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HOUSE BILL 2986

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State of Washington

52nd Legislature

1992 Regular Session

By Representatives Anderson, Hine, Pruitt, Rayburn, Dellwo, R. Fisher, Bray, Ludwig, Rasmussen and Nelson

Read first time 02/10/92. Referred to Committee on State Government.

1 AN ACT Relating to campaign financing; amending RCW 42.17.095 and  
2 42.17.390; adding new sections to chapter 42.17 RCW; adding a new  
3 section to chapter 29.80 RCW; creating new sections; repealing RCW  
4 42.17.100, 42.17.105, and 42.17.175; and prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** The sovereign people of the state of  
7 Washington declare as public policy and find that:

8 FINDINGS. The cost of conducting a campaign for state office in  
9 Washington has become alarmingly and unacceptably high. There is  
10 general agreement among voters that reform in campaign financing is  
11 imperative to make the system serve the interests of the people more  
12 effectively and to revitalize the declining trust in our elected  
13 officials. Therefore, limitations on campaign contributions and  
14 campaign spending are necessary in order to reduce the influence of

1 special interests, ensure fair political competition, and get the  
2 individual back into the election process.

3 INTENT. (1) The pressure on candidates to raise and spend large  
4 sums of money has created a political climate where the financial  
5 strength of an individual or special interest group may permit the  
6 individual or group to exercise a potentially corrupting influence on  
7 the electoral process. Further, the frequent occurrence of candidates'  
8 raising and spending such large sums in campaigns for public office  
9 creates an appearance of corruption that has fueled a public perception  
10 of the existence of corruption in the financing of election campaigns  
11 of candidates and in the conduct of the affairs of elected officials.

12 (2) Fifteen years of reform efforts at both the federal and state  
13 levels have proven conclusively that campaign finance law must impose  
14 limits on both expenditures and contributions if political spending is  
15 to be effectively curtailed and the influence of money in politics  
16 lessened. However, under the decisions of the United States Supreme  
17 Court, statutory limits on campaign expenditures by candidates must be  
18 voluntary. Therefore, any effective program for providing campaign  
19 financing reform must both limit campaign contributions and create an  
20 incentive for candidates to agree voluntarily to abide by expenditure  
21 limits.

22 (3) Limitations on campaign contributions and expenditures will  
23 ensure a more financially balanced race between incumbent office  
24 holders and their challengers.

25 (4) Limitations on political contributions will prevent the  
26 appearance of large contributors obtaining disproportionate influence  
27 over the decisions of elected representatives. Reducing both the size  
28 of the contributions and the level of the spending will reduce the  
29 opportunities for and perception of corruption.



1 (3) No political party organization may make contributions to a  
2 candidate for public office that in the aggregate exceed two hundred  
3 dollars for each election in which the candidate is on the ballot or  
4 appears as a write-in candidate. No candidate for public office may  
5 accept contributions from a political party organization that in the  
6 aggregate exceed the contribution limitations provided by this  
7 subsection for that organization.

8 (4) No caucus of the state legislature may make contributions to  
9 such a candidate that in the aggregate exceed two hundred dollars for  
10 each election in which the candidate is on the ballot or appears as a  
11 write-in candidate. No candidate for public office may accept  
12 contributions from a caucus of the state legislature that in aggregate  
13 exceed the contribution limitations provided by this subsection for  
14 that caucus.

15 (5) No candidate may accept contributions from political action  
16 committees that in aggregate exceed one-fourth of the total of all  
17 contributions received by the candidate by the end of the campaign  
18 period.

19 (6) Except with respect to loans made in the ordinary course of  
20 business, no corporation or labor organization may make a contribution  
21 reportable under this chapter, other than a contribution to a ballot  
22 proposition committee, or to a single political action committee  
23 established by the corporation or labor organization. No candidate or  
24 political committee may accept a contribution in violation of this  
25 subsection.

26 (7) Notwithstanding the other subsections of this section, a  
27 political committee that is located outside of the state must have  
28 received during the previous or current calendar year contributions of  
29 ten dollars or more from each of at least one hundred registered voters  
30 in the state in order to be permitted to make contributions within the

1 state to a candidate or political committee except to ballot issue  
2 committees. No candidate or political committee may knowingly accept  
3 a contribution that is prohibited by this subsection.

