

1 5576-S2 AMS DREW S2612.3

2 **2SSB 5576** - S AMD - 216
3 By Senators Drew and Smith

4 ADOPTED 3/14/95

5 On page 10, beginning on line 19, after "preceding the" strike all
6 material through "in" on line 20, and insert "~~((expiration of a state~~
7 ~~legislator's term in))~~ last day for certification of the election
8 results for a state legislator's election to"

9 On page 10, beginning on line 27, after "permitted." strike all
10 material through "office." on line 30

11 On page 10, after line 35, insert the following:

12 "**Sec. 19.** RCW 42.17.160 and 1982 c 147 s 12 are each amended to
13 read as follows:

14 REGISTRATION AND REPORTING. The following persons and activities
15 shall be exempt from registration and reporting under RCW 42.17.150,
16 42.17.170, and 42.17.200:

17 (1) Persons who limit their lobbying activities to appearing before
18 public sessions of committees of the legislature, or public hearings of
19 state agencies;

20 (2) Activities by lobbyists or other persons whose participation
21 has been solicited by an agency under RCW 34.05.310(2);

22 (3) News or feature reporting activities and editorial comment by
23 working members of the press, radio, or television and the publication
24 or dissemination thereof by a newspaper, book publisher, regularly
25 published periodical, radio station, or television station;

26 ~~((3))~~ (4) Persons who lobby without compensation or other
27 consideration for acting as a lobbyist: PROVIDED, Such person makes no
28 expenditure for or on behalf of any member of the legislature or
29 elected official or public officer or employee of the state of
30 Washington in connection with such lobbying. The exemption contained
31 in this subsection is intended to permit and encourage citizens of this
32 state to lobby any legislator, public official, or state agency without
33 incurring any registration or reporting obligation provided they do not
34 exceed the limits stated above. Any person exempt under this

1 subsection ((+3+)) (4) may at his or her option register and report
2 under this chapter;

3 ((+4+)) (5) Persons who restrict their lobbying activities to no
4 more than four days or parts thereof during any three-month period and
5 whose total expenditures during such three-month period for or on
6 behalf of any one or more members of the legislature or state elected
7 officials or public officers or employees of the state of Washington in
8 connection with such lobbying do not exceed twenty-five (~~{dollars}~~)
9 dollars: PROVIDED, That the commission shall promulgate regulations to
10 require disclosure by persons exempt under this subsection or their
11 employers or entities which sponsor or coordinate the lobbying
12 activities of such persons if it determines that such regulations are
13 necessary to prevent frustration of the purposes of this chapter. Any
14 person exempt under this subsection ((+4+)) (5) may at his or her
15 option register and report under this chapter;

16 ((+5+)) (6) The governor;

17 ((+6+)) (7) The lieutenant governor;

18 ((+7+)) (8) Except as provided by RCW 42.17.190(1), members of the
19 legislature;

20 ((+8+)) (9) Except as provided by RCW 42.17.190(1), persons
21 employed by the legislature for the purpose of aiding in the
22 preparation or enactment of legislation or the performance of
23 legislative duties;

24 ((+9+)) (10) Elected officials, and officers and employees of any
25 agency reporting under RCW 42.17.190(4) as now or hereafter amended.

26 **Sec. 20.** RCW 42.17.170 and 1991 sp.s. c 18 s 2 are each amended to
27 read as follows:

28 MONTHLY PERIODIC REPORT. (1) Any lobbyist registered under RCW
29 42.17.150 and any person who lobbies shall file with the commission
30 periodic reports of his or her activities signed by the lobbyist. The
31 reports shall be made in the form and manner prescribed by the
32 commission. They shall be due monthly and shall be filed within
33 fifteen days after the last day of the calendar month covered by the
34 report.

35 (2) Each such monthly periodic report shall contain:

36 (a) The totals of all expenditures for lobbying activities made or
37 incurred by such lobbyist or on behalf of such lobbyist by the
38 lobbyist's employer during the period covered by the report. Such

1 totals for lobbying activities shall be segregated according to
2 financial category, including compensation; food and refreshments;
3 living accommodations; advertising; travel; contributions; and other
4 expenses or services. Each individual expenditure of more than twenty-
5 five dollars for entertainment shall be identified by date, place,
6 amount, and the names of all persons in the group partaking in or of
7 such entertainment including any portion thereof attributable to the
8 lobbyist's participation therein, ~~((without))~~ and shall include amounts
9 actually expended on each person where calculable, or allocating any
10 portion of ((such)) the expenditure to individual participants.
11 ~~((However, if the expenditure for a single hosted reception is more~~
12 ~~than one hundred dollars per person partaking therein, the report shall~~
13 ~~specify the per person amount, which shall be determined by dividing~~
14 ~~the total amount of the expenditure by the total number of persons~~
15 ~~partaking in the reception.))~~

