

HOUSE BILL REPORT

HB 1917

As Reported by House Committee On:
State Government

Title: An act relating to spending in election campaigns.

Brief Description: Creating a program of voluntary campaign spending limits for state offices.

Sponsors: Representative Dunshee.

Brief History:

Committee Activity:

State Government: 1/17/02, 2/5/02 [DPS].

Brief Summary of Substitute Bill

- Creates a voluntary program of campaign spending limits for certain state-wide elections.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Romero, Chair; Miloscia, Vice Chair; McDermott and Upthegrove.

Minority Report: Do not pass. Signed by 3 members: Representatives McMorris, Ranking Minority Member; Schindler and Schmidt.

Staff: Catherine Blinn (786-7114).

Background:

Current campaign finance laws limit individual campaign contributions to a candidate for state legislative office to \$625, and to a candidate for governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor and state treasurer to \$1,250. The limit applies for each election that the candidate appears on the ballot.

Mandatory limits on campaign spending have been held to restrict political speech, thereby violating the First Amendment, by the U.S. Supreme Court in *Buckley v. Valeo* (1976) and the state Supreme Court in *Bare v. Gorton* (1974). However, campaign spending limits that are voluntary, rather than mandatory, are permitted.

Summary of Substitute Bill:

Candidates for the state offices that are currently subject to contribution limits may voluntarily participate in a program to limit campaign spending. The program is open to candidates for governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, state treasurer, state senate, and state house of representatives. The Public Disclosure Commission (PDC) must consider the average amount spent by the two candidates in each election who received the most votes in the 2000 general election when setting the recommended spending limits for each office. The limit is adjusted biennially for inflation.

Each candidate wishing to participate in the program must sign a promise within 10 days after the end of the filing period, promising that he or she will stay within the designated spending limit. The PDC must compile a list of the candidates who promised to comply with the limits, and make the list available to the media and to the public. Any candidate who violates the spending limit will be removed from the list.

The Secretary of State must include in the voters' pamphlet the recommended campaign spending limits for each office eligible for the program, and a brief explanation of the effect of a candidate's promise to abide by the limit. The following notation must be included by each candidate who promises to abide by the limit: "Has promised to abide by the voluntary spending limit for this campaign." The following notation must be included by each candidate who is not participating in the program: "Has **NOT** promised to abide by the voluntary spending limit for this campaign."

Substitute Bill Compared to Original Bill:

The substitute bill changes the effective date by one year, and adds the requirement that sources of campaign finance information be included in the voters' pamphlet.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect on January 1, 2003.

Testimony For: This bill made progress in the legislative process in 1994. Campaign financing makes legislators consider, "How will this affect me?" But the Legislature needs to consider how campaign financing reform will affect voters. At least 50 percent of the population has chosen not to participate in the political process because they distrust politicians and are disgusted with politicians and the money thrown into campaigns. The bill provides a feasible, simple, voluntary way for candidates to change the status quo. Special interests control politics too much and dirty money pollutes all parties.

Testimony Against: None.

Testified: Representative Dunshee, prime sponsor; and Jeff Cochran, citizen.