4 (8) For purposes of this chapter, a contribution by a person  
5 controlled by any other person is a contribution by the controlling  
6 person. A contribution to a person controlled by another person is a  
7 contribution to the controlling person. This does not apply: To the  
8 relationship between an individual and the spouse of the individual; or  
9 to the relationship between a bona fide political party and a district  
10 or county organization of that party or a caucus of the state  
11 legislature of that party.

12 (9) No person may make contributions to the public office fund of  
13 a public official established under RCW 42.17.243 that in the aggregate  
14 exceeds two hundred dollars per year. No public official may accept  
15 contributions that exceed the limitations of this subsection.

16 NEW SECTION. **Sec. 4.** CONTRIBUTIONS DURING LEGISLATIVE  
17 SESSIONS--INCUMBENT MAILINGS DURING CAMPAIGN PERIOD. (1) During the  
18 period beginning on the fifteenth day before the date a regular  
19 legislative session convenes and continuing thirty days past the date  
20 of final adjournment, no state-wide elected official or state  
21 legislator may solicit or accept contributions to a campaign fund or  
22 political committee. The provisions of this subsection do not apply  
23 during a recall campaign period to a subject of the recall.

24 (2) During a campaign period for a state legislative office, no  
25 incumbent to that office may mail or transmit to a constituent at  
26 public expense a letter, newsletter, brochure, other piece of  
27 literature, or electronic media that is not in direct response to that  
28 constituent's request for a response or for information. However, one  
29 mailing within thirty days after the start of a regular legislative

1 session and one mailing within sixty days after the end of a regular  
2 legislative session of identical newsletters to constituents are  
3 permitted. A violation of this subsection constitutes use of the  
4 facilities of a public office for the purpose of assisting a campaign,  
5 for the purposes of RCW 42.17.130.

6 **PART II - CAMPAIGN EXPENDITURE LIMITATIONS**

7 NEW SECTION. **Sec. 5.** EXPENDITURE LIMITS FOR CANDIDATES UNDER  
8 AGREEMENT. (1) Except as provided in subsections (3) and (4) of this  
9 section, the expenditure limit for an election cycle for a candidate  
10 for state office who agrees to the limitations established in this  
11 chapter is:

12 (a) For governor, two million dollars;

13 (b) For state judicial office and for state executive office other  
14 than governor, five hundred thousand dollars;

15 (c) For a member of the state senate, eighty thousand dollars; and

16 (d) For a member of the state house of representatives, fifty  
17 thousand dollars.

18 (2) Any candidate, whether subject to an expenditure limitation or  
19 not, must notify the commission and any other candidates for the same  
20 office in writing within twenty-four hours after that candidate accepts  
21 contributions or makes expenditures that in the aggregate exceed an  
22 expenditure limitation for the office.

23 (3) A candidate for an office who has agreed to expenditure limits  
24 for an office under section 7 of this act is not subject to the  
25 expenditure limitations of this chapter if, during the election cycle,  
26 another candidate for that office:

1 (a) Enters into an expenditure limitation agreement under section  
2 7 of this act, but expends more than allowed under an applicable  
3 expenditure limit; or

4 (b) Does not enter into an expenditure limitation agreement, but  
5 accepts contributions or makes expenditures that in aggregate exceed an  
6 expenditure limitation for the office.

7 (4) A candidate for an office is not subject to the expenditure  
8 limitations of this chapter if the commission determines that, during  
9 the election cycle, the sum of (i) the expenditures of, or  
10 contributions to, any one other candidate for the same office, (ii)  
11 independent expenditures clearly favoring that other candidate, and  
12 (iii) independent expenditures clearly opposing the candidate but not  
13 clearly favoring any other candidate, exceed the expenditure limitation  
14 for the office sought by the candidate. The commission, or its  
15 designee, may make such a determination on its own authority, but must  
16 decide on such a determination within twenty-four hours of receiving a  
17 written request from an affected candidate.

