Washington State
Public Disclosure Commission

Public Agency Lobbying

2007 PDC Form L-5 Disclosure Instructions

"The public's right to know of the financing of political campaigns and lobbying and the financial affairs of elected officials and candidates far outweighs any right that these matters remain secret and private."

RCW 42.17.010 (10)

The Public Disclosure Commission

Adopted as Initiative 276 in 1972
Codified as Chapter 42.17
Revised Code of Washington

The Public Disclosure Commission, five citizens and a small, full-time staff, administers the law and the rules implementing it.

Mission:

> *The Public Disclosure Commission was created and empowered by Initiative of the People to provide timely and meaningful public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates, and to ensure compliance with disclosure provisions, contribution limits, campaign practices and other campaign finance laws.*

Instructions in this booklet are provided to assist in the preparation of reports required by chapter 42.17 RCW. Care has been taken to make these instructions accurate yet concise. Nevertheless, these instructions cannot be substituted for the applicable provisions of chapter 42.17 RCW and 390 WAC. The law and rules are controlling in the event of any conflict with or omission in the instructions. Copies of the law and rules are available on request.

All reports filed with the Commission are public records. Copies are available at cost:

Paper copies of scanned records: 10 cents per page
Diskette: $.25 each
CD ROM: $2 each

A significant amount of information filed with the Commission by candidates, political committees and lobbyists is available on the Internet. **PDC's Web address is: www.pdc.wa.gov**

Suggestions for improving these instructions are welcome. Direct them to:

The Public Disclosure Commission
PO Box 40908
711 Capitol Way, Suite 206
Olympia, WA 98504-0908

Telephone: 360/753-1111
Toll-Free: 1-877-601-2828
Fax: 360/753-1112 (DO NOT send reports by fax)
E-mail: pdc@pdc.wa.gov (DO NOT send reports by e-mail)

In Brief . . .

State agencies that undertake in-person lobbying in order to attempt to influence state legislation must file L-5 reports disclosing their lobbying expenditures.

Local agencies that undertake in-person lobbying in order to attempt to influence state legislation, including the administrative rule-making activity of state agencies, must file L-5 reports disclosing their lobbying expenditures.

The L-5 reports are due quarterly, according to the schedule shown below. If no reportable lobbying occurred during a calendar quarter, no L-5 report is required for that quarter.

Reports are considered filed as of the postmark date or the date they are hand-delivered to the Public Disclosure Commission (PDC).

L-5 Report Due Dates

Report	Period Covered	Due Date
1st Quarter	Jan - Mar	April 30
2nd Quarter	Apr - Jun	July 31
3rd Quarter	July - Sep	Oct 31
4th Quarter	Oct - Dec	Jan 31

Send reports to: Public Disclosure Commission, PO Box 40908, Olympia, WA 98504-0908. (Street Address: 206 Evergreen Plaza Building, 711 Capitol Way, Olympia.)

Responsibility

Agency heads are subject to penalties for failing to file complete, accurate and timely L-5 reports.

State and Local Government Agencies Reporting Lobbying Expenses

Table of Contents

Introduction 1

General Information 2
.....Summary 2
.....Definitions.... 2
.....Legislative Lobbying..... 4
.....Lobbying State Agencies... 4
.....Private Sector Lobbyists.... 4
.....L-5 Report Due Dates 5
.....Non-Reportable Lobbying.. 5
....4 Days or Less in 3 Months 5
....Elected Officials..... 6
....Private Funds 6
.....Reportable Lobbying 6
.....Limits on Publicly Funded Lobbying 7
....Gifts and Entertainment 7
....Reimbursements..... 7
.....Record Keeping and Retention 7
.....Amended Reports 8
.....Completing Reports & Attachments 8
.....PDC Inquiries & Audits..... 8
.....Penalties & Fines 9

Explanation of RCW 42.17.190 .. 9
.....Subsection (2) - Overall Prohibition 9
.....Subsection (3) - General Lobbying Authority 9
.....Subsection (4) - Initiatives to the Legislature 10
.....Subsection (5) - Reportable Lobbying Expenditures 10
.....Subsection (6) - Reporting Alternative 10
.....Subsection (7) - Personal Interest Lobbying 10
.....Subsection (8) - Statement of Purpose 11

Preparing to File the L-5 Report 11

Step-by-Step Instructions for Completing
.....the L-5 Report..... 12
.....Agency Name and Address 12
.....Date Prepared..... 12
.....County..... 12

Table of Contents (continued)

..... Calendar Quarter 12
..... Persons Who Lobbied This Quarter 12
..... Salaries of Persons Who Lobbied 12
..... Travel 13
..... Brochures and Other Publications Used
....for Lobbying 13
..... Consultants or Other Contractual Services 13
..... Total This Quarter 14
..... Total to Date This Year 14
..... Signature of Agency Head 14

Completed L-5 Examples .....

Appendices
..... RCW 42.17.190 and Implementing Rules
..... Excerpt From State Administrative & Accounting
..... Manual
..... Blank L-5 Forms

Introduction

In 1972, the voters of Washington State adopted Initiative 276 by an overwhelming majority, 72% of the vote. That initiative, commonly known today as the Public Disclosure Law, demands that the people of this state be informed about the sources and amount of funds spent attempting to influence state decision makers. The law is administered by the five-member Public Disclosure Commission with the assistance of a small, full-time staff.

The Public Disclosure Law is comprehensive and specific. Also, with respect to the authority of public entities to lobby state legislators, legislative staff members and state agency personnel, the law is restrictive. That is, representatives of public entities may only spend public dollars for statutorily approved lobbying activities.

The law applies to all state and local public entities that lobby at the state level, including individual state agencies, each state-funded university or college, and any county, city, town, municipal corporation, quasi-municipal corporation and special purpose district (e.g., school, port, water, sewer, fire, library, hospital and public utility districts).

All state and local public agencies that lobby at the state level are subject to the law's lobbying expenditure restrictions. These agencies must also periodically report their lobbying expenditures, unless they undertake activity that is not reportable, or they don't "lobby" as that term is defined for public agencies.

This manual is organized into four sections:

- General Information;
- Explanation of RCW 42.17.190 (the provisions relating to public agency lobbying);
- Preparing to File the L-5 Report (the form used by state and local government agencies to disclose lobbying expenses); and
- Step-by-Step Instructions for Completing the L-5 Report.

The manual will assist agency personnel having overall responsibility for the lobbying effort as well as those who actually keep the records and complete the reporting forms.

In the past, each public entity that undertook lobbying had to submit one report consolidating all lobbying expenditures made or incurred by the entity's departments or divisions during a calendar quarter.

