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HOUSE BILL 1270

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State of Washington                      53rd Legislature                      1993 Regular Session

By Representatives Dunshee, Pruitt and R. Meyers

Read first time 01/20/93. Referred to Committee on State Government.

1            AN ACT Relating to spending in election campaigns; amending RCW  
2 29.80.010 and 29.80.020; adding a new section to chapter 42.17 RCW;  
3 adding a new section to chapter 29.80 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, create 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. In order to decrease  
10 the advantage of candidates' wealth in election contests, the  
11 legislature enacts this law directing the adoption of voluntary  
12 campaign spending limits for state election contests and disclosure of  
13 those candidates who agree to abide by the voluntary limits and those  
14 who do not.

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

17            (1) The public disclosure commission shall adopt recommended  
18 spending limits for candidates for the following offices: Governor,

1 lieutenant governor, secretary of state, treasurer, auditor, attorney  
2 general, commissioner of public lands, insurance commissioner,  
3 superintendent of public instruction, member of the state senate,  
4 member of the state house of representatives, justice of the supreme  
5 court, judge of the court of appeals, judge of the superior court,  
6 member of the United States senate, and member of the United States  
7 house of representatives. In adopting such recommended spending  
8 limits, the commission shall consider the average expenditure amounts  
9 for the candidates who received the highest and next highest number of  
10 votes in the 1992 general elections for each office for which the  
11 commission is required to recommend a spending limit. Unless the  
12 commission finds it would be inappropriate or unrealistic, the  
13 commission shall base its recommended spending limits on such average  
14 expenditure amounts.

15 (2) Each candidate for an office subject to a recommended spending  
16 limit may execute, and file with the commission, a promise that the  
17 candidate will stay within the limit. A candidate's promise that is  
18 executed and filed in conformance with this section and with the rules  
19 adopted by the commission to implement this section shall be binding on  
20 the candidate. Any candidate who violates his or her promise to stay  
21 within the voluntary spending limit is in violation of this chapter.  
22 The commission shall remove the name of such a candidate from the list  
23 prepared under subsection (4) of this section.

24 (3) The commission shall prescribe the form which shall be used for  
25 executing a promise under this section and the date by which the  
26 promise must be filed.

27 (4) The commission, during an election campaign, shall periodically  
28 publish a list identifying each candidate who has executed a binding  
29 promise under this section.

30 **Sec. 3.** RCW 29.80.010 and 1987 c 295 s 17 are each amended to read  
31 as follows:

32 Except as otherwise provided in this chapter, a soon as possible  
33 before each state general election at which federal or state officials  
34 are to be elected, the secretary of state shall publish and mail to  
35 each individual place of residence of the state a candidates' pamphlet  
36 containing photographs and campaign statements of eligible nominees who  
37 desire to participate therein, together with a campaign mailing address  
38 and telephone number submitted by the nominee at the nominee's option,

1 and in even-numbered years containing a description of the office of  
2 precinct committee officer and its duties, in order that voters will  
3 understand that the office is a state office and will be found on the  
4 ballot of the forthcoming general election. In odd-numbered years no  
5 candidates' pamphlet may be published unless an election is to be held  
6 to fill a vacancy in one or more of the following state-wide elective  
7 offices: United States senator, governor, lieutenant governor,  
8 secretary of state, state treasurer, state auditor, attorney general,  
9 superintendent of public instruction, commissioner of public lands,  
10 insurance commissioner, or justice of the supreme court.

11 **Sec. 4.** RCW 29.80.020 and 1984 c 54 s 2 are each amended to read  
12 as follows:

13 (1) Except as provided otherwise in subsection (2) of this section,  
14 at a time to be determined by the secretary of state, but in any event  
15 not later than forty-five days before the applicable state general  
16 election, each nominee for the office of United States senator, United  
17 States representative, governor, lieutenant governor, secretary of  
18 state, state treasurer, state auditor, attorney general, superintendent  
19 of public instruction, commissioner of public lands, insurance  
20 commissioner, state senator, state representative, justice of the  
21 supreme court, judge of the court of appeals, or judge of the superior  
22 court may file with the secretary of state a written statement  
23 advocating his or her candidacy accompanied by the campaign mailing  
24 address and telephone number submitted by the nominee at the nominee's  
25 option, and a photograph not more than five years old and of a size and  
26 quality that the secretary of state determines to be suitable for  
27 reproduction in the voters' pamphlet. The maximum number of words for  
28 the statements shall be determined according to the offices sought as  
29 follows: State representative, one hundred words; state senator, judge  
30 of the superior court, judge of the court of appeals, justice of the  
31 supreme court, and all state offices voted upon throughout the state,  
32 except that of governor, two hundred words; United States senator,  
33 United States representative, and governor, three hundred words.

34 (2) No such statement or photograph may be printed in the  
35 candidates' pamphlet for (a) any person who is the sole nominee for any  
36 nonpartisan or judicial office; or (b) any candidate for a state office  
37 who has not, at the time the pamphlet is set for publication, executed  
38 and filed with the public disclosure commission a binding promise under

1 section 2 of this act to abide by the voluntary spending limit  
2 applicable to the office or who has made such a promise but has been  
3 found by the commission to have violated the promise. For the purposes  
4 of this subsection, "state office" means the offices listed in section  
5 2 of this act for which the public disclosure commission has adopted  
6 recommended spending limits.

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

9 The secretary of state shall add to each candidates' pamphlet a  
10 list of the campaign spending limits recommended by the public  
11 disclosure commission for each of the state offices for which the  
12 statements of candidates appear in the pamphlet and a brief explanation  
13 of the effect of a promise filed with the commission under section 2 of  
14 this act and the provisions of RCW 29.80.020(2)(b). The secretary  
15 shall indicate that a candidate's choice not to file a promise under  
16 section 2 of this act may be based on philosophical principles held by  
17 the candidate.

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