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HOUSE BILL 3127

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Miloscia, Ormsby, and Kelley

Read first time 01/22/08. Referred to Committee on State Government & Tribal Affairs.

1            AN ACT Relating to legislative ethics and integrity; amending RCW  
2 42.52.320; adding new sections to chapter 42.52 RCW; and adding a new  
3 section to chapter 44.28 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 42.52 RCW  
6 to read as follows:

7            It is the intent of the legislature to make the ethical and moral  
8 standards, culture, and conduct of all elected, senior leadership and  
9 staff of the legislature the highest in the nation. In addition, the  
10 legislature intends to make the public confidence in the processes and  
11 the leadership of the legislature the highest in the nation. With this  
12 work, the legislature and the legislative staff will be recognized as  
13 state and national leaders in ethics and integrity.

14            **Sec. 2.** RCW 42.52.320 and 1994 c 154 s 202 are each amended to  
15 read as follows:

16            (1) The legislative ethics board shall enforce this chapter and  
17 rules adopted under it with respect to members and employees of the  
18 legislature.

1 (2) The legislative ethics board shall:

2 (a) Develop educational materials and training with regard to  
3 legislative ethics for legislators and legislative employees;

4 (b) Issue advisory opinions;

5 (c) Adopt rules or policies governing the conduct of business by  
6 the board, and adopt rules defining working hours for purposes of RCW  
7 42.52.180 and where otherwise authorized under chapter 154, Laws of  
8 1994;

9 (d) Investigate, hear, and determine complaints by any person or on  
10 its own motion;

11 (e) Impose sanctions including reprimands and monetary penalties;

12 (f) Recommend suspension or removal to the appropriate legislative  
13 entity, or recommend prosecution to the appropriate authority; ~~((and))~~

14 (g) Establish criteria regarding the levels of civil penalties  
15 appropriate for different types of violations of this chapter and rules  
16 adopted under it;

17 (h) Develop a legislative plan to provide overall direction and  
18 accountability for legislators and staff;

19 (i) Coordinate and work with the executive ethics board and the  
20 commission on judicial conduct;

21 (j) Assess and evaluate the house of representatives' and the  
22 senate's ethical culture through employee and stakeholder surveys and  
23 publish an annual report that shall be made public; and

24 (k) Solicit outside evaluations, studies, and recommendations for  
25 improvements from academics, nonprofit organizations, the public  
26 disclosure commission, and other entities with expertise in ethics,  
27 integrity, and the public sector.

28 (3) The board may:

29 (a) Issue subpoenas for the attendance and testimony of witnesses  
30 and the production of documentary evidence relating to any matter under  
31 examination by the board or involved in any hearing;

32 (b) Administer oaths and affirmations;

33 (c) Examine witnesses; and

34 (d) Receive evidence.

35 (4) Subject to RCW 42.52.540, the board has jurisdiction over any  
36 alleged violation that occurred before January 1, 1995, and that was  
37 within the jurisdiction of any of the boards established under chapter

1 44.60 RCW. The board's jurisdiction with respect to any such alleged  
2 violation shall be based on the statutes and rules in effect at  
3 (~~{the}~~) the time of the violation.

4 NEW SECTION. Sec. 3. A new section is added to chapter 42.52 RCW  
5 to read as follows:

6 All legislators and legislative staff must attend annual ethics and  
7 integrity training. Failure to fulfill this annual obligation will  
8 cause the forfeiture of all compensation related to the legislator's or  
9 legislative staff's office or employment.

10 NEW SECTION. Sec. 4. A new section is added to chapter 42.52 RCW  
11 to read as follows:

12 (1) The house of representatives and the senate must develop an  
13 annual ethics and integrity plan for legislators and staff. The plan  
14 must be updated annually, be made available to the public, and:

15 (a) Include project management, targets, and timelines;

16 (b) Integrate with other accountability, ethics, and integrity  
17 programs;

18 (c) Identify national and international best practices and superior  
19 results;

20 (d) Identify opportunities for improvement and barriers to success;

21 (e) Develop public-private partnerships where appropriate; and

22 (f) Provide recommendations for improving applicable statutes and  
23 existing programs and results.

24 (2) In addition, the house of representatives and the senate must  
25 each create an independent advisory committee of employees and citizens  
26 to help develop and update the plan created in subsection (1) of this  
27 section.

28 NEW SECTION. Sec. 5. A new section is added to chapter 44.28 RCW  
29 to read as follows:

30 Beginning January 1, 2009, and every four years thereafter, the  
31 joint legislative audit and review committee must audit the legislative  
32 ethics board and the house of representatives' and the senate's ethics  
33 and integrity programs.

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