

HOUSE BILL REPORT

HB 1103

As Amended by the Senate

Title: An act relating to restrictions on mailing by legislators.

Brief Description: Regulating mail to constituents.

Sponsors: Representatives Lambert (co-prime sponsor), Ruderman (co-prime sponsor), Esser, Miloscia, Buck, Pflug, McDermott, Simpson, D. Schmidt and Armstrong.

Brief History:

Committee Activity:

State Government: 2/5/01, 2/14/01 [DP].

Floor Activity:

Passed House: 2/27/01, 95-3.

Senate Amended.

Passed Senate: 4/11/01, 42-6.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">· Removes the campaign year prohibition against legislative mailings by electronic mail except for the period between the 45th day after session until November 30.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Miloscia, Democratic 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. There are several exceptions to this general rule:

- (a) The legislator may send two newsletters during the 12 month period.

(b) The legislator may mail an individual letter to (i) a constituent who holds a government office having jurisdiction over the subject of the letter; and (ii) a constituent who has won an award or honor of extraordinary distinction like the Nobel Prize or the Pulitzer Prize.

Summary of Bill:

The prohibition against legislative mailings via electronic mail only applies from 45 days after the regular session in the year a legislator is running for office until November 30 of that year.

EFFECT OF SENATE AMENDMENT(S):

The prohibition against sending a constituent material via electronic mail does not apply to: (1) Any correspondence before the 45th day after the regular legislative session as long as the costs are de minimis; (2) individual letters to a constituent who has contacted the legislator; and (3) individual letters to an individual constituent who holds a governmental office with jurisdiction over the letter's subject matter.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: It is important for legislators to keep their constituents informed. Constituents are our bosses, and some constituents are outraged at the lack of communication from their elected officials. Since the internet is free, allowing communications by electronic mail does not give incumbent legislators an advantage.

Testimony Against: None.

Testified: Representative Lambert, co-prime sponsor; Representative Ruderman, co-prime sponsor; Chuck Savage, Common Cause of Washington State.