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SENATE BILL 5576

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State of Washington

54th Legislature

1995 Regular Session

By Senator Drew; by request of Governor Lowry

Read first time 01/26/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to fair campaign practices; amending RCW 42.17.020,  
2 42.17.130, 42.17.190, 42.17.240, 42.17.241, 42.17.350, 42.17.405,  
3 42.17.410, 42.17.660, 42.17.720, 42.17.740, 42.17.750, 42.17.770,  
4 42.17.780, 42.17.790, 42.17.100, 42.17.125, 42.17.510, 42.17.090,  
5 42.17.105, 42.17.640, 42.17.128, 42.17.510, 29.85.060, 43.290.020,  
6 42.17.710, 42.17.395, 42.17.095, 42.17.160, 42.17.170, 42.17.132,  
7 43.07.310, 29.80.010, 29.80.020, 29.81.010, 29.80.040, and 29.80.090;  
8 adding new sections to chapter 42.17 RCW; creating new sections; and  
9 repealing RCW 42.17.021, 42.17.2415, and 42.17.630.

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

11 **CAMPAIGN PRACTICES**

12 **Sec. 1.** RCW 42.17.020 and 1992 c 139 s 1 are each amended to read  
13 as follows:

14 DEFINITIONS. (1) "Agency" includes all state agencies and all  
15 local agencies. "State agency" includes every state office,  
16 department, division, bureau, board, commission, or other state agency.  
17 "Local agency" includes every county, city, town, municipal  
18 corporation, quasi-municipal corporation, or special purpose district,

1 or any office, department, division, bureau, board, commission, or  
2 agency thereof, or other local public agency.

3 (2) "Ballot proposition" means any "measure" as defined by RCW  
4 29.01.110, or any initiative, recall, or referendum proposition  
5 proposed to be submitted to the voters of the state or any municipal  
6 corporation, political subdivision, or other voting constituency from  
7 and after the time when the proposition has been initially filed with  
8 the appropriate election officer of that constituency prior to its  
9 circulation for signatures.

10 (3) "Bona fide political party" means:

11 (a) An organization that has filed a valid certificate of  
12 nomination with the secretary of state under chapter 29.24 RCW; or

13 (b) The governing body of the state organization of a major  
14 political party, as defined in RCW 29.01.090, which is the body  
15 authorized by the charter or bylaws of the party to exercise authority  
16 on behalf of the state party; or

17 (c) The county central committee or legislative district committee  
18 of a major political party. There may be only one legislative district  
19 committee for each party in each legislative district.

20 (4) "Caucus of the state legislature" means the caucus of members  
21 of a major political party in the state house of representatives or in  
22 the state senate.

23 (5) "Depository" means a bank designated by a candidate or  
24 political committee pursuant to RCW 42.17.050.

25 ~~((4))~~ (6) "Treasurer" and "deputy treasurer" mean the individuals  
26 appointed by a candidate or political committee, pursuant to RCW  
27 42.17.050, to perform the duties specified in that section.

28 ~~((5))~~ (7) "Candidate" means ~~((any individual who seeks election~~  
29 ~~to public office. An individual shall be deemed to seek election when~~  
30 ~~he first:~~

31 ~~(a) Receives contributions or makes expenditures or reserves space~~  
32 ~~or facilities with intent to promote his candidacy for office; or~~

33 ~~(b) Announces publicly or files for office))~~ an individual seeking  
34 nomination for election or seeking election to an office. An  
35 individual is deemed to be seeking nomination for election or seeking  
36 election when the individual first:

37 (a) Announces publicly or files for the office;

38 (b) Purchases commercial advertising space or broadcast time to  
39 promote his or her candidacy;

1 (c) Receives contributions or makes expenditures for facilities  
2 with intent to promote his or her candidacy for the office; or

3 (d) Gives his or her consent to another person to take on behalf of  
4 the individual any of the actions in (b) or (c) of this subsection.

5 ~~((+6))~~ (8) "Commercial advertiser" means any person who sells the  
6 service of communicating messages or producing printed material for  
7 broadcast or distribution to the general public or segments of the  
8 general public whether through the use of newspapers, magazines,  
9 television and radio stations, billboard companies, direct mail  
10 advertising companies, printing companies, or otherwise.

11 ~~((+7))~~ (9) "Commission" means the agency established under RCW  
12 42.17.350.

13 ~~((+8))~~ (10) "Compensation" unless the context requires a narrower  
14 meaning, includes payment in any form for real or personal property or  
15 services of any kind: PROVIDED, That for the purpose of compliance  
16 with RCW 42.17.241, the term "compensation" shall not include per diem  
17 allowances or other payments made by a governmental entity to reimburse  
18 a public official for expenses incurred while the official is engaged  
19 in the official business of the governmental entity.

20 ~~((+9))~~ (11) "Continuing political committee" means a political  
21 committee that is an organization of continuing existence not  
22 established in anticipation of any particular election campaign.

23 ~~((+10))~~ (12) "Contract lobbyist" is a person, other than a regular  
24 employee of a lobbyist employer, who independently contracts for  
25 economic consideration for the purpose of lobbying.

26 (13)(a) "Contribution" includes a loan, gift, deposit,  
27 subscription, forgiveness of indebtedness, donation, advance, pledge,  
28 payment, transfer of funds between political committees, or transfer of  
29 anything of value, including personal and professional services for  
30 less than full consideration(~~(, but does not include interest on moneys~~  
31 ~~deposited in a political committee's account, ordinary home hospitality~~  
32 ~~and the rendering of personal services of the sort commonly performed~~  
33 ~~by volunteer campaign workers, or incidental expenses personally~~  
34 ~~incurred by volunteer campaign workers not in excess of fifty dollars~~  
35 ~~personally paid for by the worker. Volunteer services, for the~~  
36 ~~purposes of this chapter, means services or labor for which the~~  
37 ~~individual is not compensated by any person. For the purposes of this~~  
38 ~~chapter, contributions other than money or its equivalents shall be~~  
39 ~~deemed to have a money value equivalent to the fair market value of the~~

1 contribution.— Sums paid for tickets to fund raising events such as  
2 dinners and parties are contributions; however, the amount of any such  
3 contribution may be reduced for the purpose of complying with the  
4 reporting requirements of this chapter, by the actual cost of  
5 consumables furnished in connection with the purchase of the tickets,  
6 and only the excess over the actual cost of the consumables shall be  
7 deemed a contribution)).

8 ~~((11))~~ (b) Subject to further definition by the commission,  
9 "contribution" does not include the following:

10 (i) Interest on money deposited in a political committee's account;

11 (ii) Ordinary home hospitality;

12 (iii) A contribution received by a candidate or political committee  
13 that is returned to the contributor within five business days of the  
14 date on which it is received by the candidate or political committee;

15 (iv) An expenditure or contribution earmarked for voter  
16 registration, for absentee ballot information, for precinct caucuses,  
17 for get-out-the-vote campaigns, for precinct judges or inspectors, for  
18 sample ballots, or for ballot counting, all without promotion of or  
19 political advertising for individual candidates;

20 (v) A news item, feature, commentary, or editorial in a regularly  
21 scheduled news medium that is of primary interest to the general  
22 public, that is in a news medium controlled by a person whose primary  
23 business is that news medium, and that is not controlled by a candidate  
24 or political committee;

25 (vi) An expenditure by a political committee for its own internal  
26 organization or fund raising without direct association with individual  
27 candidates;

28 (vii) An internal political communication primarily limited to the  
29 contributors to a political party organization or political action  
30 committee, or the officers, management staff, and stockholders of a  
31 corporation or similar enterprise, or the members of a labor  
32 organization or other membership organization;

33 (viii) The rendering of personal services of the sort commonly  
34 performed by volunteer campaign workers, or incidental expenses  
35 personally incurred by volunteer campaign workers not in excess of  
36 fifty dollars personally paid for by the worker. "Volunteer services,"  
37 for the purposes of this section, means services or labor for which the  
38 individual is not compensated by any person and that are performed  
39 outside the individual's normal working hours; or

1        (ix) Legal or accounting services rendered to or on behalf of:

2        (A) A political party or political committee established by a  
3 caucus of the state legislature if the person paying for the services  
4 is the regular employer of the person rendering such services; or

5        (B) A candidate or an authorized committee if the person paying for  
6 the services is the regular employer of the individual rendering the  
7 services and if the services are solely for the purpose of ensuring  
8 compliance with state election or public disclosure laws.

9        (c) Contributions other than money or its equivalent are deemed to  
10 have a monetary value equivalent to the fair market value of the  
11 contribution.

12        (d) Sums paid for tickets to fund-raising events such as dinners  
13 and parties are contributions, except for the actual cost of the  
14 consumables furnished at the event.

15        (e) An expenditure made by a person in cooperation, consultation,  
16 or concert with, or at the request or suggestion of, a candidate, a  
17 political committee, or their agents, is considered to be a  
18 contribution to such candidate or political committee.

19        (f) The financing by a person of the dissemination, distribution,  
20 or republication, in whole or in part, of broadcast, written, graphic,  
21 or other form of political advertising prepared by a candidate, a  
22 political committee, or its authorized agent, is considered to be a  
23 contribution to the candidate or political committee.

24        (14) "Elected official" means any person elected at a general or  
25 special election to any public office, and any person appointed to fill  
26 a vacancy in any such office.

27        ~~((12))~~ (15) "Election" includes any primary, general, or special  
28 election for public office and any election in which a ballot  
29 proposition is submitted to the voters: PROVIDED, That an election in  
30 which the qualifications for voting include other than those  
31 requirements set forth in Article VI, section 1 (Amendment 63) of the  
32 Constitution of the state of Washington shall not be considered an  
33 election for purposes of this chapter.

34        ~~((13))~~ (16) "Election campaign" means any campaign in support of  
35 or in opposition to a candidate for election to public office and any  
36 campaign in support of, or in opposition to, a ballot proposition.

37        ~~((14))~~ (17) "Election cycle" means the period beginning on the  
38 first day of December after the date of the last previous general  
39 election for the office that the candidate seeks and ending on November

1 30th after the next election for the office. In the case of a special  
2 election to fill a vacancy in an office, "election cycle" means the  
3 period beginning on the day the vacancy occurs and ending on November  
4 30th after the special election.

5 (18) "Employee lobbyist" is a regular employee of a lobbyist  
6 employer who has lobbying as all or part of his or her regular duties  
7 for his or her lobbyist employer.

8 (19) "Expenditure" includes a payment, contribution, subscription,  
9 distribution, loan, advance, deposit, or gift of money or anything of  
10 value, and includes a contract, promise, or agreement, whether or not  
11 legally enforceable, to make an expenditure. The term "expenditure"  
12 also includes a promise to pay, a payment, or a transfer of anything of  
13 value in exchange for goods, services, property, facilities, or  
14 anything of value for the purpose of assisting, benefiting, or honoring  
15 any public official or candidate, or assisting in furthering or  
16 opposing any election campaign. For the purposes of this chapter,  
17 agreements to make expenditures, contracts, and promises to pay may be  
18 reported as estimated obligations until actual payment is made. The  
19 term "expenditure" shall not include the partial or complete repayment  
20 by a candidate or political committee of the principal of a loan, the  
21 receipt of which loan has been properly reported.

22 ((+15+)) (20) "Independent expenditure" means an "expenditure" as  
23 defined in this section that has each of the following elements:

24 (a) It is made in support of or in opposition to a candidate for  
25 office by a person who is not (i) a candidate for that office, (ii) an  
26 authorized committee of that candidate for that office, (iii) a person  
27 who has received the candidate's encouragement or approval to make the  
28 expenditure, if the expenditure pays in whole or in part for any  
29 political advertising supporting that candidate or promoting the defeat  
30 of any other candidate or candidates for that office, or (iv) a person  
31 with whom the candidate has collaborated for the purpose of making the  
32 expenditure, if the expenditure pays in whole or in part for any  
33 political advertising supporting that candidate or promoting the defeat  
34 of any other candidate or candidates for that office;

35 (b) The expenditure pays in whole or in part for any political  
36 advertising that either specifically names the candidate supported or  
37 opposed, or clearly and beyond any doubt identifies the candidate  
38 without using the candidate's name; and

1        (c) The expenditure, alone or in conjunction with another  
2 expenditure or other expenditures of the same person in support of or  
3 opposition to that candidate, has a value of five hundred dollars or  
4 more. A series of expenditures, each of which is under five hundred  
5 dollars, constitutes one independent expenditure if their cumulative  
6 value is five hundred dollars or more.

7        (21) "Final report" means the report described as a final report in  
8 RCW 42.17.080(2).

