

1 6111-S AMS DREW S5068.2

2 SSB 6111 - S AMD

3 By Senator Drew 000075

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5 On page 4, line 33, after "otherwise" insert "but does not include  
6 preparation, consideration, or enactment of legislation or the  
7 performance of legislative duties"

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4 On page 6, line 1, after "(19)" insert "(a)"

5 On page 6, at the beginning of line 6, strike "(a)" and insert  
6 "(i)"

7 On page 6, at the beginning of line 7, strike "(b)" and insert  
8 "(ii)"

9 On page 6, at the beginning of line 8, strike "(c)" and insert  
10 "(iii)"

11 On page 6, beginning on line 10, strike all material through  
12 "legislation." on line 11 and insert the following:

13 "(b) "Transaction involving the state" does not include the  
14 following: Preparation, consideration, or enactment of legislation,  
15 including appropriation of moneys in a budget, or the performance of  
16 legislative duties by an officer or employee; or a claim, case,  
17 lawsuit, or similar matter if the officer or employee did not  
18 participate in the underlying transaction involving the state that is  
19 the basis for the claim, case, or lawsuit."

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4 On page 6, line 26, after "may" strike "transact business" and  
5 insert "participate in a transaction involving the state"

6 On page 6, line 29, after "owns" strike "an" and insert "a  
7 beneficial"

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11 On page 11, line 5, after "employee" strike "or" and insert "in his  
12 or her official capacity or by"

13 On page 11, beginning on line 10, after "with" strike all material  
14 through "only if:" on line 12 and insert "a state agency only if:"

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4 On page 24, beginning on line 34, after "believe that" strike "some  
5 provision of this chapter" and insert "section 118 of this act"

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4 On page 30, after line 21, insert the following:

5 "Sec. 305. RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended  
6 to read as follows:

7 USE OF PUBLIC RESOURCES FOR LOCAL GOVERNMENT POLITICAL CAMPAIGNS.  
8 No elective local government official nor any employee of his or her  
9 office nor any person appointed to or employed by any local government  
10 public office or agency may use or authorize the use of any of the  
11 facilities of a public office or agency, directly or indirectly, for  
12 the purpose of assisting a campaign for election of any person to any  
13 office or for the promotion of or opposition to any ballot proposition.  
14 Knowing acquiescence by a person with authority to direct, control, or  
15 influence the actions of the local government official or employee  
16 using public resources in violation of this section constitutes a  
17 violation of this section. Facilities of public office or agency  
18 include, but are not limited to, use of stationery, postage, machines,  
19 and equipment, use of employees of the office or agency during working  
20 hours, vehicles, office space, publications of the office or agency,  
21 and clientele lists of persons served by the office or agency(~~(+~~  
22 ~~PROVIDED, That~~)). The ((foregoing)) provisions of this section shall  
23 not apply to the following activities:

24 (1) Action taken at an open public meeting by members of an elected  
25 local government legislative body to express a collective decision, or  
26 to actually vote upon a motion, proposal, resolution, order, or  
27 ordinance, or to support or oppose a ballot proposition so long as (a)  
28 any required notice of the meeting includes the title and number of the  
29 ballot proposition, and (b) members of the legislative body or members  
30 of the public are afforded an approximately equal opportunity for the  
31 expression of an opposing view;

32 (2) A statement by an elected local government official in support  
33 of or in opposition to any ballot proposition at an open press  
34 conference or in response to a specific inquiry. For the purposes of  
35 this subsection, it is not a violation of this section for an elected

1 local government official to respond to an inquiry regarding a ballot  
2 proposition, to make incidental remarks concerning a ballot proposition  
3 in an official communication, or otherwise comment on a ballot  
4 proposition without an actual, measurable expenditure of public funds.  
5 Measurable expenditure has the meaning adopted by rule under section  
6 118 of this act;

7 (3) Activities which are part of the normal and regular conduct of  
8 the office or agency."

9 Renumber the remaining sections consecutively and correct any  
10 internal references accordingly.

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14 On page 1, line 2 of the title, after "42.18.260," insert  
15 "42.17.130,"

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