16 Notwithstanding the foregoing, lobbyists are not required to report
17 the following:

18 (i) Unreimbursed personal living and travel expenses not incurred
19 directly for lobbying;

20 (ii) Any expenses incurred for his or her own living
21 accommodations;

22 (iii) Any expenses incurred for his or her own travel to and from
23 hearings of the legislature;

24 (iv) Any expenses incurred for telephone, and any office expenses,
25 including rent and salaries and wages paid for staff and secretarial
26 assistance.

27 (b) In the case of a lobbyist employed by more than one employer,
28 the proportionate amount of such expenditures in each category incurred
29 on behalf of each of his employers.

30 (c) An itemized listing of each such expenditure, whether
31 contributed by the lobbyist personally or delivered or transmitted by
32 the lobbyist, in the nature of a contribution of money or of tangible
33 or intangible personal property to any candidate, elected official, or
34 officer or employee of any agency, or any political committee
35 supporting or opposing any ballot proposition, or for or on behalf of
36 any candidate, elected official, or officer or employee of any agency,
37 or any political committee supporting or opposing any ballot
38 proposition. All contributions made to, or for the benefit of, any
39 candidate, elected official, or officer or employee of any agency, or

1 any political committee supporting or opposing any ballot proposition
2 shall be identified by date, amount, and the name of the candidate,
3 elected official, or officer or employee of any agency, or any
4 political committee supporting or opposing any ballot proposition
5 receiving, or to be benefited by each such contribution.

6 (d) The subject matter of proposed legislation or other legislative
7 activity or rule-making under chapter 34.05 RCW, the state
8 Administrative Procedure Act, and the state agency considering the
9 same, which the lobbyist has been engaged in supporting or opposing
10 during the reporting period, unless exempt under RCW 42.17.160(2).

11 (e) Such other information relevant to lobbying activities as the
12 commission shall by rule prescribe. Information supporting such
13 activities as are required to be reported is subject to audit by the
14 commission.

15 (f) ~~((A listing of each gift, as defined in RCW 42.17.020, made to
16 a state elected official or executive state officer or to a member of
17 the immediate family of such an official or officer. Such a gift shall
18 be separately identified by the date it was given, the approximate
19 value of the gift, and the name of the recipient. However, for a
20 hosted reception where the average per person amount is reported under
21 (a) of this subsection, the approximate value for the gift of partaking
22 in the event is such average per person amount. The commission shall
23 adopt forms to be used for reporting the giving of gifts under this
24 subsection (2)(f). The forms shall be designed to permit a lobbyist to
25 report on a separate form for each recipient the reportable gifts given
26 to that recipient during the reporting period or, alternatively, to
27 report on one form all reportable gifts given by the lobbyist during
28 the reporting period))~~ A listing of each payment for an item specified
29 in RCW 42.52.150(5) in excess of fifty dollars made to a state elected
30 official, state officer, or state employee. Each item shall be
31 identified by recipient, date, and approximate value of the item.

32 (g) The total expenditures made during the reporting period by the
33 lobbyist for lobbying purposes, whether through or on behalf of a
34 lobbyist or otherwise. As used in this subsection, "expenditures"
35 includes amounts paid or incurred during the reporting period for (i)
36 political advertising as defined in RCW 42.17.020; and (ii) public
37 relations, telemarketing, polling, or similar activities if such
38 activities, directly or indirectly, are intended, designed, or
39 calculated to influence legislation or the adoption or rejection of a

1 rule, standard, or rate by an agency under the administrative procedure
2 act. The report shall specify the amount, the person to whom the
3 amount was paid, and a brief description of the activity.

4 (3) If a state elected official or a member of such an official's
5 immediate family is identified by a lobbyist in such a report as having
6 received from the lobbyist (~~(a gift, as defined in RCW 42.17.020)~~) an
7 item specified in RCW 42.52.150(5), the lobbyist shall transmit to the
8 official a copy of the completed form used to identify the (~~gift~~)
9 item in the report at the same time the report is filed with the
10 commission.

11 (4) The commission may adopt rules to vary the content of lobbyist
12 reports to address specific circumstances, consistent with this
13 section."

14 Renumber the remaining sections consecutively.

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17 ADOPTED 3/14/95

18 On page 1, line 4 of the title, after "29.80.090," strike "and
19 42.17.132" and insert "42.17.132, 42.17.160, and 42.17.170"

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