

2 SSB 6111 - S AMD  
3 By Senator Linda Smith

4 On page 15, beginning on line 31, strike all of NEW SECTION. Sec.  
5 118 through and including "42.17.130." on page 16, line 36 and insert  
6 the following:

7 "Sec. 118. A new section is added to chapter 42.17 RCW to read as  
8 follows:

9 (1) No state officer or state employee may use or authorize the use  
10 of facilities of an agency, directly or indirectly, for the purpose of  
11 assisting a campaign for election of a person to an office or for the  
12 promotion of or opposition to a ballot proposition. Knowing  
13 acquiescence by a person with authority to direct, control, or  
14 influence the actions of the state officer or state employee using  
15 public resources in violation of this section constitutes a violation  
16 of this section. Facilities of an agency include, but are not limited  
17 to, use of stationery, postage, machines, and equipment, use of state  
18 employees of the agency during working hours, vehicles, office space,  
19 publications of the agency, and clientele lists of persons served by  
20 the agency.

21 (2) This section shall not apply to the following activities:

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

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

33 (c) Activities that are part of the normal and regular conduct of  
34 the office or agency.

1       (3) As to state officers and employees, this section operates to  
2 the exclusion of RCW 42.17.130."

3       Renumber remaining sections and correct internal references  
4 accordingly.

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