

1 6111-S AMS DREW S5068.2

2 SSB 6111 - S AMD - 000079

3 By Senator Drew

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5 On page 4, line 33, after "otherwise" insert "but does not include
6 preparation, consideration, or enactment of legislation or the
7 performance of legislative duties"

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4 On page 6, line 1, after "(19)" insert "(a)"

5 On page 6, at the beginning of line 6, strike "(a)" and insert
6 "(i)"

7 On page 6, at the beginning of line 7, strike "(b)" and insert
8 "(ii)"

9 On page 6, at the beginning of line 8, strike "(c)" and insert
10 "(iii)"

11 On page 6, beginning on line 10, strike all material through
12 "legislation." on line 11 and insert the following:

13 "(b) "Transaction involving the state" does not include the
14 following: Preparation, consideration, or enactment of legislation,
15 including appropriation of moneys in a budget, or the performance of
16 legislative duties by an officer or employee; or a claim, case,
17 lawsuit, or similar matter if the officer or employee did not
18 participate in the underlying transaction involving the state that is
19 the basis for the claim, case, or lawsuit."

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4 On page 6, line 26, after "may" strike "transact business" and
5 insert "participate in a transaction involving the state"

6 On page 6, line 29, after "owns" strike "an" and insert "a
7 beneficial"

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11 On page 11, line 5, after "employee" strike "or" and insert "in his
12 or her official capacity or by"

13 On page 11, beginning on line 10, after "with" strike all material
14 through "only if:" on line 12 and insert "a state agency only if:"

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4 On page 24, beginning on line 34, after "believe that" strike "some
5 provision of this chapter" and insert "section 118 of this act"

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4 On page 30, after line 21, insert the following:

5 "Sec. 305. RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended
6 to read as follows:

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

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

32 (2) A statement by an elected local government official in support
33 of or in opposition to any ballot proposition at an open press
34 conference or in response to a specific inquiry. For the purposes of
35 this subsection, it is not a violation of this section for an elected

1 local government official to respond to an inquiry regarding a ballot
2 proposition, to make incidental remarks concerning a ballot proposition
3 in an official communication, or otherwise comment on a ballot
4 proposition without an actual, measurable expenditure of public funds.
5 Measurable expenditure has the meaning adopted by rule under section
6 118 of this act;

7 (3) Activities which are part of the normal and regular conduct of
8 the office or agency."

9 Renumber the remaining sections consecutively and correct any
10 internal references accordingly.

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14 On page 1, line 2 of the title, after "42.18.260," insert
15 "42.17.130,"

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