

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2713**

59th Legislature  
2006 Regular Session

Passed by the House February 14, 2006  
Yeas 66 Nays 30

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**Speaker of the House of Representatives**

Passed by the Senate March 2, 2006  
Yeas 27 Nays 20

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2713** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2713**

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Passed Legislature - 2006 Regular Session

**State of Washington                      59th Legislature                      2006 Regular Session**

**By** House Committee on State Government Operations & Accountability  
(originally sponsored by Representatives Simpson, Woods and Hunt)

READ FIRST TIME 02/02/06.

1            AN ACT Relating to clarifying that special district boards,  
2 councils, and commissions may publicly take positions on ballot  
3 measures; amending RCW 42.17.130; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.** (1) The legislature finds that the public  
6 benefits from an open and inclusive discussion of proposed ballot  
7 measures by local elected leaders, and that for twenty-five years these  
8 discussions have included the opportunity for elected boards, councils,  
9 and commissions of special purpose districts to vote in open public  
10 meetings in order to express their support of, or opposition to, ballot  
11 propositions affecting their jurisdictions.

12            (2) The legislature intends to affirm and clarify the state's long-  
13 standing policy of promoting informed public discussion and  
14 understanding of ballot propositions by allowing elected boards,  
15 councils, and commissions of special purpose districts to adopt  
16 resolutions supporting or opposing ballot propositions.

17            **Sec. 2.** RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended to  
18 read as follows:

1 No elective official nor any employee of his office nor any person  
2 appointed to or employed by any public office or agency may use or  
3 authorize the use of any of the facilities of a public office or  
4 agency, directly or indirectly, for the purpose of assisting a campaign  
5 for election of any person to any office or for the promotion of or  
6 opposition to any ballot proposition. Facilities of a public office or  
7 agency include, but are not limited to, use of stationery, postage,  
8 machines, and equipment, use of employees of the office or agency  
9 during working hours, vehicles, office space, publications of the  
10 office or agency, and clientele lists of persons served by the office  
11 or agency(~~(: PROVIDED, That the foregoing provisions of)~~). However,  
12 this ((~~section shall~~)) does not apply to the following activities:

13 (1) Action taken at an open public meeting by members of an elected  
14 legislative body or by an elected board, council, or commission of a  
15 special purpose district including, but not limited to, fire districts,  
16 public hospital districts, library districts, park districts, port  
17 districts, public utility districts, school districts, sewer districts,  
18 and water districts, to express a collective decision, or to actually  
19 vote upon a motion, proposal, resolution, order, or ordinance, or to  
20 support or oppose a ballot proposition so long as (a) any required  
21 notice of the meeting includes the title and number of the ballot  
22 proposition, and (b) members of the  
23 board, council, or commission of the special purpose district, or  
24 members of the public are afforded an approximately equal opportunity  
25 for the expression of an opposing view;

26 (2) A statement by an elected official in support of or in  
27 opposition to any ballot proposition at an open press conference or in  
28 response to a specific inquiry;

29 (3) Activities which are part of the normal and regular conduct of  
30 the office or agency.

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