18 NEW SECTION. **Sec. 6.** LIMITATIONS ON CANDIDATE'S CONTRIBUTIONS TO  
19 OWN CAMPAIGN. (1) A candidate who enters an expenditure limitation  
20 agreement under section 7 of this act shall not make expenditures or  
21 contributions from his or her personal funds for or to his or her  
22 campaign aggregating in excess of the following:

23 (a) For governor, seventy-five thousand dollars;

24 (b) For state judicial office and for state executive office other  
25 than governor, twenty-five thousand dollars;

26 (c) For a member of the state senate, eight thousand dollars; and

27 (d) For a member of the state house of representatives, five  
28 thousand dollars.

1 (2) For the purposes of subsection (1) of this section, any loan,  
2 outstanding credit balance, contract, or other encumbrance on the  
3 authorized committee of the candidate that remains unpaid over sixty  
4 days shall be considered a contribution of a candidate's personal funds  
5 to her or his campaign.

6 NEW SECTION. **Sec. 7.** VOLUNTARY EXPENDITURE LIMIT AGREEMENT.

7 Within thirty days after becoming a candidate or within three business  
8 days of filing for office, whichever is earlier, a candidate for state  
9 office shall sign and file with the commission a statement of  
10 acceptance or rejection of the expenditure limitation agreement below.  
11 The form of the statement and agreement shall be provided by the  
12 commission by rule.

13 A candidate who files a statement of acceptance under this section  
14 shall also agree in that statement to: Abide by the limitations  
15 imposed by section 6 of this act and to any other expenditure  
16 limitation applicable under sections 5 and 6 of this act to the person  
17 as a candidate for that office; and comply fully with the fair campaign  
18 practices code adopted by the commission as the code exists at the time  
19 the statement is filed.

20 NEW SECTION. **Sec. 8.** ALTERNATIVE CONTRIBUTION LIMITS. A

21 candidate who signs and files a statement of acceptance under section  
22 7 of this act, and persons making contributions to such a candidate,  
23 shall be subject to the following contribution limits in lieu of those  
24 established in section 3 (2) through (5) of this act:

25 (1) No person, other than a multicandidate political committee or  
26 a political party organization or a caucus of the state legislature,  
27 may make contributions to such a candidate that in the aggregate exceed  
28 two hundred fifty dollars for each election in which the candidate is



1 on the ballot or appears as a write-in candidate. Such a candidate  
2 shall not accept contributions from a person or committee that in the  
3 aggregate exceed the contribution limitations provided by this  
4 subsection for that person or committee.

5 (2) No multicandidate political committee may make contributions to  
6 such a candidate that in the aggregate exceed seven hundred fifty  
7 dollars for each election in which the candidate is on the ballot or  
8 appears as a write-in candidate. Such a candidate shall not accept  
9 contributions from a multicandidate political committee that in  
10 aggregate exceed the contribution limitations provided by this  
11 subsection for that committee.

12 (3) During a campaign period, no candidate may accept contributions  
13 from political party organizations that in aggregate exceed twenty  
14 cents multiplied by the number of registered voters in the  
15 jurisdiction.

16 (4) During a campaign period, no candidate may accept contributions  
17 from caucuses of the state legislature that in aggregate exceed twenty  
18 cents multiplied by the number of registered voters in the  
19 jurisdiction.

20 (5) No candidate may accept contributions from political action  
21 committees that in aggregate exceed one-half of the applicable campaign  
22 expenditure limit.

23 For the purposes of this section, "registered voter" means those  
24 persons registered in accordance with Title 29 RCW who are eligible to  
25 vote on the day filing opens for the applicable public office.

26 NEW SECTION. **Sec. 9.** USE OF LOGO. A candidate for state  
27 office who enters and abides by an agreement under section 7 of this  
28 act is entitled to display a good campaign practices seal, designed by

1 the commission, in the political advertising and communications of the  
2 candidate during the applicable campaign period.

