

FINAL BILL REPORT

ESSB 5149

PARTIAL VETO

C 18 L 91 E1

SYNOPSIS AS ENACTED

Brief Description: Regulating political gifts and public office funds.

SPONSORS: Senate Committee on Law & Justice (originally sponsored by Senators Nelson and Rasmussen; by request of Public Disclosure Commission).

SENATE COMMITTEE ON LAW & JUSTICE

BACKGROUND:

The Public Disclosure Act requires elected and appointed officials to file a yearly report detailing contributions received for unreimbursed public office-related expenses. Concern has been expressed to the Public Disclosure Commission (PDC) that the reporting requirements which pertain to public office fund contributions and expenditures are inadequate and infrequent. The reporting requirements do not contain a definition of a "gift" and do not require the reporting of gifts.

SUMMARY:

The definition of "gift" is defined such that it includes the rendering of anything of value in return for which reasonable consideration is not given and received. Reasonable consideration is defined as the approximate range of consideration that exists in transactions not involving donative intent. Payments from the federal government or the state of Washington are excluded.

The following gifts are not required to be reported: A gift, other than a gift of partaking in a hosted reception, with a value of \$50 or less; the gift of partaking in a hosted reception if the value of the gift is \$100 or less; a contribution that is required to be reported; informational material that is not intended to confer any financial advantage; a gift that is not used and is returned to the donor or given to a charitable organization; a gift given under circumstances where it is clear beyond any doubt that the gift was not made as part of any design to influence a governmental entity or official; or a gift given prior to the effective date of this act.

A formula is provided for determining the "per person" value of a hosted reception.

If a lobbyist expends more than \$100 per person for entertainment, the lobbyist must report the per person expenditure. Lobbyists are required to report each gift made to a state elected official, executive state officer or member of the immediate family of such an official or officer. Lobbyists are required to provide copies of gift reports to an official if the lobbyist identified the official or a member of the official's immediate family in the gift report as the recipient of a gift.

Elected officials and executive state officers must file a statement identifying each gift received during the previous calendar year including the date the gift was received and the name of the donor.

VOTES ON FINAL PASSAGE:

Senate 48 1

First Special Session

Senate 44 2

House 93 0 (House amended)

Senate 45 0 (Senate concurred)

EFFECTIVE: September 29, 1991

Partial Veto Summary: The emergency clause is removed. (See VETO MESSAGE)