

SENATE BILL REPORT

2SHB 1761

As Reported by Senate Committee On:
Government Operations & Elections, February 18, 2010

Title: An act relating to the ethical use of legislative web sites.

Brief Description: Addressing the ethical use of legislative web sites.

Sponsors: House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Hasegawa, Appleton and Hurst).

Brief History: Passed House: 1/28/10, 97-0.

Committee Activity: Government Operations & Elections: 2/18/10 [DP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senator Roach, Ranking Minority Member.

Staff: Sharon Swanson (786-7447)

Background: With limited exceptions, no state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources constitutes a violation.

Facilities of an agency include, but are not limited to, the use of:

- stationary;
- postage;
- machines and equipment;
- state employees of the agency during working hours;
- vehicles;
- office space;
- publications of the agency; and

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- clientele lists of persons served by the agency.

Summary of Bill: The list of exceptions on the prohibition on the use of facilities of an agency for the purpose of assisting a campaign for election is expanded to include:

1. The maintenance of official legislative websites throughout the year, regardless of pending elections. The website may contain any discretionary material which was also specifically prepared for the legislator in the course of his or her duties as a legislator, including newsletters and press releases.
2. The official legislative websites of legislators seeking reelection must not be altered between June 30 and November 15 of the election year.
3. The website must not be used for campaign purposes, and therefore material which is allowed to be posted is considered not to be campaign material and not subject to election year restrictions.

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.

Staff Summary of Public Testimony: PRO: State law protects against abuses of public resources. Members have information posted on their websites that the public utilizes as a resource. But for six months of the year, the information is unavailable to the public because a member is up for re-election. The bill will allow members to provide information to their constituents on a consistent basis but still prevent the use of official websites for campaign purposes.

Persons Testifying: PRO: Representative Hasegawa, prime sponsor.