However, in 1994, the Commission amended WAC 390-20-052 to allow any subagency (of a state or local agency) that has independent authority to expend public funds for lobbying to file a separate L-5 report, so long as the subagency gives written notice that it will file separate L-5 reports to the PDC and the state agency, county, city, town, etc. of which it is a part.

After this notice is provided, the department, bureau, board, commission, etc. has the responsibility to file its own quarterly reports. For example, this change would allow the King County Prosecutor's Office to file its own report rather than having its lobbying expenditures included in one consolidated report filed by King County.

All filers or anyone connected with an agency's lobbying program are encouraged to contact PDC for assistance. Call (360) 753-1111, toll free 1-877-601-2828 or write PDC, PO Box 40908, Olympia, WA 98504-0908 (e-mail address is pdc@pdc.wa.gov). L-5 reporting forms are located at the back of this manual.

General Information

In order for a public agency to comply fully with the applicable lobbying provisions of RCW 42.17, at least a basic understanding of the law is necessary.

Summary

- Agencies may only spend public dollars to conduct legally authorized lobbying.
- Agencies may not use public resources to support or oppose an effort to get an Initiative to the Legislature before the legislature.
- On November 19, 1991, the Commission reviewed the question of whether agencies may lobby for passage or defeat of an Initiative to the Legislature once such an initiative is before the legislature. The Commission decided this lobbying activity is permissible as normal and regular conduct.
- Agencies must keep detailed records concerning the amount of time employees spend lobbying, what issues were lobbied, and what lobbying expenditures were incurred.
- L-5 lobbying reports are filed quarterly by agencies. Reports are not required for any quarter during which no lobbying activity took place.
- Each agency head should designate one person to be in charge of compiling information and completing the L-5 reports. This designee should have the authority to require cooperation from departments, divisions and units within the agency whose expenditures are included in the report. The agency head remains accountable for that agency's complete compliance with the law.

Definitions

"Lobby and Lobbying" are defined as *"attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate or other legislative enactment of any state agency under the state Administrative Procedure Act, chapter 34.05 RCW."*

For public agencies, lobbying does not include any of the following activities:

- Requests for appropriations by state agencies to the Office of Financial Management (OFM) or requests by OFM to the legislature for appropriations other than its own agency budget (Once a budget request leaves OFM and is before the legislature, attempts to influence any portion of it do constitute reportable lobbying.);

- Recommendations or reports to the legislature in response to a legislative request, whether oral or written, expressly requesting or directing a specific study, recommendation or report on a particular subject;

- Official reports including recommendations submitted annually or biennially by a state agency as required by law;

- Requests, recommendations or other communications between or within state agencies (however, attempts to influence the Governor with respect to signing or vetoing legislation are considered reportable lobbying; other communications or negotiations with the Governor's Office would not be reportable);

- Requests, recommendations or other communications between or within local agencies;

- Telephone conversations or preparation of written correspondence (thus, only in-person contacts, including testifying at hearings, are considered lobbying);

- Preparation or adoption of policy positions within an agency or group of agencies (once a position is adopted, further action to advocate it may constitute lobbying, however);

- Attempts to influence federal or local legislation.

Also see "Non-Reportable Lobbying" and "Reportable Lobbying" discussed below.

"Legislation" means *"bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature and includes any other matter that may be subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor."*

Based on this definition, lobbying includes any agency's efforts to block the introduction of unfavorable legislation, as well as those efforts intended to influence the governor's action on legislation that's passed both houses.

Legislative Lobbying

In-person contacts by agency lobbyists or liaisons with legislators to influence action or inaction on legislation is understood fairly universally to be reportable lobbying. However, some agencies may not be aware that reportable lobbying also includes efforts to inform, sway, convince or otherwise influence the action or inaction of legislative staff members. Staff evaluations and recommendations play a significant role in the legislative process. In-person contacts with legislative staff constitute lobbying. Gift, travel, contribution and entertainment expenditures for legislators and staffers alike, whether using public or non-public dollars, are reportable.

Lobbying State Agencies

Requests, recommendations or other communications between or within state agencies, whether in-person or by phone or letter, is not considered lobbying. Therefore, state agencies may attempt to influence each other's actions without reporting the expenditures incurred. State agencies may also "lobby" local and federal agencies without reporting this activity under state law.

Similarly, local agencies may "lobby" their local counterparts and federal agencies without incurring any state reporting requirements. However, <u>if a local agency employee has an in-person contact with a state agency representative in order to attempt to influence that state agency's adoption, repeal or amendment of a rule, rate, standard or other legislative enactment of the agency, the expenditures made in connection with that contact are reportable by the local agency.</u>

Were a local agency to request a state agency to interpret or apply existing laws or rules to a particular situation in a manner preferred by the local agency, reportable lobbying would not occur. <u>Attempting to influence the interpretation or application of an existing state rule or policy is not lobbying; attempting to change a state agency's rule, rate or standard is.</u>

Private Sector Lobbyists

Most public agencies utilize the services of their on-staff employees to conduct the vast majority of their lobbying activities. This is the method that the law and its L-5 reporting requirements for public agencies appear to contemplate.

However, it is becoming more common for state and local agencies to contract with lobbyists from the private sector to handle some or all of their lobbying. When private sector lobbyists are retained, the agency continues to file quarterly L-5 reports when reportable lobbying expenses have been made or incurred. In addition, the private sector (non-public employee) lobbyist must register and report under RCW 42.17.150 and .170. This private sector lobbyist will register on an L-1 form and file a monthly L-2 report.

Agencies that hire private sector lobbyists should also keep in mind that they remain subject to the restrictions on the uses to which public lobbying dollars may be put. Agencies may not do indirectly -- i.e., through an outside lobbyist -- what they are not permitted to do directly. See "Limits on Publicly Funded Lobbying" below.

L-5 Report Due Dates

L-5 reports are due by the end of the month following the close of any calendar quarter during which reportable lobbying activity took place. If no reportable lobbying was conducted during a calendar quarter, no L-5 report is due.

Report	Period Covered	Due Date
1st Quarter	Jan - Mar	April 30
2nd Quarter	Apr - Jun	July 31
3rd Quarter	July - Sep	Oct 31
4th Quarter	Oct - Dec	Jan 31

Send reports to: PDC, 711 Capitol Way, Room 206, PO Box 40908 Olympia, WA 98504-0908. Reports may not be faxed.

Reports are considered filed as of the postmark date or the date they are hand delivered to PDC. Reports are not considered filed unless they are signed by the agency head. As is the case with other disclosure documents filed with PDC, L-5 reports are considered public information.

Non-Reportable Lobbying

As is discussed under the definition of "Lobby and Lobbying" above, some activities undertaken by public agencies that might be considered standard lobbying practices -- for example, telephone contacts with legislators regarding pending legislation -- are exempt from the definition of lobbying.

