

2 SSB 6111 - S AMD
3 By Senator L. Smith

4 WITHDRAWN 2/12/94

5 On page 28, after line 14, insert the following:

6 "Sec. 301. RCW 42.17.190 and 1986 c 239 s 1 are each amended to
7 read as follows:

8 ~~(1) ((Every legislator and every committee of the legislature shall~~
9 ~~file with the commission quarterly reports listing the names,~~
10 ~~addresses, and salaries of all persons employed by the person or~~
11 ~~committee making the filing for the purpose of aiding in the~~
12 ~~preparation or enactment of legislation or the performance of~~
13 ~~legislative duties of such legislator or committee during the preceding~~
14 ~~quarter. The reports shall be made in the form and the manner~~
15 ~~prescribed by the commission and shall be filed between the first and~~
16 ~~tenth days of each calendar quarter: PROVIDED, That the information~~
17 ~~required by this subsection may be supplied, insofar as it is~~
18 ~~available, by the chief clerk of the house of representatives or by the~~
19 ~~secretary of the senate on a form prepared by the commission.))~~ The
20 house of representatives and the senate shall report annually: The
21 total budget; the portion of the total attributed to staff; number of
22 full-time and part-time positions occupied by nonpartisan staff, with
23 dollar figures as well as number of positions; number of full-time and
24 part-time positions occupied by partisan staff, by caucus, and the
25 dollar figures attributed to those positions; and comparable figures
26 for the preceding ten years. By no later than July 1, 1995, the house
27 of representatives and the senate shall each reduce the number of full-
28 time equivalent positions allotted to each caucus by one-half the
29 number allotted to each caucus as of June 30, 1993.

30 (2) Unless authorized by subsection (3) of this section or
31 otherwise expressly authorized by law, no public funds may be used
32 directly or indirectly for lobbying: PROVIDED, This does not prevent
33 officers or employees of an agency from communicating with a member of
34 the legislature on the request of that member; or communicating to the
35 legislature, through the proper official channels, requests for
36 legislative action or appropriations which are deemed necessary for the
37 efficient conduct of the public business or actually made in the proper

1 performance of their official duties: PROVIDED FURTHER, That this
2 subsection does not apply to the legislative branch.

3 (3) Any agency, not otherwise expressly authorized by law, may
4 expend public funds for lobbying, but such lobbying activity shall be
5 limited to (a) providing information or communicating on matters
6 pertaining to official agency business to any elected official or
7 officer or employee of any agency or (b) advocating the official
8 position or interests of the agency to any elected official or officer
9 or employee of any agency: PROVIDED, That public funds may not be
10 expended as a direct or indirect gift or campaign contribution to any
11 elected official or officer or employee of any agency. For the
12 purposes of this subsection, the term "gift" means a voluntary transfer
13 of any thing of value without consideration of equal or greater value,
14 but does not include informational material transferred for the sole
15 purpose of informing the recipient about matters pertaining to official
16 agency business(~~(:—PROVIDED FURTHER, That)~~). This section does not
17 permit the printing of a state publication which has been otherwise
18 prohibited by law.

19 (4) No elective official or any employee of his or her office or
20 any person appointed to or employed by any public office or agency may
21 use or authorize the use of any of the facilities of a public office or
22 agency, directly or indirectly, in any effort to support or oppose an
23 initiative to the legislature. "Facilities of a public office or
24 agency" has the same meaning as in RCW 42.17.130. The provisions of
25 this subsection shall not apply to the following activities:

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

34 (b) A statement by an elected official in support of or in
35 opposition to any initiative to the legislature at an open press
36 conference or in response to a specific inquiry;

37 (c) Activities which are part of the normal and regular conduct of
38 the office or agency.

