

HOUSE BILL REPORT

HB 1240

As Reported By House Committee On:

Government Administration

Title: An act relating to elected officials' guest editorials or columns in newspapers.

Brief Description: Allowing an elected official to prepare and send guest editorials or columns that include arguments for or against ballot propositions if the editorial or column is requested by a newspaper.

Sponsors: Representatives Pennington, Appelwick, D. Schmidt, Mulliken, O'Brien, Dunshee, Kenney, B. Thomas, Anderson, Wensman, Lantz, Dickerson, Murray, Linville, Dunn and Mason; by request of Legislative Ethics Board.

Brief History:

Committee Activity:

Government Administration: 1/29/97, 1/31/97 [DP].

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: Do pass. Signed by 12 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Dunshee; Reams; Smith; L. Thomas; Wensman and Wolfe.

Staff: Bill Lynch (786-7092).

Background: State officers and employees are prohibited from using or allowing the use of state facilities, either directly or indirectly, for the purpose of assisting a campaign to elect someone to office or to promote or oppose a ballot proposition.

There are several exemptions from the prohibition against using state facilities to assist a campaign. These exemptions include statements by an elected official in support of, or in opposition to, a ballot proposition at an open press conference in response to a specific inquiry; and de minimus use of public facilities by statewide elected officials and legislators incidental to the preparation or delivery of permissible communications regarding their views on ballot propositions that may affect a matter that falls within their constitutional or statutory responsibilities.

There is no exemption provided for an elected official preparing and sending a guest editorial or column to a newspaper regarding a ballot proposition at the request of the newspaper's editorial board.

Summary of Bill: An elected official may send a guest editorial or column to a newspaper regarding a ballot proposition if invited by the newspaper's editorial board or other person or organization controlling the newspaper's editorial pages, without violating the prohibition against using state facilities to assist a campaign. The editorial or column must appear under the elected official's name and official title, and must deal with a subject included in the ballot proposition over which the official has constitutional or statutory jurisdiction or authority. The elected official may argue for or against the ballot proposition, or urge voters to vote for or against it, without violating the prohibition against using state facilities to assist a campaign.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Current law already allows legislators to make comments at press conferences regarding ballot measures in response to questions. This is a small expansion of that exemption by allowing the opinions to be put in writing if requested.

Testimony Against: None.

Testified: Representatives Pennington and Appelwick, sponsors; William Asbury, Chairman, Legislative Ethics Board; and Chuck Savage, Common Cause (with concerns).