In a similar fashion, the disclosure law labels other lobbying activities as "non-reportable." In other words, the law recognizes these practices as lobbying, but permits agencies to forego reporting them.

There are three kinds of non-reportable lobbying. Each is discussed below.

4 Days or Less in 3 Months: In-person lobbying on behalf of an agency by all of its employees or lobbyists (excluding elected officials who lobby on behalf of an agency) totaling, in the aggregate for the agency, no more than four days (or parts of four days) during any three consecutive months is non-reportable. In-person lobbying includes testifying at legislative committee and state agency hearings. Monitoring committee or agency hearings does not constitute lobbying and does not count toward this four-day threshold.

Put another way, each state and local agency is permitted to have its representatives lobby in-person for a total of four days (or parts of four days) during any three-month period without reporting the costs associated with that lobbying. Whether an agency has one lobbyist or ten, the agency is still only entitled to four days or parts thereof of "free" lobbying (that is, each lobbyist is not entitled to four days of non-reportable lobbying).

The phrase "or parts of four days" means that if an agency representative lobbies on behalf of an agency for ten minutes or two hours (i.e., something less than a full day), the fact that they lobbied at all means the agency must count that lobbying time as a "day" for the four-day non-reporting provision.

This exception is designed to eliminate reporting when little or infrequent lobbying occurs. Nevertheless, agencies should keep records about who conducted the lobbying, the time spent and any lobbying related travel or other expenses, because if the four-day threshold is exceeded, the agency will have to include these expenditures on its first quarterly report.

Agencies that customarily do more than four days or parts thereof of lobbying in three consecutive months should ignore this reporting exception since it won't reduce their reporting obligations.

Elected Officials: In-person lobbying conducted by any elected official on behalf of his or her agency or in connection with his or her powers, duties or compensation is not reportable. The travel and other lobbying expenses an agency incurs to support the lobbying efforts of an elected official need not be included on its L-5 report. Nevertheless, these expenditures may only be for lobbying activities permitted by law. See "Limits on Publicly Funded Lobbying" below.

If an elected official spends over $15 of non-public funds for or on behalf of one or more legislators, other state elected officials or employees in connection with in-person lobbying, the amount and purpose of these expenditures must be disclosed as part of the agency's L-5 report.

Private Funds: Agencies need not report expenditures of non-public, personal funds totaling $15 or less made by any lobbyist in connection with his or her in-person lobbying duties to benefit legislators, other state elected officials or state employees. (Conversely, such expenditures totaling more than $15 are reportable.) Non-public funds are usually spent to entertain or buy gifts for state officials or employees or to make contributions to incumbents' re-election campaigns.

Reportable Lobbying

The L-5 report identifies what expenditures must be reported. All funds spent to support the in-person lobbying efforts of an agency's employees (and private-sector lobbyists) will appear as part of the L-5 report, unless they are specifically excluded as discussed above.

In addition, the agency will itemize and report the non-public funds expenditures of over $15 spent by its representatives in conjunction with the agency's lobbying program. That is, if an agency assistant director takes two legislators to lunch to discuss pending legislation, it doubtless will cost the assistant director over $15 and be reportable. However, if this same assistant director buys a birthday present for his legislator sister, the cost of the gift -- which is assumed to be over $15 -- is not reportable because it's for a family member and not related to lobbying.

Limits on Publicly Funded Lobbying

General authority for public agencies to engage in state-level lobbying is found in RCW 42.17.190(3). However, that authority is also restricted in the sense that unless agencies are granted specific authorization elsewhere in statute, they must restrict their publicly supported lobbying activities to providing information or communicating on matters pertaining to official agency business or advocating the official position or interests of the agency. No public funds may be spent as a direct or indirect gift or campaign contribution to any elected official, officer or employee of any agency.

Gifts and Entertainment

Under RCW 42.52.010(10) **"Gift"** means *"anything of economic value for which no consideration is given."*

Expenditures made for the purpose of entertaining legislators, other state elected officials or state employees -- regardless of the cost of the entertainment -- are considered gifts and may not be directly or indirectly paid with public funds.

Reimbursements

In addition to this general prohibition against using public funds to provide gifts to state elected officials and employees in conjunction with lobbying, according to the Office of Financial Management (OFM), state employees may not be reimbursed by the state for entertaining officials. **See excerpt from State of Washington Administrative & Accounting Manual -- subsections 70.15 and 70.10 -- in the Appendix section at the back of the manual.**

Record Keeping and Retention

Each public agency must keep detailed records substantiating the L-5 reports filed by the agency. The records must be kept for five years from the file date of the report.

The records need to document who under-took lobbying activities on behalf of the agency, when and what activities occurred, the specific issues advocated or opposed, as well as the date, amount and purpose of each lobbying-expense. Lobbying-related expenditures of non-public funds totaling $15 or more for gifts, entertainment or contributions to state elected officials or employees must also be recorded by date, amount, name of recipient, purpose, source of funds and name of each person making such expenditures.

Report all compensation and expenses for lobbying on an accrual basis. That is, report them for the quarter in which they were earned or incurred, not necessarily received or paid.

It's recommended that agency lobbyists obtain receipts for all lobbying-related expenditures and purchases for which they will be reimbursed by the agency. Similar receipts documenting expenditures of non-public funds for lobbying would also be in order. All receipts should be provided to the agency for its records. Lobbyists should also maintain records of time spent lobbying, persons contacted and issues discussed. Agencies will not be able to report accurately unless these records exist.

Amended Reports

Regardless of the amount of time and effort devoted to filing a complete and accurate report, mistakes do happen. If an omission or mistake in the figures of a previously filed report is discovered, file an amended report. Include all the required information, not simply the amended data. Write "Amended" in large letters at the top of the form. An accompanying letter of explanation may be helpful. If an oversight was made in the description of lobbying activities or elsewhere in the text of the report, submit a letter of explanation rather than filing a complete, amended report. Amended L-5 reports or letters of explanation should be filed as soon as the error is discovered.

Completing Reports & Attachments

All reports and attachments should be typewritten or printed in black ink. Please use 8 1/2" x 11" white paper for attachments and be sure to include the agency's name on all supplemental pages and only use one side of each sheet of paper. Reports are scanned into a document imaging system for viewing on computer monitors. If a filer submits over-sized paper or provides information on both sides of a sheet of paper, this significantly slows down the process for entering reports into PDC's record keeping system.

Be sure to keep a copy of each report submitted as part of the agency's records.

PDC Inquiries & Audits

PDC staff may contact agencies advising them a report appears to be missing or incomplete, asking for clarification of a report or requesting additional information. Please cooperate with these informal contacts and supply the requested information promptly.