1 (5) Each state agency, county, city, town, municipal corporation,
2 quasi-municipal corporation, or special purpose district which expends
3 public funds for lobbying shall file with the commission, except as
4 exempted by (d) of this subsection, quarterly statements providing the
5 following information for the quarter just completed:

6 (a) The name of the agency filing the statement;

7 (b) The name, title, and job description and salary of each elected
8 official, officer, or employee who lobbied, a general description of
9 the nature of the lobbying, and the proportionate amount of time spent
10 on the lobbying;

11 (c) A listing of expenditures incurred by the agency for lobbying
12 including but not limited to travel, consultant or other special
13 contractual services, and brochures and other publications, the
14 principal purpose of which is to influence legislation;

15 (d) For purposes of this subsection the term "lobbying" does not
16 include:

17 (i) Requests for appropriations by a state agency to the office of
18 financial management pursuant to chapter 43.88 RCW nor requests by the
19 office of financial management to the legislature for appropriations
20 other than its own agency budget requests;

21 (ii) Recommendations or reports to the legislature in response to
22 a legislative request expressly requesting or directing a specific
23 study, recommendation, or report by an agency on a particular subject;

24 (iii) Official reports including recommendations submitted to the
25 legislature on an annual or biennial basis by a state agency as
26 required by law;

27 (iv) Requests, recommendations, or other communication between or
28 within state agencies or between or within local agencies;

29 (v) Any other lobbying to the extent that it includes:

30 (A) Telephone conversations or preparation of written
31 correspondence;

32 (B) In-person lobbying on behalf of an agency of no more than four
33 days or parts thereof during any three-month period by officers or
34 employees of that agency and in-person lobbying by any elected official
35 of such agency on behalf of such agency or in connection with the
36 powers, duties, or compensation of such official: PROVIDED, That the
37 total expenditures of nonpublic funds made in connection with such
38 lobbying for or on behalf of any one or more members of the legislature
39 or state elected officials or public officers or employees of the state

1 of Washington do not exceed fifteen dollars for any three-month period:
2 PROVIDED FURTHER, That the exemption under this subsection is in
3 addition to the exemption provided in (A) of this subsection;

4 (C) Preparation or adoption of policy positions.

5 The statements shall be in the form and the manner prescribed by
6 the commission and shall be filed within one month after the end of the
7 quarter covered by the report.

8 (6) In lieu of reporting under subsection (5) of this section any
9 county, city, town, municipal corporation, quasi municipal corporation,
10 or special purpose district may determine and so notify the public
11 disclosure commission, that elected officials, officers, or employees
12 who on behalf of any such local agency engage in lobbying reportable
13 under subsection (5) of this section shall register and report such
14 reportable lobbying in the same manner as a lobbyist who is required to
15 register and report under RCW 42.17.150 and 42.17.170. Each such local
16 agency shall report as a lobbyist employer pursuant to RCW 42.17.180.

17 (7) The provisions of this section do not relieve any elected
18 official or officer or employee of an agency from complying with other
19 provisions of this chapter, if such elected official, officer, or
20 employee is not otherwise exempted.

21 (8) The purpose of this section is to require each state agency and
22 certain local agencies to report the identities of those persons who
23 lobby on behalf of the agency for compensation, together with certain
24 separately identifiable and measurable expenditures of an agency's
25 funds for that purpose. This section shall be reasonably construed to
26 accomplish that purpose and not to require any agency to report any of
27 its general overhead cost or any other costs which relate only
28 indirectly or incidentally to lobbying or which are equally
29 attributable to or inseparable from nonlobbying activities of the
30 agency.

31 The public disclosure commission may adopt rules clarifying and
32 implementing this legislative interpretation and policy."

33 Renumber remaining sections and correct internal references
34 accordingly.

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By Senator

On page 1, line 1 of the title, after "RCW" insert "42.17.190,"

EFFECT: Requires annual compilation and disclosure of specified budget information detailing legislative organization and salaries.

Requires the house and senate, by July 1, 1995, to each reduce the number of partisan staff by one-half.