9        ~~((16))~~ (22) "Gift((7))" ((for the purposes of RCW 42.17.170 and  
10 42.17.2415, means a rendering of anything of value in return for which  
11 reasonable consideration is not given and received and includes a  
12 rendering of money, property, services, discount, loan forgiveness,  
13 payment of indebtedness, or reimbursements from or payments by persons  
14 (other than the federal government, or the state of Washington or any  
15 agency or political subdivision thereof) for travel or anything else of  
16 value. The term "reasonable consideration" refers to the approximate  
17 range of consideration that exists in transactions not involving  
18 donative intent. However, the value of the gift of partaking in a  
19 single hosted reception shall be determined by dividing the total  
20 amount of the cost of conducting the reception by the total number of  
21 persons partaking in the reception. "Gift" for the purposes of RCW  
22 42.17.170 and 42.17.2415 does not include:

23        (a) A gift, other than a gift of partaking in a hosted reception,  
24 with a value of fifty dollars or less;

25        (b) The gift of partaking in a hosted reception if the value of the  
26 gift is one hundred dollars or less;

27        (c) A contribution that is required to be reported under RCW  
28 42.17.090 or 42.17.243;

29        (d) Informational material that is transferred for the purpose of  
30 informing the recipient about matters pertaining to official business  
31 of the governmental entity of which the recipient is an official or  
32 officer, and that is not intended to confer on that recipient any  
33 commercial, proprietary, financial, economic, or monetary advantage, or  
34 the avoidance of any commercial, proprietary, financial, economic, or  
35 monetary disadvantage;

36        (e) A gift that is not used and that, within thirty days after  
37 receipt, is returned to the donor or delivered to a charitable  
38 organization. However, this exclusion from the definition does not  
39 apply if the recipient of the gift delivers the gift to a charitable

1 organization and claims the delivery as a charitable contribution for  
2 tax purposes;

3 (f) A gift given under circumstances where it is clear beyond any  
4 doubt that the gift was not made as part of any design to gain or  
5 maintain influence in the governmental entity of which the recipient is  
6 an officer or official or with respect to any legislative matter or  
7 matters of that governmental entity; or

8 (g) A gift given prior to September 29, 1991)) is as defined in RCW  
9 42.52.010. "Gift" does not include campaign contributions reported  
10 under this chapter.

11 ((~~(17)~~)) (23) "Immediate family" ((~~includes the spouse, dependent~~  
12 ~~children, and other dependent relatives, if living in the household~~))  
13 means a spouse, a child, stepchild, grandchild, parent, stepparent,  
14 grandparent, brother, half brother, sister, or half sister of the  
15 person and the spouse of such person and a child, stepchild,  
16 grandchild, parent, stepparent, grandparent, brother, half brother,  
17 sister, or half sister of the spouse and the spouse of such person.

18 ((~~(18)~~)) (24)(a) "Intermediary" means an individual who transmits  
19 a contribution to a candidate or committee from another person unless  
20 the contribution is from the individual's employer, immediate family,  
21 or an association to which the individual belongs.

22 (b) A treasurer or a candidate is not an intermediary for purpose  
23 of the committee that the treasurer or candidate serves.

24 (c) A professional fund raiser is not an intermediary if the fund  
25 raiser is compensated for fund-raising services at the usual and  
26 customary rate.

27 (d) A volunteer hosting a fund-raising event at the individual's  
28 home is not an intermediary for purposes of that event.

29 (25) "Legislation" means bills, resolutions, motions, amendments,  
30 nominations, and other matters pending or proposed in either house of  
31 the state legislature, and includes any other matter that may be the  
32 subject of action by either house or any committee of the legislature  
33 and all bills and resolutions that, having passed both houses, are  
34 pending approval by the governor.

35 ((~~(19)~~)) (26) "Lobby" and "lobbying" each mean attempting to  
36 influence the passage or defeat of any legislation by the legislature  
37 of the state of Washington, or the adoption or rejection of any rule,  
38 standard, rate, or other legislative enactment of any state agency  
39 under the state Administrative Procedure Act, chapter 34.05 RCW.



1 Neither "lobby" nor "lobbying" includes an association's or other  
2 organization's act of communicating with the members of that  
3 association or organization.

4 ~~((+20+))~~ (27) "Lobbyist" includes any person who lobbies either in  
5 his or her own or another's behalf and includes employee lobbyists and  
6 contract lobbyists.

7 ~~((+21+))~~ (28) "Lobbyist's employer" means the person or persons by  
8 whom a lobbyist is employed ~~((and all persons by whom he is compensated~~  
9 ~~for acting))~~ or authorized to act as a lobbyist.

10 ~~((+22+))~~ (29) "Person" includes an individual, partnership, joint  
11 venture, public or private corporation, association, federal, state, or  
12 local governmental entity or agency however constituted, candidate,  
13 committee, political committee, political party, executive committee  
14 thereof, or any other organization or group of persons, however  
15 organized.

16 ~~((+23+))~~ (30) "Person in interest" means the person who is the  
17 subject of a record or any representative designated by that person,  
18 except that if that person is under a legal disability, the term  
19 "person in interest" means and includes the parent or duly appointed  
20 legal representative.

21 ~~((+24+))~~ (31) "Political advertising" includes any advertising  
22 displays, newspaper ads, billboards, signs, brochures, articles,  
23 tabloids, flyers, letters, telemarketing, radio or television  
24 presentations, or other means of mass communication, used for the  
25 purpose of appealing, directly or indirectly, for votes or for  
26 financial or other support in any election campaign.

27 ~~((+25+))~~ (32) "Political committee" means any person (except a  
28 candidate or an individual dealing with his or her own funds or  
29 property) having the expectation of receiving contributions or making  
30 expenditures in support of, or opposition to, any candidate or any  
31 ballot proposition.

32 ~~((+26+))~~ (33) "Primary" means the procedure for nominating a  
33 candidate to state office under chapter 29.18 or 29.21 RCW or any other  
34 primary for an election which uses, in large measure, the procedures  
35 established in chapter 29.18 or 29.21 RCW.

36 (34) "Public office" means any federal, state, county, city, town,  
37 school district, port district, special district, or other state  
38 political subdivision elective office.



1       **Sec. 2.** RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended to  
2 read as follows:

3       USE OF PUBLIC RESOURCES FOR LOCAL GOVERNMENT POLITICAL CAMPAIGNS.  
4 No elective local government official nor any employee of his or her  
5 office nor any person appointed to or employed by any local government  
6 public office or agency may use or authorize the use of any of the  
7 facilities of a public office or agency, directly or indirectly, for  
8 the purpose of assisting a campaign for election of any person to any  
9 office or for the promotion of or opposition to any ballot proposition.  
10 Knowing acquiescence by a person with authority to direct, control, or  
11 influence the actions of the local government official or employee  
12 using public resources in violation of this section constitutes a  
13 violation of this section. Facilities of public office or agency  
14 include, but are not limited to, use of stationery, postage, machines,  
15 and equipment, use of employees of the office or agency during working  
16 hours, vehicles, office space, publications of the office or agency,  
17 and clientele lists of persons served by the office or agency(~~(+~~  
18 ~~PROVIDED, That~~)). ~~The ((foregoing))~~ provisions of this section shall  
19 not apply to the following activities:

20       (1) Action taken at an open public meeting by members of an elected  
21 local government legislative body to express a collective decision, or  
22 to actually vote upon a motion, proposal, resolution, order, or  
23 ordinance, or to support or oppose a ballot proposition so long as (a)  
24 any required notice of the meeting includes the title and number of the  
25 ballot proposition, and (b) members of the legislative body or members  
26 of the public are afforded an approximately equal opportunity for the  
27 expression of an opposing view;

28       (2) A statement by an elected local government official in support  
29 of or in opposition to any ballot proposition at an open press  
30 conference or in response to a specific inquiry. For the purposes of  
31 this subsection, it is not a violation of this section for an elected  
32 local government official to respond to an inquiry regarding a ballot  
33 proposition, to make incidental remarks concerning a ballot proposition  
34 in an official communication, or otherwise comment on a ballot  
35 proposition without an actual, measurable expenditure of public funds.  
36 Measurable expenditure has the meaning adopted by rule under RCW  
37 42.52.180;

38       (3) Activities which are part of the normal and regular conduct of  
39 the office or agency.

1       **Sec. 3.** RCW 42.17.190 and 1986 c 239 s 1 are each amended to read  
2 as follows:

3       USE OF FACILITIES. (1) (~~Every legislator and every committee of~~  
4 ~~the legislature shall file with the commission quarterly reports~~  
5 ~~listing the names, addresses, and salaries of all persons employed by~~  
6 ~~the person or committee making the filing for the purpose of aiding in~~  
7 ~~the preparation or enactment of legislation or the performance of~~  
8 ~~legislative duties of such legislator or committee during the preceding~~  
9 ~~quarter. The reports shall be made in the form and the manner~~  
10 ~~prescribed by the commission and shall be filed between the first and~~  
11 ~~tenth days of each calendar quarter: PROVIDED, That the information~~  
12 ~~required by this subsection may be supplied, insofar as it is~~  
13 ~~available, by the chief clerk of the house of representatives or by the~~  
14 ~~secretary of the senate on a form prepared by the commission.)) The  
15 house of representatives and the senate shall report annually: The  
16 total budget; the portion of the total attributed to staff; number of  
17 full-time and part-time positions occupied by nonpartisan staff, with  
18 dollar figures as well as number of positions; number of full-time and  
19 part-time positions occupied by partisan staff, by caucus, and the  
20 dollar figures attributed to those positions; and comparable figures  
21 for the preceding ten years.~~

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

32       (3) Any agency, not otherwise expressly authorized by law, may  
33 expend public funds for lobbying, but such lobbying activity shall be  
34 limited to (a) providing information or communicating on matters  
35 pertaining to official agency business to any elected official or  
36 officer or employee of any agency or (b) advocating the official  
37 position or interests of the agency to any elected official or officer  
38 or employee of any agency: PROVIDED, That public funds may not be  
39 expended as a direct or indirect gift or campaign contribution to any

1 elected official or officer or employee of any agency. ((For the  
2 purposes of this subsection, the term "gift" means a voluntary transfer  
3 of any thing of value without consideration of equal or greater value,  
4 but does not include informational material transferred for the sole  
5 purpose of informing the recipient about matters pertaining to official  
6 agency business:—PROVIDED FURTHER, That)) This section does not  
7 permit the printing of a state publication which has been otherwise  
8 prohibited by law.

9 (4) No elective official or any employee of his or her office or  
10 any person appointed to or employed by any public office or agency may  
11 use or authorize the use of any of the facilities of a public office or  
12 agency, directly or indirectly, in any effort to support or oppose an  
13 initiative to the legislature. "Facilities of a public office or  
14 agency" has the same meaning as in RCW 42.17.130 and 42.52.180. The  
15 provisions of this subsection shall not apply to the following  
16 activities:

17 (a) Action taken at an open public meeting by members of an elected  
18 legislative body to express a collective decision, or to actually vote  
19 upon a motion, proposal, resolution, order, or ordinance, or to support  
20 or oppose an initiative to the legislature so long as (i) any required  
21 notice of the meeting includes the title and number of the initiative  
22 to the legislature, and (ii) members of the legislative body or members  
23 of the public are afforded an approximately equal opportunity for the  
24 expression of an opposing view;

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

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

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

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

36 (b) The name, title, and job description and salary of each elected  
37 official, officer, or employee who lobbied, a general description of  
38 the nature of the lobbying, and the proportionate amount of time spent  
39 on the lobbying;

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

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

7 (i) Requests for appropriations by a state agency to the office of  
8 financial management pursuant to chapter 43.88 RCW nor requests by the  
9 office of financial management to the legislature for appropriations  
10 other than its own agency budget requests;

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

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

17 (iv) Requests, recommendations, or other communication between or  
18 within state agencies or between or within local agencies;

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

20 (A) Telephone conversations or preparation of written  
21 correspondence;

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

33 (C) Preparation or adoption of policy positions.

34 The statements shall be in the form and the manner prescribed by  
35 the commission and shall be filed within one month after the end of the  
36 quarter covered by the report.

37 (6) In lieu of reporting under subsection (5) of this section any  
38 county, city, town, municipal corporation, quasi municipal corporation,  
39 or special purpose district may determine and so notify the public

1 disclosure commission, that elected officials, officers, or employees  
2 who on behalf of any such local agency engage in lobbying reportable  
3 under subsection (5) of this section shall register and report such  
4 reportable lobbying in the same manner as a lobbyist who is required to  
5 register and report under RCW 42.17.150 and 42.17.170. Each such local  
6 agency shall report as a lobbyist employer pursuant to RCW 42.17.180.

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

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

21 The public disclosure commission may adopt rules clarifying and  
22 implementing this legislative interpretation and policy.

23 **Sec. 4.** RCW 42.17.240 and 1993 c 2 s 31 are each amended to read  
24 as follows:

25 USE OF PUBLIC RESOURCES--CERTIFICATION. (1) Every elected official  
26 and every executive state officer shall after January 1st and before  
27 April 15th of each year file with the commission a statement of  
28 financial affairs for the preceding calendar year. However, any local  
29 elected official whose term of office expires immediately after  
30 December 31st shall file the statement required to be filed by this  
31 section for the year that ended on that December 31st. ~~((In addition  
32 to and in conjunction with the statement of financial affairs, every  
33 official and officer shall file a statement describing any gifts  
34 received during the preceding calendar year.))~~

35 (2) Every candidate shall within two weeks of becoming a candidate  
36 file with the commission a statement of financial affairs for the  
37 preceding twelve months.

1 (3) Every person appointed to a vacancy in an elective office or  
2 executive state officer position shall within two weeks of being so  
3 appointed file with the commission a statement of financial affairs for  
4 the preceding twelve months.

5 (4) A statement of a candidate or appointee filed during the period  
6 from January 1st to April 15th shall cover the period from January 1st  
7 of the preceding calendar year to the time of candidacy or appointment  
8 if the filing of the statement would relieve the individual of a prior  
9 obligation to file a statement covering the entire preceding calendar  
10 year.

11 (5) No individual may be required to file more than once in any  
12 calendar year.

13 (6) Each statement of financial affairs filed under this section  
14 shall be sworn as to its truth and accuracy.