As time allows, a limited number of agencies will be the subject of random audits. Some of these are in-depth and the agency will be asked to make available all records, including receipts and other documentation. These audits are routine.

Audits are also conducted for cause, because a complaint has been received or there is reason to believe disclosure reports are missing or are not accurate. If your agency is the subject of such an audit, be assured the agency will have every opportunity to explain its position.

Penalties & Fines

The intent of the Public Disclosure Law cannot be satisfied unless reports are filed timely and accurately.

If the Commission finds an agency in violation of the law -- whether it be for non-reporting, late or inaccurate reporting, or for violating other provisions of the law -- it could impose a penalty of up to $1,000 for a single violation or $2,500 for multiple violations. The Commission could also decide, in lieu of the penalty options available to it, to refer the matter to the State Attorney General or a local prosecutor for action. The civil remedies and sanctions available to the court are set out in RCW 42.17.390.

Explanation of RCW 42.17.190

Included in this portion of the manual is a brief discussion of the requirements imposed or authority granted by each relevant subsection of RCW 42.17.190, the provisions relating to public agency lobbying. A copy of the section's language, as well as the administrative rules implementing it, can be found in the Appendix section at the back of the manual.

Subsection (2)

Essentially, subsection (2) prohibits agencies from using public funds directly or indirectly for lobbying absent express legal authority. The language of this subsection does not, however, prevent agency personnel from communicating with legislators at the member's request or from requesting, through proper official channels, necessary legislative action or appropriations.

Subsection (3)

This subsection grants all agencies general authority to lobby using public funds, but limits their authority to:

- communicating with state officeholders or employees on official agency business; and
- advocating only the official position or interests of the agency.

<u>As such, agencies may not engage in grassroots lobbying or other indirect forms of lobbying.</u> Subsection (3) also prohibits spending public funds, directly or indirectly, for gifts or campaign contributions. Both terms are broadly defined in law. A gift includes anything of value: meals, beverages, leisure travel expenses, theater or sporting event tickets, art work, flowers, and the like.

A campaign contribution, on the other hand, is anything of value to a campaign, be it a monetary contribution or providing an in-kind service or item. An agency is also prohibited from increasing an employee lobbyist's salary or private sector lobbyist's fee to cover the costs of otherwise prohibited gifts, entertainment expenses or political contributions (including purchase of tickets to political party or caucus fund raisers).

Subsection (4)

Subsection (4) prohibits anyone within the public sector from using or authorizing the use of public facilities in an effort to support or oppose an Initiative to the Legislature. The only exceptions to this prohibition relate to official action by members of an elected legislative body, statements by elected officials, and activities that are part of the "normal and regular conduct" of the agency; that is, activities that are authorized specifically in law and that are usual for the agency.

On November 19, 1991, the Commission reviewed the question of whether agencies may lobby for passage or defeat of an Initiative to the Legislature once such an initiative is before the legislature. The Commission decided this lobbying activity is permissible as normal and regular conduct.

Subsection (5)

This subsection speaks to what information must be reported quarterly by public agencies. Certain activities are not included in the definition of lobbying and others are deemed non-reportable. See the "General Information" section above for more information on these activities.

All public agencies must report in-person lobbying conducted by non-elected officials, employees and contract lobbyists that is directed at legislators and their staffs. In addition, local agencies must also report similar in-person lobbying directed at state agency officials and employees, including the Governor and his/her staff. State agencies must also report in-person lobbying aimed at influencing the Governor's action with respect to legislation that has passed both houses of the legislature.

If any representative of a public agency -- including elected officials -- spends over $15 of non-public money on behalf of legislators or their staff (and, in the case of local agencies, on behalf of state officials or employees), the agency must identify the spender's name, the source of the funds, the amounts spent, the dates of the expenditures and the names of the persons on whose behalf the funds were spent as part of the L-5 report.

Subsection (6)

Subsection (6) permits local agencies, but not state agencies, to elect to report in the manner provided by law for private sector lobbyists and employers of lobbyists. Local agencies electing this option would report the same information required of public agencies on the L-5 report, but would follow the registration requirements and reporting dates found in RCW 42.17.150, .170 and .180

Subsection (7)

This subsection says that a public official lobbying on a matter of personal interest, unrelated to his or her public responsibility, may have to register and report as a private sector lobbyist.

Subsection (8)

Subsection (8) states that the purpose of section .190 is to require state and local agencies to report the identities of those persons who lobby on behalf of the agency for compensation, together with certain separately identifiable and measurable lobbying expenditures. The language also grants the Commission authority to adopt rules clarifying and implementing the stated legislative intent.

Preparing to File the L-5 Report

The person assigned the responsibility of completing the reports will find it helpful to do the following:

- Become thoroughly familiar with and understand what must be reported and how much detail is required on the reports and in the agency's records;

- train all lobbyists/liaisons as well as one focal person in each department, division or unit that conducts lobbying on the record keeping requirements and spending restrictions included in the law;

- direct all lobbyists/liaisons to provide their "unit focal person" with the information necessary to complete the reports at least on a quarterly basis, preferably shortly after the end of the quarter;

- direct "unit focal persons" to complete an L-5, along with any attachments, for their units by the middle of the month following the end of the quarter; have them attach supporting documents;

- be prepared to send reminder notices to everyone involved in this process;

- complete one consolidated agency L-5 report from the individual "unit reports" received; have the agency head sign the report; file the report with PDC by the end of the month following the close of the quarter; keep a copy of the report, along with supporting documentation, for five years; and

- call PDC for assistance at (360) 753-1111, toll free 1-877-601-2828.

Step-by-Step Instructions for Completing the L-5 Report

Agency Name and Address

Supply the full agency name and complete mailing address. Also include the name of the person responsible for completing the report. Use the term "Agency Contact" followed by that person's name. The agency head is ultimately accountable for the report's accuracy, but we need to know who to contact initially in case questions arise.

Date Prepared

Specify the date the actual report was prepared. It should be some time during the month following the close of the quarter being reported.

County

Local agencies supply the name of the county in which they are located.

Calendar Quarter

Specify the last month (and year) of the calendar quarter being reported.

Persons Who Lobbied This Quarter

Use one of the blocks provided, and supplemental pages if necessary, to identify each employee who lobbied on behalf of the agency during the quarter being reported. Supply all the information requested: name, job title, annual salary, percentage of time spent lobbying during the quarter, and a description of the issues concerning which the person lobbied. Include bill and WAC numbers when appropriate. A statement to the effect that the person lobbied on all matters of interest to the agency is NOT sufficient. Be brief, but as specific as possible.