3 NEW SECTION. **Sec. 10.** A new section is added to chapter 29.80 RCW  
4 to read as follows:

5 **VOTERS' PAMPHLET NOTICE.** Based on the public disclosure  
6 commission's most current list of candidates who have signed and abided  
7 by an agreement with the commission under section 7 of this act, the  
8 secretary of state shall:

9 (1) Add a prominent notice in the voters' pamphlet following the  
10 statement of each person on that list that says: "This candidate has  
11 agreed to the campaign spending limit"; and

12 (2) Add a prominent notice in the voters' pamphlet following the  
13 statement of all other candidates that says: "This candidate has not  
14 agreed to the campaign spending limit of \$[insert appropriate amount]."

15 **PART III - AMENDMENTS TO PUBLIC DISCLOSURE LAW**

16 NEW SECTION. **Sec. 11.** INDEPENDENT EXPENDITURES REPORTED. (1)  
17 Within two business days after the date of entering into a contract to  
18 make or otherwise making an independent expenditure, the person making  
19 the expenditure shall file a report with the commission and the  
20 election officer of the county in which the person resides. Within the  
21 same time limit, the person making the expenditure shall also mail, or  
22 transmit by facsimile, a copy of the report to each candidate for the  
23 office or offices for which the expenditure is made. The report shall  
24 be on a form prescribed by the commission, providing all relevant  
25 information, including the person's occupation and employer.

26 (2) A person making an independent expenditure by mailing one  
27 thousand or more identical or nearly identical cumulative pieces of

1 political advertising in a single calendar year shall, within two  
2 business days after the time of the mailing, file an exact copy of the  
3 mailed political advertising with the commission and the election  
4 officer of the county in which the person resides. The person making  
5 the expenditure shall also mail within two business days an example to  
6 each candidate for the office or offices for which the expenditure is  
7 made.

8 NEW SECTION. **Sec. 12.** DISPLAY OF CONTRIBUTORS FOR POLITICAL  
9 ADVERTISING BY INDEPENDENT EXPENDITURE. In addition to the  
10 requirements of RCW 42.17.510, if political advertising is undertaken  
11 as an independent expenditure by a person other than a party  
12 organization, the political advertising shall also include the notation  
13 "Top Five Contributors:" followed by a listing of the names of the five  
14 persons making the largest contributions to the person during the  
15 twelve-month period before the date of the advertisement.

16 NEW SECTION. **Sec. 13.** ANNUAL REPORTS BY MULTICANDIDATE POLITICAL  
17 COMMITTEES. By the last day of February each year, a multicandidate  
18 political committee must file with the commission on a form prescribed  
19 by the commission a report summarizing its expenditures and  
20 contributions for the preceding calendar year and including a breakdown  
21 by candidate and ballot proposition. This report must also be mailed  
22 or otherwise personally delivered to each person contributing to the  
23 multicandidate political committee more than twenty-five dollars during  
24 the preceding calendar year.

25 NEW SECTION. **Sec. 14.** RULES FOR COUNTING CONTRIBUTIONS AND  
26 EXPENDITURES. (1) For the purposes of this chapter, payments made by  
27 a candidate to repay loans made to the candidate shall be reported but

1 shall not be counted when determining the total expenditures made by  
2 the candidate with regard to any of the expenditure limitations of this  
3 chapter.

4 (2) The provisions of this chapter apply to a special election to  
5 fill a vacancy and to a recall election. Contributions and  
6 expenditures made in such elections shall not be counted toward any of  
7 the limitations which apply to the candidate under this chapter for the  
8 election cycle for any other election.

9 (3) For the purposes of this chapter, the expenditures made by and  
10 the contributions received by a candidate and the expenditures made by  
11 and the contributions received by the authorized committee of the  
12 candidate are considered to be expenditures made by and contributions  
13 received by the candidate.

14 NEW SECTION. **Sec. 15.** VIOLATION OF EXPENDITURE LIMIT. It is a  
15 violation of this chapter for any candidate who has filed a statement  
16 of acceptance under section 7 of this act or for any person acting as  
17 an agent for the candidate to make expenditures which he or she knows  
18 exceed any expenditure limit applicable to the candidate under section  
19 5 or 6 of this act.

