

HOUSE BILL REPORT

HB 1908

As Reported by House Committee On:

State Government

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: Representatives Schoesler, Morris, Santos, Hankins, Sump, Pennington, DeBolt, B. Chandler, Sehlin, D. Schmidt, Dunn, Mielke, McMorris, Tokuda, Buck, Skinner, Mulliken and Bush.

Brief History:

Committee Activity:

State Government: 2/23/01, 2/26/01 [DPS].

Brief Summary of Substitute Bill

- Imposes mailing restrictions similar to those imposed on state legislators on elected state executive branch officials.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Miloscia, Democratic Vice Chair; Schindler, Republican Vice Chair; Haigh, Lambert, McDermott and D. Schmidt.

Staff: Jim Morishima (786-7191).

Background:

For the 12-month period preceding a general election in which a legislator is running for office, the legislator may not send to a constituent, either by regular mail or electronic mail, a letter, newsletter, brochure, or other piece of literature at public expense. There are several exceptions to this general rule:

- The legislator may send two newsletters during the 12-month period;
- The legislator may respond to constituent inquiries;

- The legislator may send a letter to a constituent who holds a government office having jurisdiction over the subject of the letter;
- The legislator may send a letter to a constituent who has won an award or honor of extraordinary distinction like the Nobel Prize, or the Pulitzer Prize.

Summary of Substitute Bill:

For the 12-month period preceding a general election in which a state executive branch official is running for office, the official may not send to a constituent a brochure or other piece of literature at public expense. The official also may not make public service broadcasts at public expense.

There are several exceptions to the general rule regarding mail restrictions:

- The official may send two newsletters during the 12-month period;
- The official may respond to constituent inquiries;
- The official may send a letter to a constituent who holds a government office having jurisdiction over the subject of the letter;
- The official may send a letter to a constituent who has won an award or honor of extraordinary distinction like the Nobel Prize, or the Pulitzer Prize.

Also, the mailing restrictions are inapplicable to:

- Brochures or other literature mailed as part of the regular duties of the state office that only refer to the office, and not the name of the official;
- Correspondence on state office letterhead mailed by employees of the state office that are part of the regular duties of the state office.

Similarly, the public service broadcast restrictions do not apply to public service broadcasts that are part of the regular duties of the state office that only mention or visually display the state office, and not the name of the official.

Substitute Bill Compared to Original Bill:

The restrictions with respect to electronic mail are removed. It is clarified that the restrictions do not apply to judicial branch officials.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: The concepts in this bill are not new. The voters, in their wisdom, prohibited elected officials from using state resources to assist a campaign. This includes mailing restrictions on legislators, which do not apply to other state officials. Placing the mailing restrictions on these other elected officials is a simple fix and is a matter of fairness.

Testimony Against: None.

Testified: Representative Schoesler, prime sponsor.