

HOUSE BILL REPORT

HB 2461

*As Reported By House Committee on:
State Government*

Title: An act relating to lobbying and lobbying related activities of former members of the legislature.

Brief Description: Restricting the lobbying activities of former state legislators.

Sponsor(s): Representatives Braddock, R. Fisher, Anderson, Bowman, Brough, Rasmussen, G. Cole, Rust, H. Sommers, Nelson, Inslee, G. Fisher, Van Luven and Paris.

Brief History:

Reported by House Committee on:
State Government, January 31, 1992, DP.

**HOUSE COMMITTEE ON
STATE GOVERNMENT**

Majority Report: *Do pass.* Signed by 9 members: Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Moyer; O'Brien; and Sheldon.

Staff: Kenneth Hirst (786-7105).

Background: Lobbying activities by former members of the state Legislature are restricted in California, Pennsylvania, Florida, and Rhode Island.

In California and Pennsylvania, the provisions were established by statute. These statutes prohibit a former legislator from lobbying the Legislature on behalf of the private or public sector for a period of one year after serving as a state legislator.

In Florida, the restriction was established as a part of the Sunshine Amendment added by initiative petition to the state's constitution in 1976. Under the amendment, a former state legislator is prohibited from lobbying the Legislature for the public or private sector for two years after service as a state legislator.

In Rhode Island, the requirement for an ethics code was established by constitutional amendment. It has been

implemented by statute and by rule of an independent ethics commission. These provisions prohibit a former legislator from lobbying the Legislature for the private sector for a period of one year after serving as a state legislator.

Summary of Bill: The lobbying activities of a person who has been a member of the state Legislature are restricted for a period of two years following his or her service as a state legislator. During this period, the former legislator may not:

- (1) Accept employment or enter a contract with a public agency if the terms of the employment or contract require or permit lobbying the members of the Legislature, providing "legislative liaison" functions with the Legislature, or communicating with the Legislature on behalf of the agency; or
- (2) Accept employment or enter a contract which requires activities for which registration with the Public Disclosure Commission as a lobbyist is required by the public disclosure law.

The public agencies for which these lobbying activities are prohibited during the two year period are the executive and judicial branches of state government, any unit of local government, and any division or agency of those governments.

This prohibition does not apply to a person's employment as an elected official.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (1) To date, there have been no incidents involving improprieties by former legislators who have become lobbyists, but legislation such as this is necessary to protect the integrity of the Legislature as an institution. (2) As expenditures for lobbying activities and for lobbyists increase, it will become increasingly tempting for former members of the Legislature to become lobbyists. Serving as a legislator should not be an apprenticeship for becoming a lobbyist.

Testimony Against: None.

Witnesses: Representative Anderson (presenting the written testimony of Representative Braddock in support of the bill).