If any employee who lobbied on behalf of the agency spent over $15 of non-public funds in connection with lobbying (for gifts, entertainment, meals, refreshments, and political contributions for public officials or employees), check the box provided and supply, on an attached sheet, the name of the person making the expenditure, the source of the funds, the date, amount, purpose, and name of person benefited by each expenditure. Include the same information for any elected official who lobbied on behalf of the agency and spent over $15 of non-public funds for lobbying- related expenses.

Salaries of Persons Who Lobbied

For each person who lobbied during the quarter, divide his/her annual salary by four and multiply that number by the percentage of time that person spent lobbying during the quarter. For example, lobbyist A earns $40,000 per year and spent 10 percent of

his/her time lobbying. Lobbyist A's salary for lobbying during the quarter equals $1,000 ($40,000 divided by 4 = $10,000 x .10 = $1,000). Put the sum of the lobbying salaries of all persons who lobbied during the quarter in the space provided. (If ten employees lobbied during the quarter, the figure shown will be the sum of the lobbying salaries -- determined in each case by using the formula shown above -- of all ten employees.)

Travel

Add together the amount of lobbying related travel expenditures incurred during the calendar quarter (that have been or will be paid with agency funds) for food, lodging, per diem and transportation by agency employees who lobbied for the agency. Put the total figure in the space provided.

If, in conjunction with the agency's lobbying program, the agency paid for similar travel related expenses of legislators, their staff members (and, in the case of local agencies, travel related expenditures of state officials or employees), also include those costs in the figure provided. Put an * next to the figure and attach a full explanation of each non-employee expenditure included in the total, giving the date, name of person on whose behalf the expenditure was made, name of vendor, amount and purpose.

Do not include travel expenses of agency officials and employees that are unrelated to lobbying.

Brochures and Other Publications Used for Lobbying

If the agency incurred expenses during the calendar quarter to develop brochures or other publications for use primarily in connection with its lobbying effort, all the expenses associated with producing and distributing the literature are reportable. The total amount of any such expenditures should be shown in the space provided.

Do not report the costs associated with publications developed primarily for another purpose but distributed incidentally as part of lobbying. Agencies do, from time-to-time, produce lobbying sales pieces from information contained in the agency's budget request or other documents. The costs associated with these kinds of sales pieces would be reportable.

Consultants or Other Contractual Services

If the agency incurred lobbying related expenses during the calendar quarter for consultants, outside expert witnesses, private sector lobbyists or other types of contractual lobbying services, put the total of these expenditures in the space provided. On an attached sheet, also itemize each such expenditure by date, name of recipient, amount and purpose. Consider this line to be the "catch-all" for any other type of clearly identifiable lobbying expenditure that was not previously accounted for on the report.

Total This Quarter

Add together the separate expenditures for lobbying related activities this quarter. Put the total in the space provided.

Total To Date This Year

Add the Total This Quarter with the total from previous quarters of the same calendar year. Put the sum in the space provided. The first quarter report will have the same figure in Total This Quarter and Total To Date This Year.

Signature of Agency Head

The report is not valid unless it is signed by the agency head.

See the completed L-5 examples located on the following pages. Call PDC if further assistance is required at (360) 753-1111, toll free 1-877-601-2828.

PUBLIC DISCLOSURE COMMISSION
711 CAPITOL WAY RM 206
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111
TOLL FREE 1-877-601-2828

PDC FORM
L-5
(Rev 1/02)

LOBBYING BY STATE AND LOCAL GOVERNMENT AGENCIES

Instructions Are Printed On Reverse

Agency or Governmental Entity Name and Address	Date prepared	Report for calendar quarter ending
State Department of Higher Gliffics Esoteria Building, PS-55 Capital City, WA 00000-0000	4/1/00 County N/A	03 (Month) 20XX (Year)

PERSONS WHO LOBBIED THIS QUARTER

Name	Job title	Annual salary	% of time spent lobbying during quarter
Lee A. Zahn	Gov. Affairs Director	$50,000	25%

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

HB 1000, introduced at the Governor's request, has 100 co-sponsors and relates to immediately activating the Department's sunset provision. The department opposes HB 1000. We support reinstatement of our current-year budget allocation.

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

Name	Job title	Annual salary	% of time spent lobbying during quarter
Constance Vigilance	Acting Director	$65,000	75%

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

--oppose HB 1000
--support re-instatement of budget
--urge appointment of permanent director (post vacant since 9/68)

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

Name	Job title	Annual salary	% of time spent lobbying during quarter
Bill Upnow	Program Coordinator	$40,000	10%

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

--oppose HB 1000
--support reinstatement of operating funds
--request 3 Information Officer positions

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

EXPENDITURES FOR LOBBYING THIS QUARTER

Report only the separately identifiable and measurable expenditures incurred for lobbying purposes

Salaries Of Persons Who Lobbied (Include only portion of quarterly salary attributable to lobbying)	$	16,312
Travel (Include food, lodging, per diem payments and cost of transportation used)	$	965
Brochures And Other Publications Whose Principal Purpose Is To Influence Legislation	$	25,842
Consultants Or Other Contractual Services	$	0
Total This Quarter	$	43,119
Total To Date This Year	$	43,119

CERTIFICATION: I certify that to the best of my knowledge the above is a true, complete and correct statement in accordance with RCW 42.17.190.

Signature of agency head

Attach additional sheets if more room is required

Constance Vigilance: Non-public funds expenditures
Note: Personal funds are source of all expenditures

Date	Person Entertained	Amount
Jan 20, 20XX	Speaker of House, Majority & Minority Leaders	$250
Feb 10, 20XX	Senate Majority Leader	$ 70
Feb 16, 20XX	Senators Jones & Smith	$ 95
Mar 22, 20XX	Mary Green, Bruce Phillips and Susan Hale (House Appropriations Com Staff)	$120

PUBLIC DISCLOSURE COMMISSION
711 CAPITOL WAY RM 206
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111
TOLL FREE 1-877-601-2828

PDC FORM **L-5** (Rev 1/02)

LOBBYING BY STATE AND LOCAL GOVERNMENT AGENCIES

Instructions Are Printed On Reverse

Agency or Governmental Entity Name and Address	Date prepared	Report for calendar quarter ending
Paradise County County Court House Corner of Easy Street and Best View Avenue Anyplace, WA 99999-9999	July 25, 20XX County: Paradise	June (Month) 20XX (Year)

PERSONS WHO LOBBIED THIS QUARTER

Name	Job title	Annual salary	% of time spent lobbying during quarter
Sid Proquo	Assistant Deputy Prosecutor	$60,000	18%

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

--support HB 1843 – sentencing guidelines revisions
--support SB 1116 – tax on pinto beans (revenue used to build new court house in Paradise Co)
--oppose statewide salary reduction for prosecutors, deputy prosecutors, et al.

