
HOUSE BILL 1343

State of Washington

55th Legislature

1997 Regular Session

By Representatives Mielke, Mulliken, Talcott, Backlund, Thompson, Boldt, Pennington, Crouse, Dyer, Smith, Bush, Sherstad and Carrell

Read first time 01/22/97. Referred to Committee on Government Administration.

1 AN ACT Relating to restricting lobbying activities by taxpayer-
2 supported entities; adding a new section to chapter 41.04 RCW; creating
3 a new section; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature affirms that the
6 legislative authority of the state of Washington is vested in the
7 legislative branch of government and that the legislative body alone is
8 given the constitutional duty and power to establish public policy
9 through the enactment of state law.

10 (2) The legislature affirms that the executive authority of the
11 state of Washington is vested in the executive branch of government,
12 that the executive branch is given the constitutional duty and power to
13 see that the laws enacted by the legislature are faithfully executed,
14 and that the supreme executive power of state government is vested in
15 the office of the governor.

16 (3) The legislature finds that to ensure responsible and
17 accountable government, lobbying activities at public expense to
18 influence the public decision-making process in the legislative branch
19 of government should be restricted.

1 (4) The legislature further finds that restrictions on lobbying
2 activities at public expense by individuals employed by state agencies
3 or units of local government will reduce the cost of maintaining
4 efficient government, increase public confidence in the integrity of
5 government, and assist in restoring representative government to the
6 people.

7 (5) It is therefore the intent of the legislature to restrict
8 lobbying activities at public expense by state agencies or units of
9 local government to influence the public decision-making process in the
10 legislative branch of government and to consolidate such activities
11 within the office of the governor.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.04 RCW
13 to read as follows:

14 (1) Except as provided in subsection (4)(b) of this section,
15 representatives of state agencies or units of local government may not
16 participate in lobbying activities as part of their public employment
17 responsibilities. Nothing in this subsection precludes representatives
18 of state agencies or units of local government from engaging in
19 lobbying activities as private citizens outside of their working hours
20 without using public facilities or supplies to prepare their testimony
21 or materials.

22 (2) On or before the fifteenth day of each month, each state agency
23 and each unit of local government shall report to the office of
24 financial management on its expenditures associated with lobbying
25 activities during the previous calendar month in which lobbying has
26 occurred.

27 (3) A representative of state agencies or units of local government
28 who authorizes, directs, or participates in lobbying activities in
29 violation of this section is guilty of a civil infraction punishable
30 by a fine of not more than one thousand dollars for each violation.

31 (4) Unless the context requires otherwise, the definitions in this
32 subsection apply throughout the entire section.

33 (a) "Lobbying activities" means any oral or written communication,
34 including electronic communication, to members of the legislature or
35 legislative staff with regard to the advocacy of, or opposition to, the
36 formulation, modification, or adoption of state legislation or other
37 legislative proposal, and includes motivating others to contact members
38 of the legislature or legislative staff with regard to the advocacy of,

1 or opposition to, the formulation, modification, or adoption of state
2 legislation or other legislative proposals. "Lobbying activities" does
3 not include providing factual information to members of the legislature
4 or legislative staff in response to a request made by a member of the
5 legislature or legislative staff.

6 (b) "Representative of a state agency or unit of local government"
7 means an employee of a state agency or unit of local government or a
8 nonemployee of a state agency or unit of local government who has
9 entered into a contractual agreement with the state agency or unit of
10 local government to represent the state agency or local government for
11 financial remuneration. "Representative of a state agency or unit of
12 local government" does not include: (i) A state-wide elected official
13 and one designated representative of a state-wide elected official who
14 is employed in the office of the state-wide elected official; (ii) the
15 president of an institution of higher education and one designated
16 representative of the president of an institution of higher education;
17 (iii) the chief executive officer of each state agency listed in RCW
18 43.17.020 and one designated representative of each of such chief
19 executive officer; (iv) an elected official of a unit of local
20 government and one designated representative from each unit of local
21 government; or (v) one designated employee of each association of units
22 of local government or association of officials of units of local
23 government.

24 (c) "State agency" includes every entity of state government that
25 is subject to audit by the state auditor, including, but not limited
26 to, a state office, department, division, bureau, board, commission, or
27 other state agency.

28 (d) "Unit of local government" means every county, city, town, fire
29 protection district, sewer district, school district, public utility
30 district, library district, port district, irrigation district, or
31 other municipal or quasi-municipal corporation.

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