20 **Sec. 16.** RCW 42.17.095 and 1982 c 147 s 8 are each amended to read  
21 as follows:

22 (1) Within ninety days after an election cycle for an office, the  
23 surplus funds of a candidate for the office and of the authorized  
24 committee of the candidate shall be disposed of. If the office is a  
25 state office and the candidate filed and abided by a statement of  
26 acceptance and agreement under section 7 of this act for that office  
27 and election cycle, this disposal requirement applies to the surplus  
28 funds which exceed an amount equal to ten percent of the expenditure

1 limit for that office set by section 5(1) (a) through (d) of this act.  
2 If the office is an office of a unit of local government, if spending  
3 limits are in effect for the office under the laws of the local  
4 governmental unit, and if the candidate officially agreed to and abided  
5 by the spending limits for that election cycle, this disposal  
6 requirement applies to the surplus funds which exceed an amount equal  
7 to ten percent of the base spending limit for the office (that is, the  
8 spending limit which applies if all candidates for the office agree to  
9 the spending limit). In all other cases, this disposal requirement  
10 applies to all surplus funds of the candidate and the authorized  
11 committee of the candidate.

12 (2) The surplus funds of a candidate, or of ~~((a political committee~~  
13 ~~supporting or opposing))~~ the authorized committee of a candidate, may  
14 only be disposed of in any one or more of the following ways:

15 ~~((1))~~ (a) Return the surplus to a contributor in an amount not to  
16 exceed that contributor's original contribution;

17 ~~((2))~~ (b) Transfer the surplus to the candidate's personal  
18 account as reimbursement for lost earnings incurred as a result of that  
19 candidate's election campaign. Such lost earnings shall be verifiable  
20 as unpaid salary or, when the candidate is not salaried, as an amount  
21 not to exceed income received by the candidate for services rendered  
22 during an appropriate, corresponding time period. All lost earnings  
23 incurred shall be documented and a record thereof shall be maintained  
24 by the candidate or the candidate's political committee. The committee  
25 shall include a copy of such record when its expenditure for such  
26 reimbursement is reported pursuant to RCW 42.17.090;

27 ~~((3))~~ (c) Transfer the surplus to ~~((one or more candidates or~~  
28 ~~to))~~ a political ~~((committee or))~~ party organization or to a caucus of  
29 the state legislature;

1       ~~((4))~~ (d) Donate the surplus to a charitable organization  
2 registered in accordance with chapter 19.09 RCW;

3       ~~((5))~~ (e) Transmit the surplus to the state treasurer for deposit  
4 in the general fund~~((or))~~.

5       ~~((6) Hold the surplus))~~ (3) Surplus funds which are not required  
6 to be disposed of by subsection (1) of this section may be held in the  
7 campaign depository or depositories designated in accordance with RCW  
8 42.17.050 for possible use in a future election campaign, for political  
9 activity, for community activity, or for nonreimbursed public office  
10 related expenses ~~((and report))~~. Any such disposition shall be  
11 reported in accordance with RCW 42.17.090~~((: PROVIDED, That))~~. If the  
12 candidate subsequently announces or publicly files for office,  
13 information as appropriate ~~((is))~~ shall be reported to the commission  
14 in accordance with RCW 42.17.040 through 42.17.090. If a subsequent  
15 office is not sought, the surplus held shall be disposed of ~~((in~~  
16 ~~accordance with the requirements of))~~ as authorized by this section.

17       (4) Subsection (1) of this section applies to a candidate for state  
18 office beginning with the conclusion of the first election cycle during  
19 which section 3 or 8 of this act applies to the office and applies  
20 thereafter. Subsection (1) of this section applies to a candidate for  
21 the office of a unit of local government beginning with the conclusion  
22 of the election cycle which includes within it the date, July 1, 1995,  
23 and applies thereafter.

24       **Sec. 17.** RCW 42.17.390 and 1973 c 1 s 39 are each amended to read  
25 as follows:

26       (1) One or more of the following civil remedies and sanctions may  
27 be imposed by court order in addition to any other remedies provided by  
28 law:

1 (a) If the court finds that the violation of any provision of this  
2 chapter by any candidate or political committee probably affected the  
3 outcome of any election, the result of said election may be held void  
4 and a special election held within sixty days of such finding. Any  
5 action to void an election shall be commenced within one year of the  
6 date of the election in question. It is intended that this remedy be  
7 imposed freely in all appropriate cases to protect the right of the  
8 electorate to an informed and knowledgeable vote.