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

Name	Job title	Annual salary	% of time spent lobbying during quarter
Mary Chase	Deputy Sheriff	$55,000	7%

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

--support SB 1224 – state funding of uniform allowances for all law enforcement personnel
--support SB 1736 – regulating the sale of cigarette papers
--support HB 1940 – higher speed limits on rural highways

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

Name	Job title	Annual salary	% of time spent lobbying during quarter
H.I. Profile	Commissioner	$N/A	N/A

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

N/A

☒ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

EXPENDITURES FOR LOBBYING THIS QUARTER

Report only the separately identifiable and measurable expenditures incurred for lobbying purposes

Salaries Of Persons Who Lobbied (Include only portion of quarterly salary attributable to lobbying)	$	3,662.50
Travel (Include food, lodging, per diem payments and cost of transportation used)	$	1,000.00*
Brochures And Other Publications Whose Principal Purpose Is To Influence Legislation	$	250.00
Consultants Or Other Contractual Services	$	1,800.00
Total This Quarter	$	6,712.50
Total To Date This Year	$	12,212.50

CERTIFICATION: I certify that to the best of my knowledge the above is a true, complete and correct statement in accordance with RCW 42.17.190.

Signature of agency head

Attach additional sheets if more room is required

Commissioner H.I. Profile (Paradise County)
Source of Entertainment Funds: XYZ Company (H.I. Profile, Owner)

Date	Person Entertained	Amount
May 1, 20XX	Plaque for Governor	$ 85
May 12, 20XX	Dinner for Reps. Green and Brown	$ 70

*Explanation of Travel Expenditures

$500 of total travel expenses ($1,000) used to pay transportation, lodging and meals for Chairs of House Revenue Committee and Senate Ways and Means Committee to visit Paradise County (tour of courthouse).

Appendix

RCW 42.17.190 Legislative activities of state agencies, other units of government, elective officials, employees.

(1) The House of Representatives and the Senate shall report annually: The total budget; the portion of the total attributed to staff; and the number of full-time and part-time staff positions by assignment, with dollar figures as well as number of positions.

(2) Unless authorized by subsection (3) of this section or otherwise expressly authorized by law, no public funds may be used directly or indirectly for lobbying: PROVIDED, This does not prevent officers or employees of an agency from communicating with a member of the legislature on the request of that member; or communicating to the legislature, through the proper official channels, requests for legislative action or appropriations which are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties: PROVIDED FURTHER, That this subsection does not apply to the legislative branch.

(3) Any agency, not otherwise expressly authorized by law, may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency: PROVIDED, That public funds may not be expended as a direct or indirect gift or campaign contribution to any elected official or officer or employee of any agency. For the purposes of this subsection, the term "gift" means a voluntary transfer of any thing of value without consideration of equal or greater value, but does not include informational material transferred for the sole purpose of informing the recipient about matters pertaining to official agency business. This section does not permit the printing of a state publication which has been otherwise prohibited by law.

(4) No elective official or any employee of his or her office or any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, in any effort to support or oppose an initiative to the legislature. "Facilities of a public office or agency" has the same meaning as in RCW 42.17.130 and 42.52.180. The provisions of this subsection shall not apply to the following activities:

(a) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose an initiative to the legislature so long as (i) any required notice of the meeting includes the title and number of the initiative to the legislature, and (ii) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(b) A statement by an elected official in support of or in opposition to any initiative to the legislature at an open press conference or in response to a specific inquiry;

(c) Activities which are part of the normal and regular conduct of the office or agency;

(d) Activities conducted regarding an initiative to the legislature that would be permitted under RCW 42.17.130 and 42.52.180 if conducted regarding other ballot measures.

(5) Each state agency, county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district which expends public funds for lobbying shall file with the commission, except as exempted by (d) of this subsection, quarterly statements providing the following information for the quarter just completed:

(a) The name of the agency filing the statement;

(b) The name, title, and job description and salary of each elected official, officer, or employee who lobbied, a general description of the nature of the lobbying, and the proportionate amount of time spent on the lobbying;

(c) A listing of expenditures incurred by the agency for lobbying including but not limited to travel, consultant or other special contractual services, and brochures and other publications, the principal purpose of which is to influence legislation;

(d) For purposes of this subsection the term "lobbying" does not include:

(i) Requests for appropriations by a state agency to the office of financial management pursuant to chapter 43.88 RCW nor requests by the office of financial management to the legislature for appropriations other than its own agency budget requests;

(ii) Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation, or report by an agency on a particular subject;

(iii) Official reports including recommendations submitted to the legislature on an annual or biennial basis by a state agency as required by law;

(iv) Requests, recommendations, or other communication between or within state agencies or between or within local agencies;

(v) Any other lobbying to the extent that it includes:

(A) Telephone conversations or preparation of written correspondence;

(B) In-person lobbying on behalf of an agency of no more than four days or parts thereof during any three-month period by officers or employees of that agency and in-person lobbying by any elected official of such agency on behalf of such agency or in connection with the powers, duties, or compensation of such official: PROVIDED, That the total expenditures of nonpublic funds made in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington do not exceed fifteen dollars for any three-month period: PROVIDED FURTHER, That the exemption under this subsection is in addition to the exemption provided in (A) of this subsection;

(C) Preparation or adoption of policy positions.

The statements shall be in the form and the manner prescribed by the commission and shall be filed within one month after the end of the quarter covered by the report.

(6) In lieu of reporting under subsection (5) of this section any county, city, town, municipal corporation, quasi municipal corporation, or special purpose district may determine and so notify the public disclosure commission, that elected officials, officers, or employees who on behalf of any such local agency engage in lobbying reportable under subsection (5) of this section shall register and report such reportable lobbying in the same manner as a lobbyist who is required to register and report under RCW 42.17.150 and 42.17.170. Each such local agency shall report as a lobbyist employer pursuant to RCW 42.17.180.

(7) The provisions of this section do not relieve any elected official or officer or employee of an agency from complying with other provisions of this chapter, if such elected official, officer, or employee is not otherwise exempted.

(8) The purpose of this section is to require each state agency and certain local agencies to report the identities of those persons who lobby on behalf of the agency for compensation, together with certain separately identifiable and measurable expenditures of an agency's funds for that purpose. This section shall be reasonably construed to accomplish that purpose and not to require any agency to report any of its general overhead cost or any other costs which relate only indirectly or incidentally to lobbying or which are equally attributable to or inseparable from nonlobbying activities of the agency.

The public disclosure commission may adopt rules clarifying and implementing this legislative interpretation and policy.

WAC 390-05-273 Definition of normal and regular conduct. Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use.

