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ENGROSSED SUBSTITUTE HOUSE BILL 1268

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State of Washington

53rd Legislature

1993 Regular Session

By House Committee on State Government (originally sponsored by Representatives Dunshee, Wolfe, Linville, Riley, Quall, Grant, Pruitt, Romero, R. Meyers, Zellinsky, Eide, Veloria, Karahalios, Brough, Brown, Kessler, Edmondson and Finkbeiner)

Read first time 03/03/93.

1 AN ACT Relating to spending in election campaigns; adding a new  
2 section to chapter 42.17 RCW; adding a new section to chapter 29.80  
3 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The tremendous increases in the costs of  
6 election campaigns, when coupled with recently enacted limits on  
7 campaign contributions, creates a situation favoring the election of  
8 wealthy candidates able to spend substantial amounts of their own  
9 resources for the purpose of winning elections and those candidates who  
10 receive their contributions from sources that have been able to  
11 proliferate to avoid, as a practical matter, the contribution limits.  
12 In order to decrease the advantage of a candidate's wealth or nimble  
13 contribution sources in election contests, the legislature enacts this  
14 law directing the adoption of voluntary campaign spending limits for  
15 state election contests and disclosure of those candidates who agree to  
16 abide by the voluntary limits and those who do not.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17 RCW  
18 to read as follows:

1 (1) The public disclosure commission shall adopt recommended  
2 spending limits for candidates for the following offices: Governor,  
3 lieutenant governor, secretary of state, treasurer, auditor, attorney  
4 general, commissioner of public lands, insurance commissioner,  
5 superintendent of public instruction, member of the state senate, and  
6 member of the state house of representatives. In adopting such  
7 recommended spending limits, the commission shall consider the average  
8 expenditure amounts for the candidates who received the highest and  
9 next highest number of votes in the 1992 general elections for each  
10 office for which the commission is required to recommend a spending  
11 limit. Unless the commission finds that these amounts would be  
12 inappropriate or unrealistic or that adjustments in the amounts to  
13 reflect geographic differences in legislative districts are warranted,  
14 the commission shall base its recommended spending limits on such  
15 average expenditure amounts.

16 (2) Beginning in 1995, the commission shall biennially adjust the  
17 recommended spending limits adopted under subsection (1) of this  
18 section based on changes in economic conditions as reflected in the  
19 inflationary index used by the commission under RCW 42.17.370.

20 (3) Each candidate for an office subject to a recommended spending  
21 limit may execute, and file with the commission, a promise that the  
22 candidate will stay within the limit. A candidate's promise that is  
23 executed and filed in conformance with this section and with the rules  
24 adopted by the commission to implement this section shall be binding on  
25 the candidate. Any candidate who violates his or her promise to stay  
26 within the voluntary spending limit is in violation of this chapter.  
27 The commission shall remove the name of such a candidate from the list  
28 prepared under subsection (5) of this section.

29 (4) The commission shall prescribe the form which shall be used for  
30 executing a promise under this section. Such a promise shall be filed  
31 not later than the tenth day after the close of the filing period for  
32 the office.

33 (5) For each election involving an office for which voluntary  
34 expenditure limits have been established under this section, the  
35 commission shall compile a list of those candidates who filed promises  
36 in a timely manner. The list shall promptly be made available to the  
37 media and the public. The announcement of its availability shall be  
38 made by the executive director of the commission or an employee  
39 designated by the chair of the commission to make such an announcement.

1 During an election campaign, the commission shall periodically publish  
2 a list identifying each candidate who has executed a binding promise  
3 under this section.

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

6 The secretary of state shall add to each candidates' pamphlet a  
7 list of the campaign spending limits recommended by the public  
8 disclosure commission for each of the state offices for which the  
9 statements of candidates appear in the pamphlet and a brief explanation  
10 of the effect of a promise filed with the commission under section 2 of  
11 this act.

12 In preparing the candidates' pamphlet for publication, the  
13 secretary of state shall secure from the public disclosure commission  
14 its most current list of candidates who have promised to limit  
15 spending, as that list is specified in section 2 of this act. Using  
16 this list, the secretary shall add a prominent notice in the  
17 candidates' pamphlet which shall accompany the statement or photograph  
18 of each person on the list. The notice shall state: "Has promised to  
19 abide by the voluntary spending limit for this campaign." With the  
20 statement in the pamphlet of each other candidate for state office, the  
21 secretary shall add a prominent notice which states: "Has **NOT** promised  
22 to abide by the voluntary spending limit for this campaign." The  
23 notice shall accompany the statement or photograph of each such other  
24 candidate.

25 For the purposes of this section, "state office" means the offices  
26 listed in section 2(1) of this act for which the public disclosure  
27 commission has adopted recommended spending limits.

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