

# HOUSE BILL REPORT

## EHB 1027

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**As Passed House**  
February 28, 1997

**Title:** An act relating to restrictions on mailings and public service broadcasts by state officials.

**Brief Description:** Restricting mailings and public service broadcasts by state officials.

**Sponsors:** By House Committee on Government Administration (originally sponsored by Representatives Schoesler, Chandler, Sheahan, Sterk, McMorris, Honeyford, Dyer, Mielke and D. Schmidt).

**Brief History:**

**Committee Activity:**

Government Administration: 1/22/97, 2/4/97 [DP].

**Floor Activity:**

Passed House: 2/28/97, 96-0.

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### HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

**Majority Report:** Do pass. Signed by 10 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Reams; Smith; L. Thomas and Wensman.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Dunshee and Wolfe.

**Staff:** Steve Lundin (786-7127).

**Background:** General restrictions exist prohibiting the use of public facilities to promote a political campaign.

Express restrictions exist on mailings that a legislator may make with public funds during the 12-month period preceding the last day for certifying election results for the legislator's election to office. During this period, a legislator may mail one identical newsletter to constituents no later than 30 days after the start of a regular legislative session and one identical newsletter to constituents no later than 60 days after the end of a regular legislative session.

However, a legislator may use public funds to mail an individual letter to an individual constituent who has contacted the legislator concerning the subject matter of the letter during his or her current term of office or if the constituent holds a governmental office with jurisdiction over the subject matter of the letter.

No express restrictions exist on mailings that may be made by other state-elected officials or specifically authorize other state-elected officials to mail identical newsletters to constituents.

**Summary of Bill:** Express restrictions are established on the authority of state officials, other than legislators, to use public funds for mailing letters to constituents or making public service broadcasts during the 12-month period preceding the last day for certifying election results for the official's election to office.

During this period, a state official may not use public funds to mail a letter, newsletter, brochure or other piece of literature to constituents, except as follows:

- Literature that is mailed as part of the regular duties of the state office may be mailed at public expense, if the literature does not name the state official, but only names his or her office. However, the name of the secretary of state may appear in a voters' pamphlet in the same manner as any other candidate.
- Individual letters or other pieces of mail may be mailed as official communications of the state official, or office of the state official, directly related to matters within the purview of the duties of the office.
- One identical newsletter may be mailed to constituents at public expense no later than 30 days after the start of a regular legislative session and one identical newsletter may be mailed to constituents at public expense no later than 60 days after the end of a regular legislative session.
- An individual letter may be mailed to an individual constituent at public expense if the constituent contacted the official concerning the subject matter of the letter during his or her current term of office or if the constituent holds a governmental office with jurisdiction over the subject matter of the letter.

During this period, a state official may not make public service announcements at public expense, unless the announcement is part of the regular duties of the official and does not name the state official, but only names his or her office.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Initiative 134 limits legislators. This applies similar limitations to statewide-elected officials. Level the playing field. A public service announcement need not use the name of the official.

**Testimony Against:** The public service announcement limitations could be hard to work for broadcasters. An inadvertent error could be made by a broadcaster.

**Testified:** Rep. Schoesler, prime sponsor (pro); and Becky Bogard, Washington State Broadcasters Association (with concerns).