15 (7) Every elected official and every executive state officer shall  
16 file with their statement of financial affairs a statement certifying  
17 that they have read and are familiar with RCW 42.17.130 or 42.52.180,  
18 whichever is applicable.

19 (8) For the purposes of this section, the term "executive state  
20 officer" includes those listed in RCW 42.17.2401.

21 ((+8+)) (9) This section does not apply to incumbents or candidates  
22 for a federal office or the office of precinct committee officer.

23 **Sec. 5.** RCW 42.17.241 and 1984 c 34 s 3 are each amended to read  
24 as follows:

25 FINANCIAL AFFAIRS REPORT--GIFTS. (1) The statement of financial  
26 affairs required by RCW 42.17.240 shall disclose for the reporting  
27 individual and each member of his immediate family:

28 (a) Occupation, name of employer, and business address; and

29 (b) Each bank or savings account or insurance policy in which any  
30 such person or persons owned a direct financial interest that exceeded  
31 five thousand dollars at any time during the reporting period; each  
32 other item of intangible personal property in which any such person or  
33 persons owned a direct financial interest, the value of which exceeded  
34 five hundred dollars during the reporting period; the name, address,  
35 and nature of the entity; and the nature and highest value of each such  
36 direct financial interest during the reporting period; and

37 (c) The name and address of each creditor to whom the value of five  
38 hundred dollars or more was owed; the original amount of each debt to



1 each such creditor; the amount of each debt owed to each creditor as of  
2 the date of filing; the terms of repayment of each such debt; and the  
3 security given, if any, for each such debt: PROVIDED, That debts  
4 arising out of a "retail installment transaction" as defined in chapter  
5 63.14 RCW (Retail Installment Sales Act) need not be reported; and

6 (d) Every public or private office, directorship, and position held  
7 as trustee; and

8 (e) All persons for whom any legislation, rule, rate, or standard  
9 has been prepared, promoted, or opposed for current or deferred  
10 compensation: PROVIDED, That for the purposes of this subsection,  
11 "compensation" does not include payments made to the person reporting  
12 by the governmental entity for which such person serves as an elected  
13 official or state executive officer or professional staff member for  
14 his service in office; the description of such actual or proposed  
15 legislation, rules, rates, or standards; and the amount of current or  
16 deferred compensation paid or promised to be paid; and

17 (f) The name and address of each governmental entity, corporation,  
18 partnership, joint venture, sole proprietorship, association, union, or  
19 other business or commercial entity from whom compensation has been  
20 received in any form of a total value of five hundred dollars or more;  
21 the value of the compensation; and the consideration given or performed  
22 in exchange for the compensation; and

23 (g) The name of any corporation, partnership, joint venture,  
24 association, union, or other entity in which is held any office,  
25 directorship, or any general partnership interest, or an ownership  
26 interest of ten percent or more; the name or title of that office,  
27 directorship, or partnership; the nature of ownership interest; and  
28 with respect to each such entity: (i) With respect to a governmental  
29 unit in which the official seeks or holds any office or position, if  
30 the entity has received compensation in any form during the preceding  
31 twelve months from the governmental unit, the value of the compensation  
32 and the consideration given or performed in exchange for the  
33 compensation; (ii) the name of each governmental unit, corporation,  
34 partnership, joint venture, sole proprietorship, association, union, or  
35 other business or commercial entity from which the entity has received  
36 compensation in any form in the amount of two thousand five hundred  
37 dollars or more during the preceding twelve months and the  
38 consideration given or performed in exchange for the compensation:  
39 PROVIDED, That the term "compensation" for purposes of this subsection

1 (1)(g)(ii) does not include payment for water and other utility  
2 services at rates approved by the Washington state utilities and  
3 transportation commission or the legislative authority of the public  
4 entity providing the service: PROVIDED, FURTHER, That with respect to  
5 any bank or commercial lending institution in which is held any office,  
6 directorship, partnership interest, or ownership interest, it shall  
7 only be necessary to report either the name, address, and occupation of  
8 every director and officer of the bank or commercial lending  
9 institution and the average monthly balance of each account held during  
10 the preceding twelve months by the bank or commercial lending  
11 institution from the governmental entity for which the individual is an  
12 official or candidate or professional staff member, or all interest  
13 paid by a borrower on loans from and all interest paid to a depositor  
14 by the bank or commercial lending institution if the interest exceeds  
15 six hundred dollars; and

16 (h) A list, including legal or other sufficient descriptions as  
17 prescribed by the commission, of all real property in the state of  
18 Washington, the assessed valuation of which exceeds two thousand five  
19 hundred dollars in which any direct financial interest was acquired  
20 during the preceding calendar year, and a statement of the amount and  
21 nature of the financial interest and of the consideration given in  
22 exchange for that interest; and

23 (i) A list, including legal or other sufficient descriptions as  
24 prescribed by the commission, of all real property in the state of  
25 Washington, the assessed valuation of which exceeds two thousand five  
26 hundred dollars in which any direct financial interest was divested  
27 during the preceding calendar year, and a statement of the amount and  
28 nature of the consideration received in exchange for that interest, and  
29 the name and address of the person furnishing the consideration; and

30 (j) A list, including legal or other sufficient descriptions as  
31 prescribed by the commission, of all real property in the state of  
32 Washington, the assessed valuation of which exceeds two thousand five  
33 hundred dollars in which a direct financial interest was held:  
34 PROVIDED, That if a description of the property has been included in a  
35 report previously filed, the property may be listed, for purposes of  
36 this provision, by reference to the previously filed report; and

37 (k) A list, including legal or other sufficient descriptions as  
38 prescribed by the commission, of all real property in the state of  
39 Washington, the assessed valuation of which exceeds five thousand

1 dollars, in which a corporation, partnership, firm, enterprise, or  
2 other entity had a direct financial interest, in which corporation,  
3 partnership, firm, or enterprise a ten percent or greater ownership  
4 interest was held; and

5 (1)(i) A list of each item specified in RCW 42.52.010(9)(d) and (f)  
6 received from a nongovernmental entity during the preceding calendar  
7 year with a value in excess of fifty dollars. Each item shall be  
8 identified by date and donor; and

9 (ii) A list of each occasion in which food and beverage in excess  
10 of fifty dollars was accepted; and

11 (m) Such other information as the commission may deem necessary in  
12 order to properly carry out the purposes and policies of this chapter,  
13 as the commission shall prescribe by rule.

14 (2) Where an amount is required to be reported under subsection  
15 ~~(1)((, paragraphs))~~ (a) through ~~((+k))~~ (m) of this section, it shall  
16 be sufficient to comply with the requirement to report whether the  
17 amount is less than one thousand dollars, at least one thousand dollars  
18 but less than five thousand dollars, at least five thousand dollars but  
19 less than ten thousand dollars, at least ten thousand dollars but less  
20 than twenty-five thousand dollars, or twenty-five thousand dollars or  
21 more. An amount of stock may be reported by number of shares instead  
22 of by market value. No provision of this subsection may be interpreted  
23 to prevent any person from filing more information or more detailed  
24 information than required.

25 (3) Items of value given to an official's or employee's spouse or  
26 children are attributable to the official or employee, except the item  
27 is not attributable if an independent business, family, or social  
28 relationship exists between the donor and the spouse or child.

29 **PUBLIC DISCLOSURE COMMISSION--REPORTING**

30 **Sec. 6.** RCW 42.17.350 and 1984 c 287 s 74 are each amended to read  
31 as follows:

32 PUBLIC DISCLOSURE COMMISSION MEMBERSHIP INCREASED. There is hereby  
33 established a "public disclosure commission" which shall be composed of  
34 ~~((five))~~ seven members who shall be appointed by the governor, with the  
35 consent of the senate if confirmation is requested by the appropriate  
36 standing committee of the senate. The governor shall notify the  
37 secretary of the senate of the appointment. The appropriate standing

1 committee of the legislature must inform the governor within sixty days  
2 of the notice that the senate intends to proceed with the confirmation  
3 process. All appointees shall be persons of the highest integrity and  
4 qualifications. No more than three members shall have an  
5 identification with the same political party. The original members  
6 shall be appointed within sixty days after January 1, 1973. The term  
7 of each member shall be five years except that the ((original five  
8 members shall serve initial terms of one, two, three, four, and five))  
9 two new members appointed after the effective date of this act shall  
10 serve initial terms of two and four years, respectively, as designated  
11 by the governor. No member of the commission, during his or her  
12 tenure, shall (1) hold or campaign for elective office; (2) be an  
13 officer of any political party or political committee; (3) permit his  
14 or her name to be used, or make contributions, in support of or in  
15 opposition to any candidate or proposition; (4) participate in any way  
16 in any election campaign; or (5) lobby or employ or assist a lobbyist:  
17 PROVIDED, That a member or the staff of the commission may lobby to the  
18 limited extent permitted by RCW 42.17.190 on matters directly affecting  
19 this chapter. No member shall be eligible for appointment to more than  
20 ((one)) two full terms. A vacancy on the commission shall be filled by  
21 the governor within thirty days of the vacancy ((by the governor)),  
22 with the consent of the senate((, and)) if requested by the appropriate  
23 standing committee of the senate. The governor shall notify the  
24 secretary of the senate of the appointment. The appropriate standing  
25 committee of the legislature must inform the governor within sixty days  
26 of the notice that the senate intends to proceed with the confirmation  
27 process. The appointee shall serve for the remaining term of his or  
28 her predecessor. A vacancy shall not impair the powers of the  
29 remaining members to exercise all of the powers of the commission.  
30 ((Three)) Four members of the commission shall constitute a quorum.  
31 The commission shall elect its own ((chairman)) chair and adopt its own  
32 rules of procedure in the manner provided in chapter 34.05 RCW. Any  
33 member of the commission may be removed by the governor, but only upon  
34 grounds of neglect of duty or misconduct in office.

35 Members shall be compensated in accordance with RCW 43.03.250 and  
36 in addition shall be reimbursed for travel expenses incurred while  
37 engaged in the business of the commission as provided in RCW 43.03.050  
38 and 43.03.060. The compensation provided pursuant to this section

1 shall not be considered salary for purposes of the provisions of any  
2 retirement system created pursuant to the general laws of this state.

3 **Sec. 7.** RCW 42.17.405 and 1986 c 12 s 3 are each amended to read  
4 as follows:

5 APPLICATION OF REPORTING REQUIREMENTS SPECIAL DISTRICTS. (1)  
6 Except as provided in subsections (2) (~~and~~), (3), and (4) of this  
7 section, the reporting provisions of this chapter do not apply to  
8 candidates, elected officials, and agencies in political subdivisions  
9 with less than one thousand registered voters as of the date of the  
10 most recent general election in the jurisdiction, to political  
11 committees formed to support or oppose candidates or ballot  
12 propositions in such political subdivisions, or to persons making  
13 independent expenditures in support of or opposition to such ballot  
14 propositions.

15 (2) The reporting provisions of this chapter apply in any exempt  
16 political subdivision from which a "petition for disclosure" containing  
17 the valid signatures of fifteen percent of the number of registered  
18 voters, as of the date of the most recent general election in the  
19 political subdivision, is filed with the commission. The commission  
20 shall by rule prescribe the form of the petition. After the signatures  
21 are gathered, the petition shall be presented to the auditor or  
22 elections officer of the county, or counties, in which the political  
23 subdivision is located. The auditor or elections officer shall verify  
24 the signatures and certify to the commission that the petition contains  
25 no less than the required number of valid signatures. The commission,  
26 upon receipt of a valid petition, shall order every known affected  
27 person in the political subdivision to file the initially required  
28 statement and reports within fourteen days of the date of the order.

29 (3) The reporting provisions of this chapter apply in any exempt  
30 political subdivision that by ordinance, resolution, or other official  
31 action has petitioned the commission to make the provisions applicable  
32 to elected officials and candidates of the exempt political  
33 subdivision. A copy of the action shall be sent to the commission. If  
34 the commission finds the petition to be a valid action of the  
35 appropriate governing body or authority, the commission shall order  
36 every known affected person in the political subdivision to file the  
37 initially required statement and reports within fourteen days of the  
38 date of the order.

1       (4) The reporting provisions of RCW 42.17.240 apply to candidates,  
2 elected officials, and agencies in political subdivisions with less  
3 than one thousand registered voters as of the date of the most recent  
4 general election in the jurisdiction.

5       (5) The commission shall void any order issued by it pursuant to  
6 subsection (2) or (3) of this section when, at least four years after  
7 issuing the order, the commission is presented a petition or official  
8 action so requesting from the affected political subdivision. Such  
9 petition or official action shall meet the respective requirements of  
10 subsection (2) or (3) of this section.

11       (~~(5)~~) (6) Any petition for disclosure, ordinance, resolution, or  
12 official action of an agency petitioning the commission to void the  
13 exemption in RCW 42.17.030(3) shall not be considered unless it has  
14 been filed with the commission:

15       (a) In the case of a ballot measure, at least sixty days before the  
16 date of any election in which campaign finance reporting is to be  
17 required;

18       (b) In the case of a candidate, at least sixty days before the  
19 first day on which a person may file a declaration of candidacy for any  
20 election in which campaign finance reporting is to be required.

21       (~~(6)~~) (7) Any person exempted from reporting under this chapter  
22 may at his or her option file the statement and reports.