9 (b) If any lobbyist or sponsor of any grass roots lobbying campaign  
10 violates any of the provisions of this chapter, his or her registration  
11 may be revoked or suspended and he or she may be enjoined from  
12 receiving compensation or making expenditures for lobbying: PROVIDED,  
13 HOWEVER, That imposition of such sanction shall not excuse said  
14 lobbyist from filing statements and reports required by this chapter.

15 (c) Any person who violates any of the provisions of this chapter  
16 may be subject to a civil penalty of not more than ten thousand dollars  
17 for each such violation. However: For a violation of section 3 or 8  
18 of this act, the penalty shall be up to the greater of ten thousand  
19 dollars or three times the amount of the contribution illegally made or  
20 accepted; and for a violation of section 15 of this act, the penalty  
21 shall be up to the greater of ten thousand dollars or three times the  
22 amount of the expenditures in excess of the applicable expenditure  
23 limitation.

24 (d) Any person who fails to file a properly completed statement or  
25 report within the time required by this chapter may be subject to a  
26 civil penalty of ten dollars per day for each day each such delinquency  
27 continues.

28 (e) Any person who fails to report a contribution or expenditure  
29 may be subject to a civil penalty equivalent to the amount he or she  
30 failed to report.

1 (f) The court may enjoin any person to prevent the doing of any act  
2 herein prohibited, or to compel the performance of any act required  
3 herein.

4 NEW SECTION. **Sec. 18.** POWERS OF THE COMMISSION--ADJUSTMENT OF  
5 DOLLAR AMOUNTS--AUDITS AND INVESTIGATIONS--RULES ORDERED. In addition  
6 to the powers of the commission in RCW 42.17.370, the commission shall:

7 (1) Adjust all dollar amounts in sections 3, 5, 6, and 8 of this  
8 act based on changes in economic conditions as reflected in the  
9 inflationary index used by the commission under RCW 42.17.370. The  
10 first adjustment shall be made one year after the effective date of  
11 this act to reflect changes since January 1, 1992. Thereafter,  
12 adjustments shall be made every two years. The new dollar amounts  
13 established by the commission under this section shall be rounded off  
14 within ten percent of the target amount;

15 (2) Conduct a sufficient number of audits and field investigations  
16 so as to determine the degree of compliance with the provisions of this  
17 chapter by all required filers; and

18 (3) Make such rules as are necessary to carry out the intent of  
19 this act including rules that:

20 (a) Treat a contribution by a child under eighteen as the  
21 contribution of both parents unless the contribution is made  
22 voluntarily by the child from his or her own separate assets;

23 (b) Define situations in which a contribution is controlled for the  
24 purposes of section 3(8) of this act;

25 (c) Specify accounting and financial practices for persons subject  
26 to this chapter necessary to allow for commission audits;

27 (d) Specify that each candidate or political committee must make a  
28 good faith effort also to report in the reports required by RCW



1 42.17.067 and 42.17.090 the occupation and employer of each contributor  
2 whose contributions equal or exceed one hundred dollars in aggregate;

3 (e) Specify that the public office funds established under RCW  
4 42.17.243 must be segregated from all other funds and reported  
5 quarterly to the commission; and

6 (f) Define "immediate family".

7 NEW SECTION. **Sec. 19.** SEVERABILITY CLAUSE. If any provision of  
8 this act or its application to any person or circumstance is held  
9 invalid, the remainder of the act or the application of the provision  
10 to other persons or circumstances is not affected.

11 NEW SECTION. **Sec. 20.** CODIFICATION DIRECTION. (1) Sections 5  
12 through 9 and 15 of this act are each added to chapter 42.17 RCW as a  
13 subchapter and codified with the subchapter heading of "campaign  
14 expenditure limitations."

15 (2) Sections 3, 4, 11 through 14, and 18 of this act are each  
16 added to chapter 42.17 RCW.