WAC 390-20-052 Application of RCW 42.17.190 -- Reports of agency lobbying. Pursuant to the authority granted in RCW 42.17.190(8), the commission adopts the following interpretations regarding the reporting of lobbying by public agencies pursuant to RCW 42.17.190:

(1) The phrase "in-person lobbying" contained in RCW 42.17.190 (5)(d)(v)(B) includes activity which is intended to influence the passage or defeat of legislation, such as testifying at public hearings, but does not include activity which is not intended to influence legislation, such as attending a hearing merely to monitor or observe testimony and debate.

(2) The phrase "a legislative request" contained in RCW 42.17.190 (5)(d)(ii) includes an oral request from a member of the legislature or its staff.

(3)(a) When any subagency (i.e. department, bureau, board, commission or agency) within a state agency, county, city, town, municipal corporation, quasi-municipal corporation or special purpose district (i.e. primary agency) has independent authority to expend public funds for lobbying, that subagency may file a separate L-5 reporting the information required by RCW 42.17.190(5).

(b) When a subagency elects to file its own, separate L-5, it shall notify the commission and the administrative head of the primary agency of its intentions in writing. The primary agency shall not thereafter include information for the subagency in its L-5, and shall have no legal obligation for the filings of the subagency.

(4) Pursuant to RCW 42.17.190(6), certain local agencies may elect to have lobbying activity on their behalf reported by their elected officials, officers and employees in the same manner as lobbyists who register and report under RCW 42.17.150 and [42.17.]170:

(a) Whenever such a local agency makes such an election, it shall provide the commission with a written notice.

(b) After such an election, those who lobby on behalf of such local agency shall register and report all lobbying activity reportable under RCW 42.17.190(5) in the same manner as lobbyists who are required to register and report under RCW 42.17.150 and 42.17.170. Such a local agency shall report pursuant to RCW 42.17.180.

WAC 390-20-052 (Continued)

(c) In order to terminate such an election, such a local agency shall provide the commission with a written notice and it shall report pursuant to RCW 42.17.190(5) thereafter.

(d) The exemptions from reportable lobbying activity contained in RCW 42.17.190 (5)(d) apply to all agencies, whether or not they have exercised the election to report in the same manner as lobbyists who report under RCW 42.17.150, 42.17.170 and 42.17.180. The exemptions contained in RCW 42.17.160 (1), (4) and (5) do not apply to any agency.

(5) Unless an agency has elected to report its lobbying pursuant to RCW 42.17.190(6) and subsection (3) of this section, an agency shall include the reportable lobbying activity on its behalf by an elected official in its quarterly report. Such an elected official does not file any separate report of that activity.

(6) Reportable in-person lobbying by elected officials, officers and employees:

(a) An elected official does not engage in reportable in-person lobbying on behalf of this agency unless and until that elected official has expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington during any three-month period as provided in RCW 42.17.190 (5)(d)(v)(B).

(b) Other officers and employees do not engage in reportable in-person lobbying on behalf of their agency unless and until they have, in the aggregate, expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington or they have, in the aggregate, engaged in such lobbying for more than four days or parts thereof during any three month period as provided in RCW 42.17.190 (5)(d)(v)(B).

(c) When limits in (a) or (b) of this subsection have been exceeded, the agency shall report such elected official, officer, or employee as a "person who lobbied this quarter" on the front of PDC Form L-5 and include a listing of those excess expenditures as noted on that form.

WAC 390-20-054 Agency lobbying -- Reporting of lobbying by independent contractors. (1) An independent contractor who is retained to lobby on behalf of an agency shall register and report as a lobbyist pursuant to RCW 42.17.150 and 42.17.170.

(2) An agency which retains an independent contractor as a lobbyist and reports all of its expenditures in connection therewith pursuant to RCW 42.17.190 shall not be obligated to file a report pursuant to RCW 42.17.180 with regard to that lobbyist.

70.10
Coffee and Light Refreshments

70.10.10 The agency must first adopt written policies
May 1, 1999

An agency may not provide coffee and light refreshments at meetings and formal training sessions unless the agency has formally adopted written internal policies and procedures that describe the approval process for these items.

70.10.20 When may coffee and light refreshments be served?
July 1, 2005

70.10.20.a Per RCW 43.03.050(4), with approval of an agency head or authorized designee, an agency may serve coffee or light refreshments at a meeting where:

- The purpose of the meeting is to conduct state business or to provide formal training that benefits the state; **and**
- The coffee or light refreshment is an integral part of the meeting or training session; **and**
- The agency obtains a receipt for the actual costs of the coffee and/or light refreshments.

70.10.20.b This authority is not intended for use with the normal daily business of elective or appointive officials or state employees, but rather for special situations or occasions, as determined by the agency head or authorized designee, for example, recognizing agency or employee accomplishments. Per RCW 43.03.050(3), in addition to the requirements noted in Subsection 70.10.20.a, coffee and light refreshments may be served to elective or appointive officials or state employees regardless of travel status where:

- The meeting or training session takes place away from the employee's or official's regular workplace; **and**
- The agency person responsible for the meeting receives agency approval for the serving of coffee and/or light refreshments **prior** to the event.

70.10.20c All legally authorized boards and commissions may provide coffee and/or light refreshments at their official public meetings, including executive sessions.

70.10.20.d Agencies are not required to provide coffee and/or light refreshments at meetings.

70.10.30 Expenditures for coffee and light refreshments are prohibited in some cases

May 1, 1999

Agencies **may not** make expenditures for coffee and/or light refreshments in the following situations:

- For anniversaries of agencies, receptions for new, existing, and/or retiring employees or officials, election celebrations, etc.
- Any "hosting" activities. "Hosting" includes, but is not limited to, those activities that are intended either to lobby a legislator or a governmental official, or are to be a social rather than governmental business event, and include expenditures for coffee and/or light refreshments for those whom agencies are not legally authorized to reimburse.

70.10.40 Documentation of approval is required

May 1, 1999

Agencies must document the request and approval for expenditures for coffee and/or light refreshments. Agencies may use a Travel Authorization (form A40-A) or agency equivalent form, an Invoice Voucher (form A19-1A), or a formally written agency memorandum for this purpose. The documentation should provide support for the authorization, including:

- The names of the state organizations or persons attending the meeting (includes conferences, conventions, and formal training sessions), and
- The purpose of the meeting or expenditure.

70.15
Meals with Meetings

70.15.10 Reimbursement for meals with meetings

July 1, 2005

70.15.10.a RCW 43.03.050(3) provides for reimbursement for meals, for certain business meetings (includes conferences, conventions, and formal training sessions) involving elective and appointive officials and state employees. Additionally, other statutes may authorize agencies to provide reimbursement for meals for other individuals regardless of travel status.