23       NEW SECTION. Sec. 8. A new section is added to chapter 42.17 RCW  
24 to read as follows:

25       FEE--PUBLIC DISCLOSURE EDUCATION. The commission shall collect  
26 from each candidate, committee, and lobbyist required to report or  
27 register under this chapter, once per campaign cycle, or in the case of  
28 a lobbyist, at registration, a fee, not to exceed fifty dollars, to be  
29 set by rule by the commission. All receipts collected under this  
30 section shall be deposited in the public disclosure education fund,  
31 hereby created in the custody of the state treasurer. Expenditures  
32 from the account may be used only to develop and support a campaign  
33 education program. Only the executive director of the commission or  
34 the director's designee may authorize expenditures from the account.  
35 The account is subject to allotment procedures under chapter 43.88 RCW,  
36 but no appropriation is required for expenditures.



1 (b) Made in the regular course of business; and  
2 (c) On the same terms ordinarily available to members of the  
3 public(~~(; and~~  
4 ~~(d) That is secured or guaranteed~~)),  
5 are not subject to the contribution limits of this chapter.

6 **Sec. 12.** RCW 42.17.740 and 1993 c 2 s 14 are each amended to read  
7 as follows:

8 TECHNICAL CORRECTIONS. (1) (~~An individual~~) A person may not make  
9 a contribution of more than fifty dollars, other than an in-kind  
10 contribution, except by a written instrument containing the name of the  
11 donor and the name of the payee.

12 (2) A political committee may not make a contribution, other than  
13 in-kind, except by a written instrument containing the name of the  
14 donor and the name of the payee.

15 **Sec. 13.** RCW 42.17.750 and 1993 c 2 s 15 are each amended to read  
16 as follows:

17 TECHNICAL CORRECTIONS. (1) No state official or state official's  
18 agent may knowingly solicit, directly or indirectly, a contribution to  
19 a candidate, political party, or political committee from an employee  
20 in the state official's agency.

21 (2) No state official or state employee may provide an advantage or  
22 disadvantage to an employee or applicant for employment in the  
23 classified civil service concerning the applicant's or employee's:

24 (a) Employment;  
25 (b) Conditions of employment; or  
26 (c) Application for employment,  
27 based on the employee's or applicant's contribution or promise to  
28 contribute or failure to make a contribution or contribute to a  
29 political party or political committee.

30 **Sec. 14.** RCW 42.17.770 and 1993 c 2 s 17 are each amended to read  
31 as follows:

32 TECHNICAL CORRECTIONS. A person (~~or entity~~) may not solicit from  
33 a candidate, political committee, political party, or other person (~~or~~  
34 ~~entity~~) money or other property as a condition or consideration for an  
35 endorsement, article, or other communication in the news media



1 promoting or opposing a candidate, political committee, or political  
2 party.

3 **Sec. 15.** RCW 42.17.780 and 1993 c 2 s 18 are each amended to read  
4 as follows:

5 TECHNICAL CORRECTIONS. A person (~~(or entity)~~) may not, directly or  
6 indirectly, reimburse another person (~~(or entity)~~) for a contribution  
7 to a candidate, political committee, or political party.

8 **Sec. 16.** RCW 42.17.790 and 1993 c 2 s 19 are each amended to read  
9 as follows:

10 TECHNICAL CORRECTIONS. (1) Except as provided in subsection (2) of  
11 this section, a candidate or the candidate's political committee may  
12 not use or permit the use of contributions, whether or not surplus,  
13 solicited for or received by the candidate or the candidate's political  
14 committee to further the candidacy of the individual for an office  
15 other than the office designated on the statement of organization. A  
16 contribution solicited for or received on behalf of the candidate is  
17 considered solicited or received for the candidacy for which the  
18 individual is then a candidate if the contribution is solicited or  
19 received before the general elections for which the candidate is a  
20 nominee or is unopposed.

21 (2) With the written approval of the contributor, a candidate or  
22 the candidate's political committee may use or permit the use of  
23 contributions, whether or not surplus, solicited for or received by the  
24 candidate or the candidate's political committee from that contributor  
25 to further the candidacy of the individual for an office other than the  
26 office designated on the statement of organization.

27 **Sec. 17.** RCW 42.17.100 and 1989 c 280 s 10 are each amended to  
28 read as follows:

29 TECHNICAL CORRECTIONS. (1) For the purposes of this section and  
30 RCW 42.17.550 the term "independent campaign expenditure" means any  
31 expenditure that is made in support of or in opposition to any  
32 candidate or ballot proposition and is not otherwise required to be  
33 reported pursuant to RCW 42.17.060, 42.17.080, or 42.17.090.  
34 "Independent expenditure" does not include: An internal political  
35 communication primarily limited to the contributors to a political  
36 party organization or political action committee, or the officers,

1 management staff, and stockholders of a corporation or similar  
2 enterprise, or the members of a labor organization or other membership  
3 organization; or the rendering of personal services of the sort  
4 commonly performed by volunteer campaign workers, or incidental  
5 expenses personally incurred by volunteer campaign workers not in  
6 excess of fifty dollars personally paid for by the worker. "Volunteer  
7 services," for the purposes of this section, means services or labor  
8 for which the individual is not compensated by any person and that are  
9 performed outside the individual's normal working hours.

10 (2) Within five days after the date of making an independent  
11 campaign expenditure that by itself or when added to all other such  
12 independent campaign expenditures made during the same election  
13 campaign by the same person equals one hundred dollars or more, or  
14 within five days after the date of making an independent campaign  
15 expenditure for which no reasonable estimate of monetary value is  
16 practicable, whichever occurs first, the person who made the  
17 independent campaign expenditure shall file with the commission and the  
18 county elections officer of the county of residence for the candidate  
19 supported or opposed by the independent campaign expenditure (or in the  
20 case of an expenditure made in support of or in opposition to a local  
21 ballot proposition, the county of residence for the person making the  
22 expenditure) an initial report of all independent campaign expenditures  
23 made during the campaign prior to and including such date.

24 (3) At the following intervals each person who is required to file  
25 an initial report pursuant to subsection (2) of this section shall file  
26 with the commission and the county elections officer of the county of  
27 residence for the candidate supported or opposed by the independent  
28 campaign expenditure (or in the case of an expenditure made in support  
29 of or in opposition to a ballot proposition, the county of residence  
30 for the person making the expenditure) a further report of the  
31 independent campaign expenditures made since the date of the last  
32 report:

33 (a) On the twenty-first day and the seventh day preceding the date  
34 on which the election is held; and

35 (b) On the tenth day of the first month after the election; and

36 (c) On the tenth day of each month in which no other reports are  
37 required to be filed pursuant to this section. However, the further  
38 reports required by this subsection (3) shall only be filed if the

1 reporting person has made an independent campaign expenditure since the  
2 date of the last previous report filed.

3 The report filed pursuant to paragraph (a) of this subsection (3)  
4 shall be the final report, and upon submitting such final report the  
5 duties of the reporting person shall cease, and there shall be no  
6 obligation to make any further reports.

7 (4) All reports filed pursuant to this section shall be certified  
8 as correct by the reporting person.

9 (5) Each report required by subsections (2) and (3) of this section  
10 shall disclose for the period beginning at the end of the period for  
11 the last previous report filed or, in the case of an initial report,  
12 beginning at the time of the first independent campaign expenditure,  
13 and ending not more than one business day before the date the report is  
14 due:

15 (a) The name and address of the person filing the report;

16 (b) The name and address of each person to whom an independent  
17 campaign expenditure was made in the aggregate amount of more than  
18 fifty dollars, and the amount, date, and purpose of each such  
19 expenditure. If no reasonable estimate of the monetary value of a  
20 particular independent campaign expenditure is practicable, it is  
21 sufficient to report instead a precise description of services,  
22 property, or rights furnished through the expenditure and where  
23 appropriate to attach a copy of the item produced or distributed by the  
24 expenditure;

25 (c) The total sum of all independent campaign expenditures made  
26 during the campaign to date; and

27 (d) Such other information as shall be required by the commission  
28 by rule in conformance with the policies and purposes of this chapter.

29 **Sec. 18.** RCW 42.17.125 and 1993 c 2 s 21 are each amended to read  
30 as follows:

31 TECHNICAL CORRECTIONS. Contributions received and reported in  
32 accordance with RCW 42.17.060 through 42.17.090 may only be transferred  
33 to the personal account of a candidate, or of a treasurer or other  
34 individual or expended for such individual's personal use under the  
35 following circumstances:

36 (1) Reimbursement for or loans to cover lost earnings incurred as  
37 a result of campaigning or services performed for the political  
38 committee. Such lost earnings shall be verifiable as unpaid salary, or

1 when the individual is not salaried, as an amount not to exceed income  
2 received by the individual for services rendered during an appropriate,  
3 corresponding time period. All lost earnings incurred shall be  
4 documented and a record thereof shall be maintained by the individual  
5 or the individual's political committee. The political committee shall  
6 include a copy of such record when its expenditure for such  
7 reimbursement is reported pursuant to RCW 42.17.090.

8 (2) Reimbursement for direct out-of-pocket election campaign and  
9 postelection campaign related expenses made by the individual. To  
10 receive reimbursement from the political committee, the individual  
11 shall provide the political committee with written documentation as to  
12 the amount, date, and description of each expense, and the political  
13 committee shall include a copy of such information when its expenditure  
14 for such reimbursement is reported pursuant to RCW 42.17.090.

15 (3) Repayment of loans made by the individual to political  
16 committees, which repayment shall be reported pursuant to RCW  
17 42.17.090. However, contributions may not be used to reimburse a  
18 candidate for loans totaling more than three thousand dollars made by  
19 the candidate to the candidate's own (~~authorized~~) political committee  
20 or campaign.

21 **CONTRIBUTIONS AND EXPENDITURES**

22 **Sec. 19.** RCW 42.17.090 and 1993 c 256 s 6 are each amended to read  
23 as follows:

24 CONTRIBUTOR'S EMPLOYER DISCLOSED. (1) Each report required under  
25 RCW 42.17.080 (1) and (2) shall disclose the following:

26 (a) The funds on hand at the beginning of the period;

27 (b) The name (~~and~~), address, occupation, employer, and spouse's  
28 employer of each person who has made one or more contributions during  
29 the period, together with the money value and date of such  
30 contributions and the aggregate value of all contributions received  
31 from each such person during the campaign or in the case of a  
32 continuing political committee, the current calendar year(~~(: PROVIDED,~~  
33 ~~That))~~). Pledges in the aggregate of less than one hundred dollars from  
34 any one person need not be reported(~~(: PROVIDED FURTHER, That))~~). The  
35 income which results from a fund-raising activity conducted in  
36 accordance with RCW 42.17.067 may be reported as one lump sum, with the  
37 exception of that portion of such income which was received from

1 persons whose names and addresses are required to be included in the  
2 report required by RCW 42.17.067(~~(:—PROVIDED—FURTHER,—That)~~).  
3 Contributions of no more than twenty-five dollars in the aggregate from  
4 any one person during the election campaign may be reported as one lump  
5 sum so long as the campaign treasurer maintains a separate and private  
6 list of the name, address, and amount of each such contributor(~~(:÷~~  
7 ~~PROVIDED—FURTHER,—That)~~). The money value of contributions of postage  
8 shall be the face value of such postage;

9 (c) Each loan, promissory note, or security instrument to be used  
10 by or for the benefit of the candidate or political committee made by  
11 any person, together with the names and addresses of the lender and  
12 each person liable directly, indirectly or contingently and the date  
13 and amount of each such loan, promissory note, or security instrument;

14 (d) All other contributions not otherwise listed or exempted;

15 (e) The name and address of each candidate or political committee  
16 to which any transfer of funds was made, together with the amounts and  
17 dates of such transfers;

18 (f) The name and address of each person to whom an expenditure was  
19 made in the aggregate amount of more than fifty dollars during the  
20 period covered by this report, and the amount, date, and purpose of  
21 each such expenditure. A candidate for state executive or state  
22 legislative office or the political committee of such a candidate shall  
23 report this information for an expenditure under one of the following  
24 categories, whichever is appropriate: (i) Expenditures for the  
25 election of the candidate; (ii) expenditures for nonreimbursed public  
26 office-related expenses; (iii) expenditures required to be reported  
27 under (e) of this subsection; or (iv) expenditures of surplus funds and  
28 other expenditures. The report of such a candidate or committee shall  
29 contain a separate total of expenditures for each category and a total  
30 sum of all expenditures. Other candidates and political committees  
31 need not report information regarding expenditures under the categories  
32 listed in (i) through (iv) of this subsection or under similar such  
33 categories unless required to do so by the commission by rule. The  
34 report of such an other candidate or committee shall also contain the  
35 total sum of all expenditures;

36 (g) The name and address of each person to whom any expenditure was  
37 made directly or indirectly to compensate the person for soliciting or  
38 procuring signatures on an initiative or referendum petition, the  
39 amount of such compensation to each such person, and the total of the

1 expenditures made for this purpose. Such expenditures shall be  
2 reported under this subsection (1)(g) whether the expenditures are or  
3 are not also required to be reported under (f) of this subsection;

4 (h) The name and address of any person and the amount owed for any  
5 debt, obligation, note, unpaid loan, or other liability in the amount  
6 of more than two hundred fifty dollars or in the amount of more than  
7 fifty dollars that has been outstanding for over thirty days;

8 (i) The surplus or deficit of contributions over expenditures;

9 (j) The disposition made in accordance with RCW 42.17.095 of any  
10 surplus funds;

11 (k) Such other information as shall be required by the commission  
12 by rule in conformance with the policies and purposes of this chapter;  
13 and

14 (l) Funds received from a political committee not otherwise  
15 required to report under this chapter (a "nonreporting committee").  
16 Such funds shall be forfeited to the state of Washington unless the  
17 nonreporting committee has filed or within ten days following such  
18 receipt files with the commission a statement disclosing: (i) Its name  
19 and address; (ii) the purposes of the nonreporting committee; (iii) the  
20 names, addresses, and titles of its officers or if it has no officers,  
21 the names, addresses, and titles of its responsible leaders; (iv) the  
22 name, office sought, and party affiliation of each candidate in the  
23 state of Washington whom the nonreporting committee is supporting, and,  
24 if such committee is supporting the entire ticket of any party, the  
25 name of the party; (v) the ballot proposition supported or opposed in  
26 the state of Washington, if any, and whether such committee is in favor  
27 of or opposed to such proposition; (vi) the name and address of each  
28 person residing in the state of Washington or corporation which has a  
29 place of business in the state of Washington who has made one or more  
30 contributions in the aggregate of more than twenty-five dollars to the  
31 nonreporting committee during the current calendar year, together with  
32 the money value and date of such contributions; (vii) the name and  
33 address of each person in the state of Washington to whom an  
34 expenditure was made by the nonreporting committee on behalf of a  
35 candidate or political committee in the aggregate amount of more than  
36 fifty dollars, the amount, date, and purpose of such expenditure, and  
37 the total sum of such expenditures; (viii) such other information as  
38 the commission may prescribe by rule, in keeping with the policies and  
39 purposes of this chapter. A nonreporting committee incurring an

1 obligation to file additional reports in a calendar year may satisfy  
2 the obligation by filing with the commission a letter providing  
3 updating or amending information.

