

2 SB 5460 - H COMM AMD

3 By Committee on Government Administration

4 ADOPTED AS AMENDED 4/14/97

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended  
8 to read as follows:

9 (1) No elective official nor any employee of his or her office nor  
10 any person appointed to or employed by any public office or agency may  
11 use or authorize the use of any of the facilities of a public office or  
12 agency, directly or indirectly, for the purpose of assisting a campaign  
13 for election of any person to any office or for the promotion of or  
14 opposition to any ballot proposition. Facilities of public office or  
15 agency include, but are not limited to, use of stationery, postage,  
16 machines, and equipment, use of employees of the office or agency  
17 during working hours, vehicles, office space, publications of the  
18 office or agency, and clientele lists of persons served by the office  
19 or agency(~~(:—PROVIDED, That)~~). However, the foregoing provisions of  
20 this section shall not apply to the following activities:

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

29 ~~((2))~~ (b) A statement by an elected official in support of or in  
30 opposition to any ballot proposition at an open press conference or in  
31 response to a specific inquiry; or

32 ~~((3))~~ (c) Activities which are part of the normal and regular  
33 conduct of the office or agency.

34 (2)(a) An association composed of local governments or local  
35 government officials and financially supported by local governments may  
36 not participate in any election.

1       (b) The association may (i) gather and disseminate objective and  
2 factual information to members relating to a ballot measure; (ii)  
3 participate in the determination of a collective position on the ballot  
4 measure; and (iii) participate on a committee appointed to prepare  
5 arguments to appear in the voter's pamphlet regarding the ballot  
6 measure.

7       (c) Each association shall prepare and submit a full report to the  
8 house of representatives government administration committee and the  
9 senate government operations committee no later than January 31st of  
10 each year through the year 1999 certifying it did not participate in  
11 any election during the previous year and providing full disclosure of  
12 any activities engaged in by the association under (b) of this  
13 subsection during the previous year."

14       Correct the title.

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