

1 6111-S AMS SMIL S4967.1

2 SSB 6111 - S AMD  
3 By Senator L. Smith

4 SCOPE WITHIN - NOT ADOPTED 2/12/94 - ROLL CALL 10-33

5 On page 15, beginning on line 31, strike all of section 118 and  
6 insert the following:

7 "Sec. 118. RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended  
8 to read as follows:

9 (1) No elective official nor any employee of his or her office nor  
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, for the purpose of assisting a campaign  
13 for election of any person to any office or for the promotion of or  
14 opposition to any ballot proposition. Knowing acquiescence by a person  
15 with authority to direct, control, or influence the actions of the  
16 government official or employee using public resources in violation of  
17 this section constitutes a violation of this section. Facilities of  
18 public office or agency include, but are not limited to, use of  
19 stationery, postage, machines, and equipment, use of employees of the  
20 office or agency during working hours, vehicles, office space,  
21 publications of the office or agency, and clientele lists of persons  
22 served by the office or agency(~~(:—PROVIDED, That))~~). ~~The ((foregoing))~~  
23 provisions of this section shall not apply to the following activities:

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

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

35 ~~((3))~~ (c) Activities which are part of the normal and regular  
36 conduct of the office or agency.

1       (2) No agency or official or employee of any agency may disburse  
2 funds in the form of dues or membership fees to an entity that uses any  
3 portion of such dues or membership fees for the support of or  
4 opposition to a ballot proposition. This subsection does not apply to  
5 funds deducted from a public employee's pay and forwarded to a  
6 bargaining representative pursuant to RCW 41.56.110."

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10       On page 1, line 2 of the title, after "42.18.230," insert  
11 "42.17.130,"

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