4 (2) The treasurer and the candidate shall certify the correctness  
5 of each report.

6 NEW SECTION. **Sec. 20.** A new section is added to chapter 42.17 RCW  
7 to read as follows:

8 CONTRIBUTOR'S EMPLOYER DISCLOSURE--MAY NOT RETAIN CONTRIBUTION.  
9 Candidates and political committees may not use contributions from  
10 persons who fail to furnish the information required to be reported  
11 under RCW 42.17.090(1)(b). The contributions shall be returned to the  
12 contributor unless the information is obtained within thirty days of  
13 receipt or the end of the election cycle, whichever occurs first.

14 **Sec. 21.** RCW 42.17.105 and 1991 c 157 s 1 are each amended to read  
15 as follows:

16 LATE CONTRIBUTIONS. (1) Campaign treasurers shall prepare and  
17 deliver to the commission a special report regarding any contribution  
18 or aggregate of contributions which: Exceeds five hundred dollars; is  
19 from a single person or entity; and is received during a special  
20 reporting period.

21 Any political committee making a contribution or an aggregate of  
22 contributions to a single entity which exceeds five hundred dollars  
23 shall also prepare and deliver to the commission the special report if  
24 the contribution or aggregate of contributions is made during a special  
25 reporting period.

26 For the purposes of subsections (1) through (7) of this section:

27 (a) Each of the following intervals is a special reporting period:

28 (i) The interval beginning after the period covered by the last report  
29 required by RCW 42.17.080 and 42.17.090 to be filed before a primary  
30 and concluding on the end of the day before that primary; and (ii) the  
31 interval composed of the twenty-one days preceding a general election;  
32 and

33 (b) An aggregate of contributions includes only those contributions  
34 received from a single entity during any one special reporting period  
35 or made by the contributing political committee to a single entity  
36 during any one special reporting period.

1 (2) If a campaign treasurer files a special report under this  
2 section for one or more contributions received from a single entity  
3 during a special reporting period, the treasurer shall also file a  
4 special report under this section for each subsequent contribution of  
5 any size which is received from that entity during the special  
6 reporting period. If a political committee files a special report  
7 under this section for a contribution or contributions made to a single  
8 entity during a special reporting period, the political committee shall  
9 also file a special report for each subsequent contribution of any size  
10 which is made to that entity during the special reporting period.

11 (3) Except as provided in subsection (4) of this section, the  
12 special report required by this section shall be delivered in written  
13 form, including but not limited to mailgram, telegram, or nightletter.  
14 The special report required of a contribution recipient by subsection  
15 (1) of this section shall be delivered to the commission within forty-  
16 eight hours of the time, or on the first working day after: The  
17 contribution exceeding five hundred dollars is received by the  
18 candidate or treasurer; the aggregate received by the candidate or  
19 treasurer first exceeds five hundred dollars; or the subsequent  
20 contribution that must be reported under subsection (2) of this section  
21 is received by the candidate or treasurer. The special report required  
22 of a contributor by subsection (1) of this section or RCW 42.17.175  
23 shall be delivered to the commission, and the candidate or political  
24 committee to whom the contribution or contributions are made, within  
25 twenty-four hours of the time, or on the first working day after: The  
26 contribution is made; the aggregate of contributions made first exceeds  
27 five hundred dollars; or the subsequent contribution that must be  
28 reported under subsection (2) of this section is made.

29 (4) The special report may be transmitted orally by telephone to  
30 the commission to satisfy the delivery period required by subsection  
31 (3) of this section if the written form of the report is also mailed to  
32 the commission and postmarked within the delivery period established in  
33 subsection (3) of this section.

34 (5) The special report shall include at least:

- 35 (a) The amount of the contribution or contributions;
- 36 (b) The date or dates of receipt;
- 37 (c) The name and address of the donor;
- 38 (d) The name and address of the recipient; and
- 39 (e) Any other information the commission may by rule require.



1 (6) Contributions reported under this section shall also be  
2 reported as required by other provisions of this chapter.

3 (7) The commission shall publish daily a summary of the special  
4 reports made under this section and RCW 42.17.175.

5 (8) It is a violation of this chapter for any person to make, or  
6 for any candidate or political committee to accept from any one person,  
7 contributions reportable under RCW 42.17.090 in the aggregate exceeding  
8 fifty thousand dollars for any campaign for state-wide office or  
9 exceeding five thousand dollars for any other campaign subject to the  
10 provisions of this chapter within twenty-one days of a general  
11 election. This subsection does not apply to contributions made by, or  
12 accepted from, a ((major Washington state)) bona fide political party  
13 as defined in ((RCW 29.01.090)) this chapter, excluding the county  
14 central committee or legislative district committee.

15 (9) Contributions governed by this section include, but are not  
16 limited to, contributions made or received indirectly through a third  
17 party or entity whether the contributions are or are not reported to  
18 the commission as earmarked contributions under RCW 42.17.135.

19 **Sec. 22.** RCW 42.17.640 and 1993 c 2 s 4 are each amended to read  
20 as follows:

21 POLITICAL PARTY AND LEGISLATIVE CAUCUS LIMITS--INTERNAL REFERENCE  
22 TECHNICAL CORRECTIONS. (1) No person, other than a bona fide political  
23 party or a political committee established by a caucus of the state  
24 legislature, may make contributions to a candidate for a state  
25 legislative office that in the aggregate exceed five hundred dollars or  
26 to a candidate for a state office other than a state legislative office  
27 that in the aggregate exceed one thousand dollars for each election in  
28 which the candidate is on the ballot or appears as a write-in  
29 candidate. Contributions made with respect to a primary may not be  
30 made after the date of the primary. Contributions made with respect to  
31 a general election may not be made after the final day of the  
32 applicable election cycle.

33 (2) No person, other than a bona fide political party or a  
34 political committee established by a caucus of the state legislature,  
35 may make contributions to a state official against whom recall charges  
36 have been filed, or to a political committee having the expectation of  
37 making expenditures in support of the recall of the state official,  
38 during a recall campaign that in the aggregate exceed five hundred

1 dollars if for a state legislative office or one thousand dollars if  
2 for a state office other than a state legislative office.

3 (3)(a) Notwithstanding subsection (1) of this section, no bona fide  
4 political party (~~((or caucus of the state legislature))~~) may make  
5 contributions to a candidate during an election cycle that in the  
6 aggregate exceed (i) (~~((fifty))~~) ten cents multiplied by the number of  
7 eligible registered voters in the jurisdiction from which the candidate  
8 is elected if the contributor is (~~((a caucus of the state legislature~~  
9 ~~or))~~) the governing body of a state organization, or (ii) (~~((twenty-~~  
10 ~~five))~~) five cents multiplied by the number of registered voters in the  
11 jurisdiction from which the candidate is elected if the contributor is  
12 a county central committee or a legislative district committee.

13 (b) No candidate may accept contributions from a county central  
14 committee or a legislative district committee during an election cycle  
15 that when combined with contributions from other county central  
16 committees or legislative district committees would in the aggregate  
17 exceed (~~((twenty-five))~~) five cents times the number of registered voters  
18 in the jurisdiction from which the candidate is elected.

19 (c) No political committee established by a caucus of the state  
20 legislature may make contributions to a candidate during an election  
21 cycle that in the aggregate exceed one thousand dollars for legislative  
22 candidates and two thousand dollars for state-wide candidates.

23 (4)(a) Notwithstanding subsection (2) of this section, no bona fide  
24 political party (~~((or caucus of the state legislature))~~) may make  
25 contributions to a state official against whom recall charges have been  
26 filed, or to a political committee having the expectation of making  
27 expenditures in support of the state official, during a recall campaign  
28 that in the aggregate exceed (i) (~~((fifty))~~) ten cents multiplied by the  
29 number of eligible registered voters in the jurisdiction entitled to  
30 recall the state official if the contributor is (~~((a caucus of the state~~  
31 ~~legislature of {or})~~) the governing body of a state organization, or  
32 (ii) (~~((twenty-five))~~) five cents multiplied by the number of registered  
33 voters in the jurisdiction from which the candidate is elected if the  
34 contributor is a county central committee or a legislative district  
35 committee.

36 (b) Notwithstanding subsection (2) of this section, no political  
37 committee established by a caucus of the state legislature may make  
38 contributions to a state official against whom recall charges have been  
39 filed, or to a political committee having the expectation of making

1 expenditures in support of the state official, during a recall campaign  
2 that in the aggregate exceed two thousand dollars.

3 (c) No state official against whom recall charges have been filed,  
4 no authorized committee of the official, and no political committee  
5 having the expectation of making expenditures in support of the recall  
6 of a state official may accept contributions from a county central  
7 committee or a legislative district committee during an election cycle  
8 that when combined with contributions from other county central  
9 committees or legislative district committees would in the aggregate  
10 exceed (~~twenty-five~~) five cents multiplied by the number of  
11 registered voters in the jurisdiction from which the candidate is  
12 elected.

13 (5) Notwithstanding subsections (1) through (4) of this section, no  
14 person other than an individual, bona fide political party, or  
15 political committee established by a caucus of the state legislature  
16 may make contributions reportable under this chapter to a political  
17 committee established by a caucus of the state legislature that in the  
18 aggregate exceed five hundred dollars in a calendar year or to a bona  
19 fide political party that in the aggregate exceed two thousand five  
20 hundred dollars in a calendar year. This subsection does not apply to  
21 loans made in the ordinary course of business.

22 (6) For the purposes of RCW 42.17.640 through 42.17.790, a  
23 contribution to the authorized political committee of a candidate, or  
24 of a state official against whom recall charges have been filed, is  
25 considered to be a contribution to the candidate or state official.

26 (7) A contribution received within the twelve-month period after a  
27 recall election concerning a state office is considered to be a  
28 contribution during that recall campaign if the contribution is used to  
29 pay a debt or obligation incurred to influence the outcome of that  
30 recall campaign.

31 (8) The contributions allowed by subsection (~~(+2)~~) (3) of this  
32 section are in addition to those allowed by subsection (1) of this  
33 section, and the contributions allowed by subsection (4) of this  
34 section are in addition to those allowed by subsection (~~(+3)~~) (2) of  
35 this section.

36 (9) RCW 42.17.640 through 42.17.790 apply to a special election  
37 conducted to fill a vacancy in a state office. However, the  
38 contributions made to a candidate or received by a candidate for a  
39 primary or special election conducted to fill such a vacancy shall not

1 be counted toward any of the limitations that apply to the candidate or  
2 to contributions made to the candidate for any other primary or  
3 election.

4 (10) Notwithstanding the other subsections of this section, no  
5 corporation or business entity not doing business in Washington state,  
6 no labor union with fewer than ten members who reside in Washington  
7 state, and no political committee that has not received contributions  
8 of ten dollars or more from at least ten persons registered to vote in  
9 Washington state during the preceding one hundred eighty days may make  
10 contributions reportable under this chapter to a candidate, to a state  
11 official against whom recall charges have been filed, or to a political  
12 committee having the expectation of making expenditures in support of  
13 the recall of the official. This subsection does not apply to loans  
14 made in the ordinary course of business.

15 (11) Notwithstanding the other subsections of this section, no  
16 county central committee or legislative district committee may make  
17 contributions reportable under this chapter to a candidate, state  
18 official against whom recall charges have been filed, or political  
19 committee having the expectation of making expenditures in support of  
20 the recall of a state official if the county central committee or  
21 legislative district committee is outside of the jurisdiction entitled  
22 to elect the candidate or recall the state official.

23 (12) No person may accept contributions that exceed the  
24 contribution limitations provided in this section.

25 (13) A person who has made an independent expenditure for a  
26 candidate or ballot proposition campaign may not make a direct  
27 contribution within the same election cycle to the same candidate or  
28 ballot proposition committee. No person may accept a contribution that  
29 the person knows was made in violation of this subsection.

