-month period, would have to file as lobbyists and report their lobbying activities. However, persons who lobby whose expenses are paid out of student services and facilities fees do not have to file as lobbyists and report their lobbying activities.

State agencies and local governments are required to report lobbying activities on a monthly basis rather than a quarterly basis. The reporting requirements apply to both employees of the agency or local government and contract lobbyist for the agency or local government.

The ability of state agencies and local governments to communicate with the legislature regarding legislation or appropriations is limited so that, instead of any number of persons from a state agency or local government being able to make such communications, only the head of a state agency or local government, or one designated person from the agency or local government, may make such communications.

Each budget document that is prepared by the Office of Financial Management must identify all full time equivalent employ positions and expenditures for lobbying purposes.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: There are swarms of paid government lobbyists. State agencies should not use public money to lobby. Let them abide by the same rules we do.

Testimony Against: This will keep local governments from having a voice. Public agencies have a responsibility to act for citizens. Universities have large budgets appropriated by the Legislature. We need to communicate.

Testified: Representative Betty Sue Morris, prime sponsor; Doug DeForest, Olympia/Thurston Chamber of Commerce; Carol Monohan, Association of Washington Business; Gary Smith, Independent Business Association; Carolyn Logue, NFIB; Susan Hahs, citizen; Jim Justin, Association of Washington Cities; Mike Weight and Doug Levy, city of Everett; and Bob Edie, University of Washington.