

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2713

Chapter 215, Laws of 2006

59th Legislature
2006 Regular Session

SPECIAL PURPOSE DISTRICTS--BALLOT MEASURE SUPPORT, OPPOSITION

EFFECTIVE DATE: 6/7/06

Passed by the House February 14, 2006
Yeas 66 Nays 30

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 2, 2006
Yeas 27 Nays 20

BRAD OWEN

President of the Senate

Approved March 24, 2006.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2713** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 24, 2006 - 2:37 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2713

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By House Committee on State Government Operations & Accountability
(originally sponsored by Representatives Simpson, Woods and Hunt)

READ FIRST TIME 02/02/06.

1 AN ACT Relating to clarifying that special district boards,
2 councils, and commissions may publicly take positions on ballot
3 measures; amending RCW 42.17.130; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that the public
6 benefits from an open and inclusive discussion of proposed ballot
7 measures by local elected leaders, and that for twenty-five years these
8 discussions have included the opportunity for elected boards, councils,
9 and commissions of special purpose districts to vote in open public
10 meetings in order to express their support of, or opposition to, ballot
11 propositions affecting their jurisdictions.

12 (2) The legislature intends to affirm and clarify the state's long-
13 standing policy of promoting informed public discussion and
14 understanding of ballot propositions by allowing elected boards,
15 councils, and commissions of special purpose districts to adopt
16 resolutions supporting or opposing ballot propositions.

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

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

13 (1) Action taken at an open public meeting by members of an elected
14 legislative body or by an elected board, council, or commission of a
15 special purpose district including, but not limited to, fire districts,
16 public hospital districts, library districts, park districts, port
17 districts, public utility districts, school districts, sewer districts,
18 and water districts, to express a collective decision, or to actually
19 vote upon a motion, proposal, resolution, order, or ordinance, or to
20 support or oppose a ballot proposition so long as (a) any required
21 notice of the meeting includes the title and number of the ballot
22 proposition, and (b) members of the
23 board, council, or commission of the special purpose district, or
24 members of the public are afforded an approximately equal opportunity
25 for the expression of an opposing view;

26 (2) A statement by an elected official in support of or in
27 opposition to any ballot proposition at an open press conference or in
28 response to a specific inquiry;

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

Passed by the House February 14, 2006.

Passed by the Senate March 2, 2006.

Approved by the Governor March 24, 2006.

Filed in Office of Secretary of State March 24, 2006.