70.15.10.b The agency head or authorized designee may authorize reimbursement for the allowable cost of meals (refer to Subsections 10.40.40 and 10.90.20) for elective and appointive officials and state employees regardless of travel status, and without regard to the Three Hour Rule of Subsection 10.40.50.(1). This authority is intended for use when the agency requires a person to attend a meeting where business meals are served, and where:

- The purpose of the meeting is to conduct official state business or to provide training to state employees or state officials; **and**
- The meals are an integral part of the business meeting or training session, **and**
- The meeting or training session takes place away from the employee's or official's regular workplace, **and**
- The agency head or authorized designee approves payment for the meals **in advance** of the meeting by defining in the agency internal policies and procedures (Subsection 10.10.10) those meetings where attendance by **agency** employee(s), official(s) or others as authorized by statute, and reimbursement for the meals regardless of travel status, is advantageous to the state.

Approvals must be in writing (Subsection 70.15.30). One-time approvals for recurring meetings can be made at the time of the initial request.

70.15.20 Expenditures for meals with meetings are prohibited in some cases

April 15, 2004

Agencies **may not** make expenditures for meals in the following situations:

- For anniversaries of agencies, receptions for new, existing, and/or retiring employees or officials, election celebrations, etc.
- Any "hosting" activities. "Hosting" includes, but is not limited to, those activities that are intended either to lobby a legislator or a governmental official, or are to be a social rather than governmental business event, and include expenditures for meals for those whom agencies are not legally authorized to reimburse.

70.15.30 Documentation of advance approval for meals with meetings is required

April 15, 2004

Agencies must document the request and approval in advance for expenditures for meals with meetings. Agencies may use a Travel Authorization (form A40-A) or agency equivalent form, an Invoice Voucher (form A19-1A), or a formally written agency memorandum for this purpose. The documentation should provide support for the authorization, including:

- The names of the state organizations or persons attending the meeting (includes conferences, conventions, and formal training sessions), **and**
- The purpose or accomplishments of the meeting.

PUBLIC DISCLOSURE COMMISSION
711 CAPITOL WAY RM 206
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111
TOLL FREE 1-877-601-2828

PDC FORM
L-5
(Rev 1/02)

LOBBYING BY STATE AND LOCAL GOVERNMENT AGENCIES

Instructions Are Printed On Reverse

Agency or Governmental Entity Name and Address	Date prepared	Report for calendar quarter ending
	County _____	_____ Month _____ Year

PERSONS WHO LOBBIED THIS QUARTER

Name	Job title	Annual salary	% of time spent lobbying during quarter
		$	

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

Name	Job title	Annual salary	% of time spent lobbying during quarter
		$	

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

Name	Job title	Annual salary	% of time spent lobbying during quarter
		$	

General description of lobbying activities or objectives. (Include bill or WAC numbers, if any)

☐ Check if person spent more than $15 of non-public funds in lobbying. See instructions on reverse.

EXPENDITURES FOR LOBBYING THIS QUARTER

Report only the separately identifiable and measurable expenditures incurred for lobbying purposes

Salaries Of Persons Who Lobbied (Include only portion of quarterly salary attributable to lobbying)	$
Travel (Include food, lodging, per diem payments and cost of transportation used)	$
Brochures And Other Publications Whose Principal Purpose Is To Influence Legislation	$
Consultants Or Other Contractual Services	$
Total This Quarter	$
Total To Date This Year	$

CERTIFICATION: I certify that to the best of my knowledge the above is a true, complete and correct statement in accordance with RCW 42.17.190.	Signature of agency head

Attach additional sheets if more room is required

For information only. Do not file as part of a report.

THESE INSTRUCTIONS APPLY ONLY TO GOVERNMENT AGENCIES REPORTING PURSUANT TO RCW 42.17.190.

WHO SHOULD REPORT?

Each state agency, county, city, town, municipal corporation, quasi-municipal corporation or special purpose district which expends public funds for "lobbying". Please study the definitions of what is and is not included in lobbying to determine if your agency is required to report.

"Lobbying" means attempting to influence the passage or defeat of any legislation by the state legislature or the adoption or rejection of any rule, standard, rate or other legislative enactment by any state agency under chapters 28.19 and 34.04 RCW. "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the Governor.

LOBBYING DOES NOT INCLUDE

1. Requests for appropriations by a state agency to OFM pursuant to RCW 43.88 or requests by OFM to the legislature for appropriations other than its own agency budget. Note that an agency representative who, in person, contacts a legislator or committee on appropriations matters is lobbying.

2. Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation or report on a particular subject.

3. Official reports including recommendations submitted annually or biennially by a state agency as required by law.

4. Requests, recommendations or other communications between or within state agencies or between or within local agencies.

5. Telephone conversations or preparation of written correspondence.

6. Preparation or adoption of policy positions within an agency or group of agencies. Note that once a position is adopted, further action to advocate it may constitute lobbying.

7. Attempts to influence federal or local legislation.

LOBBYING NOT REPORTABLE

1. In person lobbying totaling no more than four days or parts of days during any three month period in aggregate for all officials and employees of the agency. In person lobbying includes testifying at legislative committee hearings and state agency hearings on rules and regulations but does not include attendance merely to monitor or observe testimony and debate.

2. In person lobbying by any elected official on behalf of his agency or in connection with his powers, duties or compensation.

EXPENDITURES OVER $15 OF NON-PUBLIC FUNDS

Any person (including an elected official) who expends more than $15 of personal or non-public funds for or on behalf of one or more legislators, state elected officials or state public officers or employees in connection with in person lobbying must be listed on the L-5 report. Attach a page showing the spender's name, and date, the source of funds and amount spent, and for whom the money was spent. Examples of these expenditures include entertainment, dinners and campaign contributions.

REPORTS REQUIRED

The L-5 report is submitted to cover each calendar quarter in which lobbying occurs. No report is required if no reportable lobbying has taken place during the quarter.

DUE DATES: April 30 (1st quarter) July 31 (2nd quarter)
October 31 (3rd quarter) January 31 (4th quarter)

ONE CONSOLIDATED REPORT SHOULD BE SUBMITTED TO INCLUDE LOBBYING ACTIVITIES OF ALL DIVISIONS OR OFFICES OF AN AGENCY.

Send Reports To:

Public Disclosure Commission
711 Capitol Way, Rm 206
PO Box 40908
Olympia, WA 98504-0908

SPECIAL NOTE: In lieu of reporting as provided in RCW 42.17.190 any agency or lobbyist for an agency may elect to register and report as provided in RCW 42.17.150, .160, .170 and .180. An agency so choosing must notify PDC of that fact and obtain necessary reporting forms and instructions.