

HOUSE BILL REPORT

HB 1352

As Reported by House Committee On:

State Government

Title: An act relating to correcting inaccurate or procedurally obsolete provisions in the public disclosure commission law.

Brief Description: Correcting inaccurate or procedurally obsolete provisions of the public disclosure commission law.

Sponsors: Representatives McMorris, D. Schmidt, McDermott, Schindler, Haigh, Lambert and Miloscia; by request of Public Disclosure Commission.

Brief History:

Committee Activity:

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

Brief Summary of Substitute Bill

- Eliminates the reporting of expenditures for compensating signature gatherers for initiative and referendum petitions.
- Clarifies the definitions of "general election" and "primary".

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: Catherine Blinn (786-7114).

Background:

The Public Disclosure Act (PDA) requires the disclosure of political campaign financing, lobbying financing, political advertising financing, and the financial affairs of elected officials and candidates. With regard to campaign financing, candidates and political committees must report all contributions and expenditures to the Public Disclosure

Commission (PDC) at the beginning of a campaign and at specified intervals during the campaign. Each report must specify the funds on hand at the beginning of the interval; each contributor, together with the date and amount of each contribution; each lender, together with the date and amount of each loan, promissory note, or security instrument; each candidate or political committee that received funds, together with the date and amounts of each transfer; each expenditure, together with the date, amount and purpose of the expenditure; each expenditure for compensating signature gatherers for initiative and referendum petitions; the surplus or deficit of contributions over expenditures; the disposition of any surplus funds; and the amount of funds received from a non-reporting political committee. The public can correspond with the PDC either directly or through the Office of the Secretary of State.

"General election" is defined in the PDA as the election that results in the election of a person to a state office. It does not include a primary.– "Primary" is defined in the PDA as the procedure for nominating a candidate to state office pursuant to the procedures for partisan and nonpartisan primaries, or any other primary for an election that uses established procedures for partisan and nonpartisan primaries.

Summary of Substitute Bill:

Candidates and political committees are no longer required to report expenditures for compensating signature gatherers for initiative and referendum petitions. The Office of the Secretary of State is no longer designated as a place for the public to correspond with the PDC. The section addressing contributions made prior to December 3, 1992 is repealed.

The definitions of "general election" and "primary" are restricted to only apply to the section of the PDA that delineates campaign limits.

Substitute Bill Compared to Original Bill:

The definition of "primary" is changed back to a procedure for nominating a candidate to state office.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: (Original bill) The definitions of primary and general election are

restricted to the purposes of the campaign contribution laws. The repeal of the reporting of expenditures for compensating signature gatherers is in response to a United States Court of Appeals, Ninth Circuit decision. The PDC was formerly housed in the Office of the Secretary of State. The Office of the Secretary of State should not be responsible for accepting materials or providing information regarding the PDA. The law regarding contributions prior to 1992 is repealed.

Testimony Against: None.

Testified: Vicki Rippie, Public Disclosure Commission.