
HOUSE BILL 1131

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Valle, Ferguson, Belcher, Holland, Bowman, Sprenkle, Brekke and Forner.

Read first time January 21, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to municipal employees; adding a new section to
2 chapter 42.23 RCW; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.23 RCW
5 to read as follows:

6 (1) No former municipal employee may at any time subsequent to his
7 or her municipal employment assist another person, whether or not for
8 compensation, in any transaction involving the municipality in which
9 the former municipal employee at any time participated during municipal
10 employment. This subsection shall not be construed to prohibit any
11 employee or officer of a municipal employee organization from rendering
12 assistance to municipal employees in the course of employee
13 organization business.

1 (2) No former municipal employee may share in any compensation
2 received by another person for assistance that the former municipal
3 employee is prohibited from rendering under subsection (1) of this
4 section. This subsection shall not apply to former municipal employees
5 who were required by statute to have been active members of the state
6 bar association and subject to the code of professional responsibility.

7 (3) No former municipal employee may, within a period of one year
8 from the date of termination of municipal employment, accept employment
9 or receive compensation from any private business if (a) the municipal
10 employee, during the two years immediately preceding termination of
11 municipal employment, was engaged in the negotiation or administration
12 on behalf of the municipality or agency of one or more contracts with
13 that private business and was in a position to make discretionary
14 decisions affecting the outcome of such negotiation or the nature of
15 such administration; (b) such a contract or contracts have a total
16 value of more than ten thousand dollars; and (c) the duties of the
17 employment by the private business or the activities for which the
18 compensation would be received from the private business include
19 fulfilling or implementing, in whole or in part, the provisions of such
20 a contract or contracts or include the supervision or control of
21 actions taken to fulfill or implement, in whole or in part, the
22 provisions of such a contract or contracts. This subsection shall not
23 be construed to prevent a municipal employee from accepting employment
24 with a municipal employee organization.

25 (4) No former municipal employee may accept an offer of employment
26 or receive compensation from any private business if the municipal
27 employee knows or has reason to believe that the offer of employment or
28 compensation was intended, in whole or in part, directly or indirectly,
29 as compensation or reward for the performance or nonperformance of a

1 duty by the municipal employee during the course of municipal
2 employment.

3 (5) For the purposes of this section, the term "private business"
4 includes any natural person, partnership, association, or corporation
5 of any kind or description that is engaged in business activity in this
6 state or elsewhere. If any natural person, closely associated or
7 related group of natural persons, partnership, or corporation owns or
8 controls two or more businesses, all of the businesses owned or
9 controlled shall be defined as a single private business for the
10 purposes of this section. The term "private business," for purposes of
11 this section, does not include a "successor organization" as defined
12 under RCW 27.26.010.

13 (6) This section shall not be construed to prevent a former
14 municipal employee from rendering assistance to others if the
15 assistance is provided without compensation in any form and is limited
16 to one or more of the following:

17 (a) Providing the names, addresses, and telephone numbers of
18 municipal agencies or municipal employees;

19 (b) Providing free transportation to another for the purpose of
20 conducting business with a municipal agency;

21 (c) Assisting a natural person or nonprofit corporation in
22 obtaining or completing application forms or other forms required by a
23 municipal agency for the conduct of a municipal business; or

24 (d) Providing assistance to the poor and infirm.

25 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and shall take
28 effect immediately.