30 **Sec. 23.** RCW 42.17.128 and 1993 c 2 s 24 are each amended to read  
31 as follows:

32 PUBLIC CAMPAIGN FINANCING. Public funds, whether derived through  
33 taxes, fees, penalties, or any other sources, shall not be used to  
34 finance political campaigns for state ((or local)) office.

35 NEW SECTION. **Sec. 24.** A new section is added to chapter 42.17 RCW  
36 to read as follows:

1 LOCAL FAIR CAMPAIGN PRACTICES. Local agencies may enact provisions  
2 for the regulation of fair campaign practices for local elections, not  
3 prohibited by state law and rules adopted under this chapter.

4 NEW SECTION. **Sec. 25.** STUDY. The legislature finds that campaign  
5 spending limits, public financing, and variable contribution limits  
6 could be used to advance fair campaign practices, however the  
7 imposition of spending limits raises certain constitutional questions.  
8 Similar constitutional questions apply to the imposition of  
9 contribution limits on ballot measure campaigns. The senate committee  
10 on law and justice and the house of representatives committee on state  
11 government shall jointly study the issue of campaign spending limits  
12 and report to the legislature by December 1, 1995, on the desirability  
13 of campaign spending limits, public financing of campaigns, variable  
14 contribution limits, legal and political barriers to instituting public  
15 financing of campaigns, and whether any local agencies chose to enact  
16 public campaign financing. The committees shall also examine current  
17 functions of the initiative process, the financing of state ballot  
18 measures, and related matters to assure that the initiative process is  
19 used responsibly by and for the interests of the citizens of the state  
20 of Washington.

21 **FAIR CAMPAIGN**

22 **Sec. 26.** RCW 42.17.510 and 1993 c 2 s 22 are each amended to read  
23 as follows:

24 ADVERTISING. (1) All written political advertising, whether  
25 relating to candidates or ballot propositions, shall include the  
26 sponsor's name and address. All radio and television political  
27 advertising, whether relating to candidates or ballot propositions,  
28 shall include the sponsor's name. The use of an assumed name shall be  
29 unlawful. The party with which a candidate files shall be clearly  
30 identified in political advertising for partisan office.

31 (2) In addition to the materials required by subsection (1) of this  
32 section, all political advertising undertaken as an independent  
33 expenditure by a person (~~or entity~~) other than a political party  
34 organization must include the following statement on the communication  
35 "NOTICE TO VOTERS (Required by law): This advertisement is not  
36 authorized or approved by any candidate. It is paid for by (name,

1 address, city, state)." If the advertisement is undertaken by a  
2 nonindividual, then the following notation must also be included: "Top  
3 Five Contributors," followed by a listing of the names of the five  
4 persons ((~~or entities~~)) making the largest contributions reportable  
5 under this chapter during the twelve-month period before the date of  
6 the advertisement.

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

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

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

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

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

17 (4) Political yard signs are exempt from the requirement of  
18 subsections (1) and (2) of this section that the name and address of  
19 the sponsor of political advertising be listed on the advertising. In  
20 addition, the public disclosure commission shall, by rule, exempt from  
21 the identification requirements of subsections (1) and (2) of this  
22 section forms of political advertising such as campaign buttons,  
23 balloons, pens, pencils, sky-writing, inscriptions, and other forms of  
24 advertising where identification is impractical.

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

27 (6) Advertising by a candidate's political committee must be  
28 personally endorsed and approved by the candidate. The commission  
29 shall adopt rules to implement this section.

30 NEW SECTION. Sec. 27. A new section is added to chapter 42.17 RCW  
31 to read as follows:

32 TELEPHONE POLLS. A person conducting a telephone poll for the  
33 purposes of a candidate's campaign shall identify the sponsor of the  
34 poll.

35 **Sec. 28.** RCW 29.85.060 and 1991 c 81 s 5 are each amended to read  
36 as follows:

1 HINDERING OR BRIBING VOTER. (1) Any person who uses menace, force,  
2 threat, or any unlawful means ((towards any voter to hinder or deter  
3 such a voter from voting)), or directly or indirectly offers any bribe,  
4 reward, or any thing of value ((to a voter)), to hinder or deter any  
5 voter from voting, or in exchange for the voter's vote for or against  
6 any person or ballot measure, or authorizes any person to do so, is  
7 guilty of a class C felony punishable under RCW 9A.20.021.

8 (2) In-kind services such as transportation or child care or other  
9 services intended to enable the voter to get to his or her polling  
10 place but not intended to influence the voter's vote may be provided  
11 and are not prohibited under this section.

## 12 PUBLIC OFFICE FUNDS

13 **Sec. 29.** RCW 43.290.020 and 1991 c 24 s 4 are each amended to read  
14 as follows:

15 OFFICE OF INTERNATIONAL RELATIONS AND PROTOCOL. (1) The office of  
16 international relations and protocol may:

17 ~~((1))~~ (a) Create temporary advisory committees as necessary to  
18 deal with specific international issues. Advisory committee  
19 representation may include external organizations such as the Seattle  
20 consular corps, world affairs councils, public ports, world trade  
21 organizations, private nonprofit organizations dealing with  
22 international education or international environmental issues,  
23 organizations concerned with international understanding, businesses  
24 with experience in international relations, or other organizations  
25 deemed appropriate by the director.

26 ~~((2))~~ (b) Accept or request grants or gifts from citizens and  
27 other private sources to be used to defray the costs of appropriate  
28 hosting of foreign dignitaries, including appropriate gift-giving and  
29 reciprocal gift-giving, the purchase of meals for foreign dignitaries  
30 visiting the state, who are received by the state of Washington or a  
31 state official acting in an official capacity, payment of expenses of  
32 a reception in honor of such visitors, or other activities of the  
33 office. The office shall open and maintain a bank account into which  
34 it shall deposit all money received under this subsection (1)(b). Such  
35 money and the interest accruing thereon shall not constitute public  
36 funds, shall be kept segregated and apart from funds of the state, and

1 shall not be subject to appropriation or allotment by the state or  
2 subject to chapter 43.88 RCW.

3 (2) The office shall:

4 (a) Establish written guidelines for determining the procedure and  
5 criteria for state officials to request the expenditure of funds from  
6 the account created by this section. Such expenditures shall not be  
7 considered income or gifts to the requesting state official or  
8 officials.

9 (b) Report all contributions and expenses to the public disclosure  
10 commission quarterly.

11 **Sec. 30.** RCW 42.17.710 and 1993 c 2 s 11 are each amended to read  
12 as follows:

13 CONTRIBUTIONS TO PUBLIC OFFICE FUNDS--TECHNICAL CORRECTIONS.  
14 During the period beginning on the thirtieth day before the date a  
15 regular legislative session convenes and continuing thirty days past  
16 the date of final adjournment, and during the period beginning on the  
17 date a special legislative session convenes and continuing through the  
18 date that session adjourns, no state official or a person employed by  
19 or acting on behalf of a state official or state legislator may solicit  
20 or accept contributions to a (~~public office fund, to a~~) candidate or  
21 (~~authorized~~) candidate's political committee, or to retire a campaign  
22 debt.

23 **Sec. 31.** RCW 42.17.395 and 1989 c 175 s 91 are each amended to  
24 read as follows:

25 ENFORCEMENT. (1) The commission may (a) determine whether an  
26 actual violation of this chapter has occurred; and (b) issue and  
27 enforce an appropriate order following such determination.

28 (2) The commission, in cases where it chooses to determine whether  
29 an actual violation of this chapter has occurred, shall hold a hearing  
30 pursuant to the Administrative Procedure Act, chapter 34.05 RCW, to  
31 make such determination. Any order that the commission issues under  
32 this section shall be pursuant to such hearing.

33 (3) In lieu of holding a hearing or issuing an order under this  
34 section, the commission may refer the matter to the attorney general or  
35 other enforcement agency as provided in RCW 42.17.360.

36 (4) The person against whom an order is directed under this section  
37 shall be designated as the respondent. The order may require the



1 respondent to cease and desist from the activity that constitutes a  
2 violation and in addition, or alternatively, may impose one or more of  
3 the remedies provided in RCW 42.17.390(~~(1) (b), (c), (d), or (e)~~)  
4 (2), (3), (4), or (5): PROVIDED, That no individual penalty assessed  
5 by the commission may exceed one thousand dollars, and in any case  
6 where multiple violations are involved in a single complaint or  
7 hearing, the maximum aggregate penalty may not exceed two thousand five  
8 hundred dollars.

9 (5) An order issued by the commission under this section shall be  
10 subject to judicial review under the Administrative Procedure Act,  
11 chapter 34.05 RCW. If the commission's order is not satisfied and no  
12 petition for review is filed within thirty days as provided in RCW  
13 34.05.542, the commission may petition a court of competent  
14 jurisdiction of any county in which a petition for review could be  
15 filed under that section, for an order of enforcement. Proceedings in  
16 connection with the commission's petition shall be in accordance with  
17 RCW 42.17.397.

18 **Sec. 32.** RCW 42.17.095 and 1993 c 2 s 20 are each amended to read  
19 as follows:

20 PUBLIC OFFICE EXPENSES--TECHNICAL CORRECTIONS. The surplus funds  
21 of a candidate, or of a political committee supporting or opposing a  
22 candidate, may only be disposed of in any one or more of the following  
23 ways:

24 (1) Return the surplus to a contributor in an amount not to exceed  
25 that contributor's original contribution;

26 (2) Transfer the surplus to the candidate's personal account as  
27 reimbursement for lost earnings incurred as a result of that  
28 candidate's election campaign. Such lost earnings shall be verifiable  
29 as unpaid salary or, when the candidate is not salaried, as an amount  
30 not to exceed income received by the candidate for services rendered  
31 during an appropriate, corresponding time period. All lost earnings  
32 incurred shall be documented and a record thereof shall be maintained  
33 by the candidate or the candidate's political committee. The committee  
34 shall include a copy of such record when its expenditure for such  
35 reimbursement is reported pursuant to RCW 42.17.090;

36 (3) Transfer the surplus to a political party or to a political  
37 committee established by a caucus of the state legislature;

1 (4) Donate the surplus to a charitable organization registered in  
2 accordance with chapter 19.09 RCW;

3 (5) Transmit the surplus to the state treasurer for deposit in the  
4 general fund; or

5 (6) Hold the surplus in the campaign depository or depositories  
6 designated in accordance with RCW 42.17.050 for possible use in a  
7 future election campaign for the same office last sought by the  
8 candidate or for nonreimbursed public office related expenses and  
9 report any such disposition in accordance with RCW 42.17.090:  
10 PROVIDED, That if the candidate subsequently announces or publicly  
11 files for office, information as appropriate is reported to the  
12 commission in accordance with RCW 42.17.040 through 42.17.090. If a  
13 subsequent office is not sought the surplus held shall be disposed of  
14 in accordance with the requirements of this section.

15 (7) No candidate or ((authorized)) candidate's political committee  
16 may transfer funds to any other candidate or other political committee.

17 NEW SECTION. Sec. 33. A new section is added to chapter 42.17 RCW  
18 to read as follows:

19 PUBLIC OFFICE FUND. No state official may receive contributions or  
20 gifts, nor directly or indirectly maintain a public office fund, or  
21 other similar fund by any other name, for the purpose of making  
22 expenditures for nonreimbursed public office related expenses or  
23 community activities except as provided by RCW 42.17.095, 44.04.060,  
24 44.04.070, 43.290.020, 43.147.010, or 42.52.150.

25 **LOBBYIST REPORTING CHANGES**

26 NEW SECTION. Sec. 34. EMPLOYEE-LOBBYISTS. (1) Before doing any  
27 lobbying, or within two weeks after being employed or assigned as a  
28 lobbyist, whichever is sooner, an employee-lobbyist shall file with the  
29 commission a registration statement. The registration shall include  
30 the following:

31 (a) The lobbyist's name, business address, and telephone number;

32 (b) The name, business address, and telephone number of the  
33 lobbyist employer;

34 (c) The terms of the employee's compensation for lobbying,  
35 including the nature and extent of reimbursement for expenses; and

1 (d) A statement describing the extent to which lobbying comprises  
2 the employee's duties for the employer.

3 (2) The lobbyist's registration shall be accompanied by a written  
4 statement:

5 (a) Confirming the lobbyist's employment or assignment by the  
6 employer's chief executive officer or similarly authorized individual;

7 (b) Describing the employer's principal product, service, or  
8 business activity;

9 (c) Describing the subject matters regarding which lobbying will be  
10 conducted on behalf of the employer.

11 The name, address, and telephone number of the person who will have  
12 custody of the records required to be kept under this chapter on behalf  
13 of the lobbyist employer.

14 If the employer has a connected, related, or closely affiliated  
15 political committee, the name of that committee.

16 If the employer is an entity that as a representative entity  
17 lobbies for individuals, businesses, groups, associations, or  
18 organizations, the name and address of each member of the entity or  
19 person represented by the entity whose fees, dues, payments, or other  
20 consideration paid to the entity during either of the previous two  
21 years have exceeded five hundred dollars or who is obligated to or has  
22 agreed to pay fees, dues, payments, or other consideration exceeding  
23 five hundred dollars to the entity during the current year.

24 NEW SECTION. **Sec. 35.** SEPARATE REGISTRATION. A lobbyist who  
25 receives or is to receive compensation from more than one employer for  
26 lobbying services with respect to the same legislation or subject of  
27 rule making shall file a separate registration for each employer.

