
SUBSTITUTE SENATE BILL 5996

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Economic Development (originally sponsored by Senators West, Brown, Kohl-Welles, T. Sheldon, Shin, Hale, Rossi, Fairley, Spanel, Franklin, Parlette, McAuliffe, Rasmussen and Winsley)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to hosting the 2005 conference of the national
2 conference of state legislatures and other government conferences;
3 creating new sections; amending RCW 42.52.150; adding a new section to
4 chapter 42.52 RCW; and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature will host the 2005 annual
7 meeting of the national conference of state legislatures, and finds
8 that the annual meeting will attract millions of dollars in economic
9 benefits to the state. The purpose of this act is to establish a
10 committee to take the lead role in hosting the annual meeting.

11 NEW SECTION. **Sec. 2.** (1) For purposes of this section:

12 (a) "NCSL" means the national conference of state legislatures; and

13 (b) "Hosting" or "hosting the 2005 NCSL annual meeting" means doing
14 those things necessary to plan, prepare, facilitate, and wind down the
15 2005 NCSL annual meeting.

16 (2) There is hereby created a committee to plan and host the 2005
17 convention of the NCSL in Seattle, to be known as the 2005 NCSL host
18 committee.

1 (3) The 2005 NCSL host committee account is created in the custody
2 of the state treasurer. All receipts designated for the account from
3 appropriations and from other sources must be deposited into the
4 account. Expenditures from the account may be used only to finance the
5 activities of the 2005 NCSL host committee. Only the cochairs of the
6 2005 NCSL host committee or the cochairs' designee may authorize
7 expenditures from the account when authorized to do so by the
8 committee. An appropriation is not required for expenditures from the
9 account.

10 (4) The 2005 NCSL host committee may:

11 (a) Authorize the cochairs of the committee or the cochairs'
12 designee to expend funds from the 2005 NCSL host committee account for
13 the limited purposes of hosting the 2005 NCSL convention;

14 (b) Accept monetary donations, grants, and in-kind donations.
15 Moneys received under this section must be deposited in the 2005 NCSL
16 host committee account;

17 (c) Engage in or encourage fund-raising activities including the
18 solicitation of gifts, grants, or donations specifically for the
19 limited purposes of hosting the 2005 NCSL convention; and

20 (d) Establish subcommittees as the committee deems necessary to
21 accomplish the purposes of hosting the 2005 NCSL annual meeting.

22 (5) The membership of the committee shall include: (a) Four
23 members of the senate, including the leader of the majority party and
24 another member of the majority party appointed by the majority party
25 leader, and the leader of the minority party and another member of the
26 minority party appointed by the minority party leader; (b) four members
27 of the house of representatives, including the speaker and another
28 member of the majority party appointed by the speaker, and the leader
29 of the minority party and another member of the minority party
30 appointed by its leader; (c) the lieutenant governor; (d) the secretary
31 of the senate; (e) the chief clerk of the house of representatives; and
32 (f) two former members of the legislature, one from each major
33 political party, appointed by a majority of the members of the
34 committee.

35 (6) The majority leader of the senate and the speaker of the house
36 of representatives shall serve as cochairs of the committee.

37 (7) The committee shall receive necessary support from the staff

1 and resources of the senate and the house of representatives, and may
2 obtain additional resources by contract.

3 (8) Legislator members of the committee shall be reimbursed for
4 travel expenses provided in RCW 44.04.120. The lieutenant governor and
5 the citizen members of the committee shall be reimbursed for travel
6 expenses as provided in RCW 43.03.050 and 43.03.060.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.52 RCW
8 to read as follows:

9 When soliciting gifts, grants, or donations solely to host a
10 government conference, state officers and state employees are presumed
11 not to be in violation of the solicitation and receipt of gift
12 provisions in this chapter.

