

HOUSE BILL REPORT

HB 2575

As Passed Legislature

Title: An act relating to clarification of restrictions on public disclosure commission members' activities.

Brief Description: Clarifying restrictions on public disclosure commission members' activities.

Sponsors: Representatives Pennington, D. Schmidt, Lisk, Skinner, Honeyford, Carlson, Kessler and Mulliken.

Brief History:

Committee Activity:

Government Administration: 1/28/98, 2/3/98 [DP].

Floor Activity:

Passed House: 2/11/98, 93-4.

Passed Legislature.

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; Dunshee; Smith; L. Thomas; Wensman and Wolfe.

Minority Report: Do not pass. Signed by 1 member: Representative Dunn.

Staff: Caroleen Dineen (786-7156).

Background: Chapter 42.17 RCW, Washington's public disclosure statute, includes a policy of promoting full disclosure of information relating to political campaigns and lobbying contributions, as well as the financial affairs of elected officials and candidates. This chapter also assures public access to state and local agency records with certain exceptions.

The Public Disclosure Commission (PDC) is a five-member board appointed by the Governor with the consent of the Senate. PDC members are appointed for five-year terms.

PDC members are prohibited by RCW 42.17.350 from engaging in any of the following activities:

- Holding or campaigning for public office;
- Serving as an officer of any political party or political committee;
- Permitting his or her name to be used in any election campaign;
- Participating in any way in any election campaign; and
- Lobbying or employing or assisting a lobbyist with limited exceptions.

"Public office" is defined by statute to include any federal, state or local elective office. An "election campaign" is defined generally as any campaign supporting or opposing a candidate or ballot proposition.

Summary of Bill: The section establishing the PDC is amended to clarify that the statutory prohibitions apply both within and outside the state of Washington.

PDC members are expressly prohibited from engaging in any of the activities enumerated in RCW 42.17.350, regardless of whether the activity occurs within or outside Washington.

Organizational changes are made to the section. References to appointment and initial terms of PDC members are deleted.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill upholds the integrity of PDC members by clarifying that the statutory restrictions on PDC members' activities apply outside the state. The PDC supports this bill because partisan activity in another state may create the appearance that a member could not act objectively. The bill should also contain a provision that PDC members can serve until their successors are appointed.

Testimony Against: The bill should include an amendment creating civil penalties against a Governor who fails to make appointments to the PDC.

Testified: Representative Pennington, prime sponsor; Melissa Warheit, Public Disclosure Commission; and Chuck Savage, Common Cause (all pro). Sherry Bockwinkel, (CLEAN), Citizens for Leaders with Ethics and Accountability Now (con).