

CERTIFICATION OF ENROLLMENT

SENATE BILL 5460

55th Legislature
1997 Regular Session

Passed by the Senate March 18, 1997
YEAS 27 NAYS 21

President of the Senate

Passed by the House April 26, 1997
YEAS 51 NAYS 45

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5460** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5460

Passed Legislature - 1997 Regular Session

State of Washington

55th Legislature

1997 Regular Session

By Senators McCaslin, Deccio and Zarelli

Read first time 01/27/97. Referred to Committee on Government Operations.

1 AN ACT Relating to the use of public funds; and amending RCW
2 42.17.130, 36.32.350, and 36.47.040.

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

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

6 (1) No elective official nor any employee of his or her office nor
7 any person appointed to or employed by any public office or agency may
8 use or authorize the use of any of the facilities of a public office or
9 agency, directly or indirectly, for the purpose of assisting a campaign
10 for election of any person to any office or for the promotion of or
11 opposition to any ballot proposition. Facilities of public office or
12 agency include, but are not limited to, use of stationery, postage,
13 machines, and equipment, use of employees of the office or agency
14 during working hours, vehicles, office space, publications of the
15 office or agency, and clientele lists of persons served by the office
16 or agency(~~(:—PROVIDED, That)~~). However, the foregoing provisions of
17 this section shall not apply to the following activities:

18 ~~((1))~~ (a) Action taken at an open public meeting by members of an
19 elected legislative body to express a collective decision, or to

1 actually vote upon a motion, proposal, resolution, order, or ordinance,
2 or to support or oppose a ballot proposition so long as ~~((+a+))~~ (i) any
3 required notice of the meeting includes the title and number of the
4 ballot proposition, and ~~((+b+))~~ (ii) members of the legislative body or
5 members of the public are afforded an approximately equal opportunity
6 for the expression of an opposing view;

7 ~~((+2+))~~ (b) A statement by an elected official in support of or in
8 opposition to any ballot proposition at an open press conference or in
9 response to a specific inquiry; or

10 ~~((+3+))~~ (c) Activities which are part of the normal and regular
11 conduct of the office or agency.

12 (2) No association, organization, or entity that derives more than
13 twenty-five percent of its income from dues, assessments, or membership
14 fees paid with public funds may provide any financial support or use of
15 its facilities for or against a ballot proposition or candidate for
16 public office.

17 **Sec. 2.** RCW 36.32.350 and 1991 c 363 s 59 are each amended to read
18 as follows:

19 County legislative authorities may designate the Washington state
20 association of counties as a coordinating agency in the execution of
21 duties imposed by RCW 36.32.335 through 36.32.360 and reimburse the
22 association from county current expense funds in the county legislative
23 authority's budget for the costs of any such services rendered. No
24 reimbursement shall be made for contributions to political committees
25 or for funds used as political contributions. Such reimbursement shall
26 be paid on vouchers submitted to the county auditor and approved by the
27 county legislative authority in the manner provided for the
28 disbursement of other current expense funds and the vouchers shall set
29 forth the nature of the service rendered, supported by affidavit that
30 the service has actually been performed.

31 **Sec. 3.** RCW 36.47.040 and 1991 c 363 s 71 are each amended to read
32 as follows:

33 Each county which designates the Washington state association of
34 county officials as the agency through which the duties imposed by RCW
35 36.47.020 may be executed is authorized to reimburse the association
36 from the county current expense fund for the cost of any such services
37 rendered(~~(:—PROVIDED, That)~~). However, no reimbursement shall be made

1 to the association for any expenses incurred under RCW 36.47.050 for
2 travel, meals, or lodging of such county officials, or their
3 representatives at such meetings, but such expenses may be paid by such
4 official's respective county as other expenses are paid for county
5 business. Such reimbursement shall be paid only on vouchers submitted
6 to the county auditor and approved by the legislative authority of each
7 county in the manner provided for the disbursement of other current
8 expense funds. Each such voucher shall set forth the nature of the
9 services rendered by the association, supported by affidavit that the
10 services were actually performed. No reimbursement shall be made for
11 contributions to political committees or for funds used as political
12 contributions.

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