28 NEW SECTION. **Sec. 36.** ANNUAL REGISTRATION. Every lobbyist  
29 registered with the commission shall file an annual registration,  
30 revised as appropriate, before the second Monday in January. Failure  
31 to do so shall terminate the lobbyist's registration.

32 NEW SECTION. **Sec. 37.** CHANGE IN STATUS. A lobbyist shall notify  
33 the commission within two weeks of a material change in the status of  
34 his or her registration. As used in this section, "material change"  
35 means the following:

36 (1) A termination of employment as a lobbyist;

1 (2) A change in the terms of compensation provided in a prior  
2 filing with the commission;

3 (3) A change in the name or address of the lobbyist or a lobbyist  
4 employer;

5 (4) A change in status from contract-lobbyist to employee-lobbyist  
6 or vice-versa;

7 (5) A change in status with regard to a proprietor, officer,  
8 partner, or employee of a contract lobbyist.

9 NEW SECTION. **Sec. 38.** CONTRACT-LOBBYISTS. (1) Before doing any  
10 lobbying, or within two weeks after contracting to provide lobbying  
11 services to any person, whichever is sooner, a contract-lobbyist shall  
12 file with the commission a registration statement. The registration  
13 shall include the following:

14 (a) The lobbyist's name, business address, and telephone number;

15 (b) The name of any individual who is a proprietor, officer,  
16 partner, or employee of the contract lobbyist, or who is authorized to  
17 lobby on behalf of the contract-lobbyist's employers;

18 (c) The name, business address, and telephone number of the  
19 lobbyist employer;

20 (d) The terms of the contract-lobbyist's compensation for lobbying,  
21 including the nature and extent of reimbursement for expenses;

22 (e) The name, address, and telephone number of the person who will  
23 have custody of the records required to be kept by the contract-  
24 lobbyist under this chapter;

25 (f) The name and address of any other lobbyist the contract-  
26 lobbyist has agreed to compensate in exchange for assisting with  
27 lobbying on behalf of the employer named in the registration.

28 (2) The lobbyist's registration shall be accompanied by a written  
29 statement:

30 (a) Confirming the lobbyist's contract by the employer's chief  
31 executive officer or similarly authorized individual;

32 (b) Describing the employer's principal product, service, or  
33 business activity;

34 (c) Describing the subject matters regarding which lobbying will be  
35 conducted on behalf of the employer.

36 The name, address, and telephone number of the person who will have  
37 custody of the records required to be kept under this chapter on behalf  
38 of the lobbyist employer.

1 If the employer has a connected, related, or closely affiliated  
2 political committee, the name of that committee.

3 If the employer is an entity that as a representative entity  
4 lobbies for individuals, businesses, groups, associations, or  
5 organizations, the name and address of each member of the entity or  
6 person represented by the entity whose fees, dues, payments, or other  
7 consideration paid to the entity during either of the previous two  
8 years have exceeded five hundred dollars or who is obligated to or has  
9 agreed to pay fees, dues, payments, or other consideration exceeding  
10 five hundred dollars to the entity during the current year.

11 NEW SECTION. **Sec. 39.** LOBBYIST EMPLOYER REPORTING. (1) Each  
12 employer of a lobbyist registered under this chapter shall file a  
13 semiannual report. Reports shall be filed as specified in subsection  
14 (2) of this section.

15 (2) Employer reports shall include the following:

16 (a) The employer's name, business address, and telephone number;

17 (b) The name of lobbyists registered on behalf of the employer;

18 (c) The name and address of each political committee associated,  
19 affiliated, or sponsored by the employer and total contributions made  
20 by the committee during the reporting period;

21 (d) The name of each legislator, state elected official, state  
22 officer or employee, successful candidate for state office, and any  
23 member of the immediate family of those persons to whom the employer  
24 has paid any compensation in the amount of five hundred dollars or more  
25 during the reporting period for personal employment or professional  
26 services, including professional services rendered by a corporation,  
27 partnership, joint venture, association, union, or other entity in  
28 which the person holds any office, directorship, or any general  
29 partnership interest, or an ownership interest of ten percent or more,  
30 the value of the compensation in accordance with the reporting  
31 provisions set out in RCW 42.17.241(2), and the consideration given or  
32 performed in exchange for the compensation;

33 (e) The name of each legislator, state elected official, state  
34 officer or employee, successful candidate for state office, and any  
35 member of the immediate family of those persons for whom the lobbyist  
36 employer incurred expenditures, directly or indirectly, through a  
37 lobbyist or otherwise. For purposes of this subsection, "expenditure"  
38 shall not include any expenditure made by the employer in the ordinary

1 course of business if the expenditure is not made for the purpose of  
2 influencing, honoring, or benefiting the recipient of the expenditure  
3 or the member of his or her family as an official or candidate;

4 (f) The total expenditures made during the reporting period by the  
5 employer for lobbying purposes, whether through or on behalf of a  
6 lobbyist or otherwise. As used in this section, "expenditures"  
7 includes amounts paid or incurred during the reporting period for (i)  
8 political advertising as defined in RCW 42.17.020; and (ii) public  
9 relations, telemarketing, polling, or similar activities if such  
10 activities, directly or indirectly, are intended, designed, or  
11 calculated to influence legislation or the adoption or rejection of any  
12 rule, standard, or rate by any agency under the administrative  
13 procedure act. The report shall specify the amount, the person to whom  
14 the amount was paid, and a brief description of the activity;

15 (g) Total amount or value of contributions made during the  
16 reporting period by the employer to any candidate for state or local  
17 office, any political committee whose purpose is to support or oppose  
18 the election of one or more candidate for state or local office, a  
19 political committee established by a caucus of the state legislature,  
20 a political party, or any political committee formed for the purpose of  
21 supporting or opposing a state or local ballot proposition or any grass  
22 roots lobby;

23 (h) Total amounts of compensation for lobbying during the reporting  
24 period paid or owed to lobbyists employed, hired, contracted, retained,  
25 or assigned by the employer;

26 (i) Total amount for any "special lobbying activities" as  
27 designated by section 40 of this act;

28 (j) Total amount of reimbursement for expenses incurred in  
29 connection with lobbying during the reporting period paid or owed to  
30 lobbyists employed, hired, contracted, retained, or assigned by the  
31 employer;

32 (k) Total amount for entertainment in connection with lobbying  
33 during the reporting period paid or owed to lobbyists employed, hired,  
34 contracted, retained, or assigned by the employer;

35 (l) Total amount of expenditures by the employer or value of gifts  
36 during the reporting period to legislators, legislative staff, state  
37 elected officials, state officers and employees, or members of their  
38 immediate families;

1 (m) The name and amount paid each employee or other person to or  
2 for whom fees, salary, or wages of five hundred dollars or more was  
3 spent for lobbying or professional assistance for lobbying. This  
4 provision shall not apply to persons to the extent that their lobbying  
5 or assistance is the result of an appointment or written request of the  
6 legislature or agency to participate in a study or provide expertise;

7 (n) Such other information as the commission prescribes by rule in  
8 keeping with the policies and purposes of this chapter.

9 (3) The compensation and expenditures to be reported under this  
10 section are those whose principal purpose is for lobbying, and those  
11 that would not have been made but for lobbying. The amounts or values  
12 required to be reported shall include cash, the fair market value of  
13 goods, services, or tangible or intangible property.

14 NEW SECTION. Sec. 40. REPORTING. (1) A person who spends twenty-  
15 five hundred dollars or more to sponsor a special lobbying activity  
16 other than that covered by RCW 42.17.200 shall report the information  
17 required in this section.

18 (2) For purposes of this section: (a) "Special lobbying  
19 activities" includes but is not limited to receptions, rallies,  
20 demonstrations, transportation of members or supporters to facilitate  
21 individual or group lobbying, dinners, conventions, mass gatherings,  
22 parades, and mailings; and (b) "sponsor" means the person or entity who  
23 pays for, organizes, coordinates, or directs a lobbying activity.

24 (3) Within two weeks after the lobbying activity, the sponsor shall  
25 file with the commission a report including the following:

26 (a) The name and address of the sponsor;

27 (b) The name and address of the principal officers of the sponsor;

28 (c) A description of the activity and the place and date on which  
29 it was conducted;

30 (d) The name, address, and amount contributed by each person who  
31 contributed money, goods, or services with a value of one hundred  
32 dollars or more;

33 (e) The total of all expenditures made to sponsor or support the  
34 activity. Expenditures shall be listed in the following categories:

35 (i) Salaries or compensation of persons paid to plan, coordinate,  
36 operate, or participate in the event;

37 (ii) Advertising and printing;

38 (iii) Transportation;

- 1 (iv) Food, beverages, and catering;  
2 (v) Lodging;  
3 (vi) Rent of buildings or equipment; and  
4 (vii) Other expenditures; and  
5 (f) Such other relevant information as the commission may require.

6 NEW SECTION. **Sec. 41.** Sections 34 through 40 of this act are each  
7 added to chapter 42.17 RCW.

8 **Sec. 42.** RCW 42.17.160 and 1982 c 147 s 12 are each amended to  
9 read as follows:

10 REGISTRATION AND REPORTING. The following persons and activities  
11 shall be exempt from registration and reporting under RCW 42.17.150,  
12 42.17.170, and 42.17.200:

13 (1) Persons who limit their lobbying activities to appearing before  
14 public sessions of committees of the legislature, or public hearings of  
15 state agencies;

16 (2) Activities by lobbyists or other persons whose participation  
17 has been solicited by an agency under RCW 34.05.310(2);

18 (3) News or feature reporting activities and editorial comment by  
19 working members of the press, radio, or television and the publication  
20 or dissemination thereof by a newspaper, book publisher, regularly  
21 published periodical, radio station, or television station;

22 ~~((+3))~~ (4) Persons who lobby without compensation or other  
23 consideration for acting as a lobbyist: PROVIDED, Such person makes no  
24 expenditure for or on behalf of any member of the legislature or  
25 elected official or public officer or employee of the state of  
26 Washington in connection with such lobbying. The exemption contained  
27 in this subsection is intended to permit and encourage citizens of this  
28 state to lobby any legislator, public official, or state agency without  
29 incurring any registration or reporting obligation provided they do not  
30 exceed the limits stated above. Any person exempt under this  
31 subsection ~~((+3))~~ (4) may at his or her option register and report  
32 under this chapter;

33 ~~((+4))~~ (5) Persons who restrict their lobbying activities to no  
34 more than four days or parts thereof during any three-month period and  
35 whose total expenditures during such three-month period for or on  
36 behalf of any one or more members of the legislature or state elected  
37 officials or public officers or employees of the state of Washington in



1 connection with such lobbying do not exceed twenty-five (~~{dollars}~~)  
2 dollars: PROVIDED, That the commission shall promulgate regulations to  
3 require disclosure by persons exempt under this subsection or their  
4 employers or entities which sponsor or coordinate the lobbying  
5 activities of such persons if it determines that such regulations are  
6 necessary to prevent frustration of the purposes of this chapter. Any  
7 person exempt under this subsection (~~(+4)~~) (5) may at his or her  
8 option register and report under this chapter;

9 ~~((+5))~~ (6) The governor;

10 ~~((+6))~~ (7) The lieutenant governor;

11 ~~((+7))~~ (8) Except as provided by RCW 42.17.190(1), members of the  
12 legislature;

13 ~~((+8))~~ (9) Except as provided by RCW 42.17.190(1), persons  
14 employed by the legislature for the purpose of aiding in the  
15 preparation or enactment of legislation or the performance of  
16 legislative duties;

17 ~~((+9))~~ (10) Elected officials, and officers and employees of any  
18 agency reporting under RCW 42.17.190(4) as now or hereafter amended.

19 **Sec. 43.** RCW 42.17.170 and 1991 sp.s. c 18 s 2 are each amended to  
20 read as follows:

21 MONTHLY PERIODIC REPORT. (1) Any lobbyist registered under RCW  
22 42.17.150 and any person who lobbies shall file with the commission  
23 periodic reports of his activities signed by the lobbyist. The reports  
24 shall be made in the form and manner prescribed by the commission.  
25 They shall be due monthly and shall be filed within fifteen days after  
26 the last day of the calendar month covered by the report.

27 (2) Each such monthly periodic report shall contain:

28 (a) The totals of all expenditures for lobbying activities made or  
29 incurred by such lobbyist or on behalf of such lobbyist by the  
30 lobbyist's employer during the period covered by the report. Such  
31 totals for lobbying activities shall be segregated according to  
32 financial category, including compensation; food and refreshments;  
33 living accommodations; advertising; travel; contributions; and other  
34 expenses or services. Each individual expenditure of more than twenty-  
35 five dollars for entertainment shall be identified by date, place,  
36 amount, and the names of all persons in the group partaking in or of  
37 such entertainment including any portion thereof attributable to the  
38 lobbyist's participation therein, (~~without~~) and shall include amounts

1 actually expended on each person where calculable, or allocating any  
2 portion of ((such)) the expenditure to individual participants.  
3 ~~((However, if the expenditure for a single hosted reception is more~~  
4 ~~than one hundred dollars per person partaking therein, the report shall~~  
5 ~~specify the per person amount, which shall be determined by dividing~~  
6 ~~the total amount of the expenditure by the total number of persons~~  
7 ~~partaking in the reception.))~~

8 Notwithstanding the foregoing, lobbyists are not required to report  
9 the following:

10 (i) Unreimbursed personal living and travel expenses not incurred  
11 directly for lobbying;

12 (ii) Any expenses incurred for his or her own living  
13 accommodations;

14 (iii) Any expenses incurred for his or her own travel to and from  
15 hearings of the legislature;

16 (iv) Any expenses incurred for telephone, and any office expenses,  
17 including rent and salaries and wages paid for staff and secretarial  
18 assistance.