17 NEW SECTION. **Sec. 21.** SPECIAL REPORTS AND LATE CONTRIBUTION  
18 LIMITS. The following acts or parts of acts are each repealed:

19 (1) RCW 42.17.100 and 1989 c 280 s 10, 1985 c 367 s 6, 1982 c 147  
20 s 9, 1975-'76 2nd ex.s. c 112 s 4, & 1973 c 1 s 10;

21 (2) RCW 42.17.105 and 1991 c 157 s 1, 1989 c 280 s 11, 1986 c 228  
22 s 2, 1985 c 359 s 1, & 1983 c 176 s 1; and

23 (3) RCW 42.17.175 and 1991 c 157 s 2 & 1985 c 359 s 2.

24 NEW SECTION. **Sec. 22.** HEADINGS. Part and section headings as  
25 used in this act do not constitute any part of the law.



1 office, or ending when that candidate ceases to be a candidate for any  
2 reason. In the case of a special election to fill a vacancy, "campaign  
3 period" begins on the day the vacancy occurs. If a candidate has debt  
4 remaining after the election, then the campaign period ends ninety days  
5 after the election or when the candidate has retired that percentage of  
6 debt that he or she is allowed to retire under RCW 42.17.095, whichever  
7 occurs first.

8 (5) "Caucus of the state legislature" means the caucus of the  
9 members of a major political party in the state house of  
10 representatives or in the state senate.

11 (6)(a) "Contribution" includes a loan, gift, deposit, subscription,  
12 forgiveness of indebtedness, donation, advance, pledge, payment,  
13 transfer of funds between political committees, or transfer of anything  
14 of value, including personal and professional services for less than  
15 full consideration.

16 (b) For the purposes of this chapter, "contribution" does not  
17 include the following, all of which may be further defined by the  
18 commission:

19 (i) Interest on moneys deposited in a political committee's  
20 account;

21 (ii) Ordinary home hospitality;

22 (iii) A contribution received by a candidate or political committee  
23 that is returned to the contributor within five business days of the  
24 date on which it is received by the candidate or committee;

25 (iv) The rendering of personal services of the sort commonly  
26 performed by volunteer campaign workers, or incidental expenses  
27 personally incurred by volunteer campaign workers not in excess of  
28 fifty dollars personally paid for by the worker. Volunteer services,  
29 for the purposes of this chapter, means services or labor for which the  
30 individual is not compensated by any person.

1 (c) The following expenditures, which may be further defined by the  
2 commission, by any entity do not constitute contributions to any  
3 candidate:

4 (i) Any expenditure for voter registration, for absentee ballot  
5 information, for precinct caucuses, for get-out-the-vote campaigns, for  
6 precinct judges or inspectors, or for ballot counting, all without  
7 promotion of or political advertising for individual candidates;

8 (ii) Any expenditure for sample ballots, listing all or  
9 substantially all candidates and ballot issues that will appear on a  
10 coming election ballot, listing all candidates and their political  
11 party affiliations for each office mentioned, and perhaps also denoting  
12 political committee endorsements, but with no other descriptive  
13 information about the candidates;

14 (iii) Any news, feature, commentary or editorial in a regularly  
15 scheduled news medium which is of primary interest to the general  
16 public, which is controlled by a person whose primary business is the  
17 news medium, and which is not controlled by any candidate or political  
18 committee;

19 (iv) Any expenditure by a political committee for its own internal  
20 organization or fund-raising without direct association with individual  
21 candidates; or

22 (v) Any internal political communication primarily limited to the  
23 contributors to a political party organization or political action  
24 committee; primarily limited to the officers, management staff, and  
25 stockholders of a corporation or similar enterprise; or primarily  
26 limited to the members of a labor organization or other membership  
27 organization.

28 (d) Contributions other than money or its equivalents shall be  
29 deemed to have a money value equivalent to the fair market value of the  
30 contribution.

1 (e) An expenditure made by a person in cooperation, consultation,  
2 or concert with, or at the request or suggestion of, a candidate, a  
3 political committee, or their agents, is considered to be a  
4 contribution to such candidate or political committee.

5 (f) The financing by a person of the dissemination, distribution,  
6 or republication, in whole or in part, of broadcast, written, graphic,  
7 or other form of political advertising prepared by a candidate, a  
8 political committee, or their authorized agents, is considered to be a  
9 contribution to the candidate or political committee.

