

2 SB 5460 - H COMM AMD

3 By Committee on Government Administration

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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 quasi-public agency organized to provide local government
35 association services may not provide any financial support or use of
36 any of its facilities for or against a ballot proposition or candidate

1 for public office. A quasi-public agency shall be treated as a public
2 office or agency for purposes of this section and shall be subject to
3 the provisions of this section. However, a quasi-public agency is
4 exempt from this section for purposes of providing objective and
5 factual information pertaining to a ballot proposition.

6 (3) "Quasi-public agency" means a nonprofit or for-profit
7 corporation created in whole or in part to provide local government
8 association services that derives more than fifty percent of its income
9 from dues, assessments, or membership fees paid for with public funds.

10 (4) "Association services" means performing services on behalf of
11 a local government and includes coordination of administrative
12 programs, preparation of annual reports, communicating with or
13 furnishing information to the legislative or executive branches or
14 their agencies, acting as a coordinating agency, promoting efficient
15 operations, submitting reports and recommendations, or performing any
16 other services on behalf of a local government.

17 (5) "Local government" means a local public entity and includes a
18 county, city, town, port district, school district, library district,
19 fire protection district, public utility district, a municipal or
20 quasi-municipal corporation, or any other local public entity, and any
21 agent, employee, officer, or elected or appointed official of a local
22 government."

23 Correct the title.

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