13 **Sec. 4.** RCW 42.52.150 and 1998 c 7 s 2 are each amended to read as
14 follows:

15 (1) No state officer or state employee may accept gifts, other than
16 those specified in subsections (2) and (5) of this section, with an
17 aggregate value in excess of fifty dollars from a single source in a
18 calendar year or a single gift from multiple sources with a value in
19 excess of fifty dollars. For purposes of this section, "single source"
20 means any person, as defined in RCW 42.52.010, whether acting directly
21 or through any agent or other intermediary, and "single gift" includes
22 any event, item, or group of items used in conjunction with each other
23 or any trip including transportation, lodging, and attendant costs, not
24 excluded from the definition of gift under RCW 42.52.010. The value of
25 gifts given to an officer's or employee's family member or guest shall
26 be attributed to the official or employee for the purpose of
27 determining whether the limit has been exceeded, unless an independent
28 business, family, or social relationship exists between the donor and
29 the family member or guest.

30 (2) Except as provided in subsection (4) of this section, the
31 following items are presumed not to influence under RCW 42.52.140, and
32 may be accepted without regard to the limit established by subsection
33 (1) of this section:

- 34 (a) Unsolicited flowers, plants, and floral arrangements;
- 35 (b) Unsolicited advertising or promotional items of nominal value,
36 such as pens and note pads;

1 (c) Unsolicited tokens or awards of appreciation in the form of a
2 plaque, trophy, desk item, wall memento, or similar item;

3 (d) Unsolicited items received by a state officer or state employee
4 for the purpose of evaluation or review, if the officer or employee has
5 no personal beneficial interest in the eventual use or acquisition of
6 the item by the officer's or employee's agency;

7 (e) Informational material, publications, or subscriptions related
8 to the recipient's performance of official duties;

9 (f) Food and beverages consumed at hosted receptions where
10 attendance is related to the state officer's or state employee's
11 official duties;

12 (g) Gifts, grants, conveyances, bequests, and devises of real or
13 personal property, or both, in trust or otherwise accepted and
14 solicited for the purpose of hosting a government conference;

15 (h) Admission to, and the cost of food and beverages consumed at,
16 events sponsored by or in conjunction with a civic, charitable,
17 governmental, or community organization; and

18 ((+h)) (i) Unsolicited gifts from dignitaries from another state
19 or a foreign country that are intended to be personal in nature.

20 (3) The presumption in subsection (2) of this section is rebuttable
21 and may be overcome based on the circumstances surrounding the giving
22 and acceptance of the item.

23 (4) Notwithstanding subsections (2) and (5) of this section, a
24 state officer or state employee of a regulatory agency or of an agency
25 that seeks to acquire goods or services who participates in those
26 regulatory or contractual matters may receive, accept, take, or seek,
27 directly or indirectly, only the following items from a person
28 regulated by the agency or from a person who seeks to provide goods or
29 services to the agency:

30 (a) Unsolicited advertising or promotional items of nominal value,
31 such as pens and note pads;

32 (b) Unsolicited tokens or awards of appreciation in the form of a
33 plaque, trophy, desk item, wall memento, or similar item;

34 (c) Unsolicited items received by a state officer or state employee
35 for the purpose of evaluation or review, if the officer or employee has
36 no personal beneficial interest in the eventual use or acquisition of
37 the item by the officer's or employee's agency;

1 (d) Informational material, publications, or subscriptions related
2 to the recipient's performance of official duties;

3 (e) Food and beverages consumed at hosted receptions where
4 attendance is related to the state officer's or state employee's
5 official duties;

6 (f) Admission to, and the cost of food and beverages consumed at,
7 events sponsored by or in conjunction with a civic, charitable,
8 governmental, or community organization; and

9 (g) Those items excluded from the definition of gift in RCW
10 42.52.010 except:

11 (i) Payments by a governmental or nongovernmental entity of
12 reasonable expenses incurred in connection with a speech, presentation,
13 appearance, or trade mission made in an official capacity;

14 (ii) Payments for seminars and educational programs sponsored by a
15 bona fide governmental or nonprofit professional, educational, trade,
16 or charitable association or institution; and

17 (iii) Flowers, plants, and floral arrangements.

18 (5) A state officer or state employee may accept gifts in the form
19 of food and beverage on infrequent occasions in the ordinary course of
20 meals where attendance by the officer or employee is related to the
21 performance of official duties. Gifts in the form of food and beverage
22 that exceed fifty dollars on a single occasion shall be reported as
23 provided in chapter 42.17 RCW.

24 NEW SECTION. **Sec. 5.** Sections 1 and 2 of this act expire December
25 31, 2005.

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