10 (g) Sums paid for tickets to fund-raising events such as dinners  
11 and parties are contributions; however, the amount of any such  
12 contribution may be reduced for the purpose of complying with the  
13 reporting requirements of this chapter, by the actual cost of  
14 consumables furnished in connection with the purchase of the tickets,  
15 and only the excess over the actual cost of the consumables shall be  
16 deemed a contribution.

17 (7) "Corporation" includes any private or public corporation,  
18 whether for profit or not-for-profit.

19 (8) "Election" means a primary or a general or special election in  
20 which a candidate is on the ballot.

21 (9) "Election cycle" means the period beginning on the first day of  
22 December following the date of the last previous general election for  
23 the office which the candidate seeks and ending on November thirtieth  
24 following the next election for the office. In the case of a special  
25 election to fill a vacancy, "election cycle" begins on the day the  
26 vacancy occurs.

27 (10) "General election" means the election which directly results  
28 in the election of a person to a public office. It does not include a  
29 primary.

1 (11) "Independent expenditure" means an "expenditure" as defined in  
2 RCW 42.17.020 which has each of the following elements:

3 (a) It is made in support of or in opposition to a candidate for  
4 office by a person who is not (i) a candidate for that office, (ii) an  
5 authorized committee of a candidate for that office, (iii) a person who  
6 has received the candidate's encouragement or approval to make the  
7 expenditure, if the expenditure pays in whole or in part for any  
8 political advertising supporting that candidate or promoting the defeat  
9 of any other candidate or candidates for that office, or (iv) a person  
10 with whom the candidate has collaborated for the purpose of making the  
11 expenditure, if the expenditure pays in whole or in part for any  
12 political advertising supporting that candidate or promoting the defeat  
13 of any other candidate or candidates for that office;

14 (b) The expenditure pays in whole or in part for any political  
15 advertising which either specifically names the candidate supported or  
16 opposed, or clearly and beyond any doubt identifies such candidate  
17 without using the candidate's name; and

18 (c) The expenditure, alone or in conjunction with another  
19 expenditure or other expenditures of the same person in support of or  
20 opposition to that candidate, has a value of five hundred dollars or  
21 more. A sequence of expenditures each of which is under five hundred  
22 dollars shall constitute one independent expenditure as of the time  
23 that the last expenditure brings the total value of the sequence to  
24 five hundred dollars or more, and no expenditure in the sequence which  
25 has been reported to the board under section 11 of this act shall be  
26 considered as part of any future independent expenditure.

27 (12) "Labor organization" means a trade association or an  
28 organization, agency, association, union, or employee committee that  
29 exists for the purpose, in whole or in part, of representing employees

1 in dealings with employers concerning grievances, labor disputes,  
2 wages, rates of pay, hours of employment, or conditions of work.

3 (13) "Multicandidate political committee" means a political action  
4 committee that receives contributions of ten dollars or more from each  
5 of one hundred or more persons; and makes contributions of at least one  
6 hundred dollars to each of ten or more candidates.

7 (14) "Political action committee" means a political committee that  
8 is not an authorized committee, political party organization, caucus of  
9 the state legislature, or ballot proposition committee.

10 (15) "Political party organization" means:

11 (a) A bona fide political party;

12 (b) A county central committee of a party as provided in RCW  
13 29.42.030; or

14 (c) An organization presided over by a legislative district chair  
15 as provided in RCW 29.42.070.

16 (16) "Primary" means the procedure for nominating a candidate to  
17 public office under chapter 29.18 or 29.21 RCW or any other primary for  
18 an election that uses, in large measure, the procedures established in  
19 chapter 29.18 or 29.21 RCW.

20 (17) "Public official" means any person who is elected or appointed  
21 to a public office.

22 (18) "Recall committee" means a political committee acting in  
23 support of the qualification or passage of the recall petition.

24 (19) "State office" means an elective office of state government.

25 NEW SECTION. **Sec. 25.** This act constitutes an alternative to  
26 Initiative 134, which has been proposed to the legislature. The  
27 secretary of state is directed to place this act on the ballot in  
28 conjunction with Initiative 134, pursuant to Article II, section 1(a)  
29 of the state Constitution.