19 (b) In the case of a lobbyist employed by more than one employer,  
20 the proportionate amount of such expenditures in each category incurred  
21 on behalf of each of his employers.

22 (c) An itemized listing of each such expenditure, whether  
23 contributed by the lobbyist personally or delivered or transmitted by  
24 the lobbyist, in the nature of a contribution of money or of tangible  
25 or intangible personal property to any candidate, elected official, or  
26 officer or employee of any agency, or any political committee  
27 supporting or opposing any ballot proposition, or for or on behalf of  
28 any candidate, elected official, or officer or employee of any agency,  
29 or any political committee supporting or opposing any ballot  
30 proposition. All contributions made to, or for the benefit of, any  
31 candidate, elected official, or officer or employee of any agency, or  
32 any political committee supporting or opposing any ballot proposition  
33 shall be identified by date, amount, and the name of the candidate,  
34 elected official, or officer or employee of any agency, or any  
35 political committee supporting or opposing any ballot proposition  
36 receiving, or to be benefited by each such contribution.

37 (d) The subject matter of proposed legislation or other legislative  
38 activity or rule-making under chapter 34.05 RCW, the state  
39 Administrative Procedure Act, and the state agency considering the

1 same, which the lobbyist has been engaged in supporting or opposing  
2 during the reporting period, unless exempt under RCW 42.17.160(2).

3 (e) Such other information relevant to lobbying activities as the  
4 commission shall by rule prescribe. Information supporting such  
5 activities as are required to be reported is subject to audit by the  
6 commission.

7 (f) ~~((A listing of each gift, as defined in RCW 42.17.020, made to  
8 a state elected official or executive state officer or to a member of  
9 the immediate family of such an official or officer. Such a gift shall  
10 be separately identified by the date it was given, the approximate  
11 value of the gift, and the name of the recipient. However, for a  
12 hosted reception where the average per person amount is reported under  
13 (a) of this subsection, the approximate value for the gift of partaking  
14 in the event is such average per person amount. The commission shall  
15 adopt forms to be used for reporting the giving of gifts under this  
16 subsection (2)(f). The forms shall be designed to permit a lobbyist to  
17 report on a separate form for each recipient the reportable gifts given  
18 to that recipient during the reporting period or, alternatively, to  
19 report on one form all reportable gifts given by the lobbyist during  
20 the reporting period))~~ A listing of each payment for an item specified  
21 in RCW 42.52.010(9)(d) and (f) in excess of fifty dollars. Each item  
22 shall be identified by recipient, date, and approximate value of the  
23 item.

24 (g) The total expenditures made during the reporting period by the  
25 lobbyist for lobbying purposes, whether through or on behalf of a  
26 lobbyist or otherwise. As used in this section, "expenditures"  
27 includes amounts paid or incurred during the reporting period for (i)  
28 political advertising as defined in RCW 42.17.020; and (ii) public  
29 relations, telemarketing, polling, or similar activities if such  
30 activities, directly or indirectly, are intended, designed, or  
31 calculated to influence legislation or the adoption or rejection of a  
32 rule, standard, or rate by an agency under the administrative procedure  
33 act. The report shall specify the amount, the person to whom the  
34 amount was paid, and a brief description of the activity.

35 (3) If a state elected official or a member of such an official's  
36 immediate family is identified by a lobbyist in such a report as having  
37 received from the lobbyist ~~((a gift, as defined in RCW 42.17.020))~~ an  
38 item specified in RCW 42.52.010(9)(d) and (f) from the lobbyist, the  
39 lobbyist shall transmit to the official a copy of the completed form

1 used to identify the gift in the report at the same time the report is  
2 filed with the commission.

3 (4) The commission may adopt rules to vary the content of lobbyist  
4 reports to address specific circumstances, consistent with this  
5 section.

6 **Sec. 44.** RCW 42.17.132 and 1993 c 2 s 25 are each amended to read  
7 as follows:

8 MAILING. During the twelve-month period preceding the expiration  
9 of a state legislator's term in office, no incumbent to that office may  
10 mail to a constituent at public expense a letter, newsletter, brochure,  
11 or other piece of literature that is not in direct response to that  
12 constituent's request for a response or for information. However, one  
13 mailing mailed within thirty days after the start of a regular  
14 legislative session and one mailing mailed within sixty days after the  
15 end of a regular legislative session of identical newsletters to  
16 constituents are permitted. A violation of this section constitutes  
17 use of the facilities of a public office for the purpose of assisting  
18 a campaign under ((RCW 42.17.130)) RCW 42.52.180.

19 The house of representatives and senate shall specifically limit  
20 expenditures per member for the total cost of mailings, including but  
21 not limited to production costs, printing costs, and postage.

## 22 **VOTERS' AND CANDIDATES' PAMPHLET**

23 **Sec. 45.** RCW 43.07.310 and 1992 c 163 s 2 are each amended to read  
24 as follows:

25 VOTERS' PAMPHLET--ELECTRONIC. The secretary of state, through the  
26 division of elections, is responsible for the following duties, as  
27 prescribed by Title 29 RCW:

28 (1) The filing, verification of signatures, and certification of  
29 state initiative, referendum, and recall petitions;

30 (2)(a) The production and distribution of a state voters' and  
31 candidates' pamphlet for the primary election and general election;

32 (b) In addition to the written pamphlet, the secretary of state may  
33 produce the state voters' and candidates' pamphlet in electronic  
34 format. If the secretary of state produces the pamphlet in video  
35 format, closed captioning shall be used;

1 (3) The examination, testing, and certification of voting  
2 equipment, voting devices, and vote-tallying systems;

3 (4) The administration, canvassing, and certification of the  
4 presidential primary, state primaries, and state general elections;

5 (5) The administration of motor voter and other voter registration  
6 and voter outreach programs;

7 (6) The training, testing, and certification of state and local  
8 elections personnel as established in RCW 29.60.030;

9 (7) The training of state and local party observers required by RCW  
10 29.60.040;

11 (8) The conduct of postelection reviews as established in RCW  
12 29.60.070; and

13 (9) Other duties that may be prescribed by the legislature.

14 **Sec. 46.** RCW 29.80.010 and 1987 c 295 s 17 are each amended to  
15 read as follows:

16 CANDIDATES' PAMPHLET. As soon as possible before each state  
17 primary and general election at which federal or state officials are to  
18 be elected, the secretary of state shall publish and mail to each  
19 individual place of residence of the state a candidates' pamphlet  
20 containing photographs and campaign statements of eligible nominees who  
21 desire to participate therein, together with a campaign mailing address  
22 and telephone number submitted by the nominee at the nominee's option,  
23 and in even-numbered years containing a description of the office of  
24 precinct committee officer and its duties, in order that voters will  
25 understand that the office is a state office and will be found on the  
26 ballot of the forthcoming general election. In odd-numbered years no  
27 candidates' pamphlet may be published unless an election is to be held  
28 to fill a vacancy in one or more of the following state-wide elective  
29 offices: United States senator, governor, lieutenant governor,  
30 secretary of state, state treasurer, state auditor, attorney general,  
31 superintendent of public instruction, commissioner of public lands,  
32 insurance commissioner, or justice of the supreme court.

33 **Sec. 47.** RCW 29.80.020 and 1984 c 54 s 2 are each amended to read  
34 as follows:

35 CANDIDATE STATEMENTS. At a time to be determined by the secretary  
36 of state(~~(, but in any event not later than forty five days))~~) before  
37 the applicable state primary and general election, each nominee for the

1 office of United States senator, United States representative,  
2 governor, lieutenant governor, secretary of state, state treasurer,  
3 state auditor, attorney general, superintendent of public instruction,  
4 commissioner of public lands, insurance commissioner, state senator,  
5 state representative, justice of the supreme court, judge of the court  
6 of appeals, or judge of the superior court may file with the secretary  
7 of state a written statement advocating his or her candidacy  
8 accompanied by the campaign mailing address and telephone number  
9 submitted by the nominee at the nominee's option, and a photograph not  
10 more than five years old and of a size and quality that the secretary  
11 of state determines to be suitable for reproduction in the voters'  
12 pamphlet. The maximum number of words for the statements shall be  
13 determined according to the offices sought as follows: State  
14 representative, one hundred words; state senator, judge of the superior  
15 court, judge of the court of appeals, justice of the supreme court, and  
16 all state offices voted upon throughout the state, except that of  
17 governor, two hundred words; United States senator, United States  
18 representative, and governor, three hundred words. No such statement  
19 or photograph may be printed in the candidates' pamphlet for any person  
20 who is the sole nominee for any nonpartisan or judicial office.

21 **Sec. 48.** RCW 29.81.010 and 1984 c 54 s 4 are each amended to read  
22 as follows:

23 The voters' pamphlet shall contain as to each state measure to be  
24 voted upon, the following in the order set forth in this section:

25 (1) Upon the top portion of the first two opposing pages relating  
26 to the measure and not exceeding one-third of the total printing area  
27 shall appear:

28 (a) The legal identification of the measure by serial designation  
29 and number;

30 (b) The official ballot title of the measure;

31 (c) A brief statement explaining the law as it presently exists;

32 (d) A brief statement explaining the effect of the proposed measure  
33 should it be approved into law;

34 (e) The total number of votes cast for and against the measure in  
35 both the state senate and house of representatives if the measure has  
36 been passed by the legislature;

37 (f) A heavy double ruled line across both pages to clearly set  
38 apart the above items from the remaining text.

1 (2) Upon the lower portion of the left page of the two facing pages  
2 shall appear an argument advocating the voters' approval of the measure  
3 together with any rebuttal statement of the opposing argument as  
4 provided in RCW 29.81.030, 29.81.040, or 29.81.050.

5 (3) Upon the lower portion of the right hand page of the two facing  
6 pages shall appear an argument advocating the voters' rejection of the  
7 measure together with any rebuttal statement of the opposing argument  
8 as provided in RCW 29.81.030, 29.81.040, or 29.81.050.

9 (4) Following each argument or rebuttal statement each member of  
10 the committee advocating for or against a measure shall be listed by  
11 name and address to the end that the public shall be fully apprised of  
12 the advocate's identity. The names of the persons preparing the  
13 statement shall be printed in bold face capital letters. Also,  
14 following each argument or rebuttal statement, the secretary of state  
15 shall list, at the option of the committee that submitted the argument  
16 or statement, a telephone number that citizens may call in order to  
17 obtain information on the ballot measure.

18 (5) At the conclusion of the pamphlet the full text of each of the  
19 measures shall appear. The text of the proposed constitutional  
20 amendments shall be set forth in the form provided for in RCW  
21 29.81.080.

22 **Sec. 49.** RCW 29.80.040 and 1984 c 54 s 3 are each amended to read  
23 as follows:

24 PRINTING. The nominees' statements, photographs, and the addresses  
25 and telephone numbers submitted by them as set forth in RCW 29.80.010  
26 and 29.80.020 shall be published by the secretary of state as a  
27 candidates' pamphlet, the printing of which shall be completed as soon  
28 as possible before the state primary or general election concerned.  
29 The overall dimensions of the pamphlet shall be determined by the  
30 secretary of state as those which in the secretary's judgment best  
31 serve the voters, and whenever possible the candidates' pamphlet shall  
32 be combined with the voters' pamphlet as a single publication.

33 **Sec. 50.** RCW 29.80.090 and 1984 c 54 s 7 are each amended to read  
34 as follows:

35 PUBLIC DISCLOSURE COMMISSION SERVICES. In addition to other  
36 contents included in the candidates' pamphlet, the secretary of state  
37 shall prepare and include a section containing (1) a brief explanation

1 of how voters may participate in the election campaign process; (2) the  
2 name, address, and telephone number of each political party that has  
3 one or more nominees listed in the candidates' pamphlet, but this  
4 information shall be included in the candidates' pamphlet only if and  
5 as filed with the secretary of state by the state committee of a major  
6 political party or the presiding officer of the convention of a minor  
7 political party; (3) the address and telephone number of the public  
8 disclosure commission established under RCW 42.17.350 and a description  
9 of the services available through the public disclosure commission; (4)  
10 a summary of the disclosure requirements that apply when contributions  
11 are made to candidates and political committees; and (5) an explanation  
12 of the federal income tax credits and deductions that are available to  
13 persons who make such contributions. Whenever the candidates' pamphlet  
14 is combined with the voters' pamphlet, the section shall be placed at  
15 or near the beginning of the combined publication.

16 **MISCELLANEOUS**

17 NEW SECTION. **Sec. 51.** REPEALER. The following acts or parts of  
18 acts are each repealed:

- 19 (1) RCW 42.17.021 and 1993 c 2 s 30;  
20 (2) RCW 42.17.2415 and 1991 sp.s. c 18 s 3; and  
21 (3) RCW 42.17.630 and 1993 c 2 s 3.

22 NEW SECTION. **Sec. 52.** CAPTIONS AND HEADINGS. Captions and  
23 headings as used in this act constitute no part of the law.

24 NEW SECTION. **Sec. 53.** If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 remainder of the act or the application of the provision to other  
27 persons or circumstances is not affected.

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