

SENATE BILL REPORT

SB 6705

As of February 01, 2006

Title: An act relating to prohibiting state officials from making public service announcements.

Brief Description: Prohibiting state officials from making public service announcements.

Sponsors: Senators Finkbeiner and Kastama.

Brief History:

Committee Activity: Government Operations & Elections: 1/30/06.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Diane Smith (786-7410)

Background: Electioneering communications are print, broadcast, cable, mail, and billboard communications that are made within 60 days of the election, clearly identify the candidate, and have a fair market value of \$5,000 or more.

The specifics about the payment for electioneering communications must be reported electronically to the Public Disclosure Commission within 24 hours of the electioneering communication being made public.

Electioneering communications made at the candidate's request are contributions and are subject to the contribution limitations. Unless exempted from contribution limits, all contributions accrue toward those limits.

Specific activities and means of communication are exempt from the definition of electioneering communications, including the exemption for public service announcements.

The Ethics in Public Service Act prohibits the use of state facilities to assist a campaign or to support or oppose a ballot measure. State facilities include the use of state employees during working hours; the use of state equipment, machines, postage and stationery; and the use of vehicles, office space, publications, and clientele lists.

Exceptions exist to this prohibition, including the exception for those activities that are part of the normal and regular conduct of the office.

Summary of Bill: Public service announcements are removed from the various means of communication that are exempt from the definition of electioneering communication.

The Ethics in Public Service Act prohibits the use of state facilities to make, issue, or advertise a public service announcement. Public service announcements issued by the public, the lottery commission, and by those agencies expressly authorized by statute to issue public service announcements are exempt from this prohibition.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: The Legislature should have to line-item the budget or expressly authorize PSAs that include the name or picture or both of the holder of the office making the announcement.

Testimony Against: None.

Testimony Other: Section 2 is too broad. Section 1 removes PSAs from the exemption from the definition of electioneering communications which is okay, but Section 2 would seem to put a stop to the new Anti-Meth PSAs that follow the very successful Teen Alcohol Task Force PSAs from the 1990s. Identification of who provided the information to the station is required by the FCC. Education of voters and the public for fire alerts, boating safety, geological hazards, fireworks, and other dangerous conditions is integral to the performance of some statewide-elected officials' duties.

Who Testified: PRO: Senator Finkbeiner, prime sponsor.

OTHER: Mark Allen, Washington State Association of Broadcasters; Brad Benfield, Department of Licensing; Bonnie Bunning, Department of Natural Resources; Shane Hamlin, Office of Secretary of State.