

ORDINANCE NO. 784

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE DISCLOSURE OF FINANCING FOR ELECTION CAMPAIGNS, REQUIRING THAT CANDIDATES FOR CITY OFFICE COMPLY WITH CERTAIN STATUTORY FILING, REPORTING AND DISCLOSURE PROVISIONS FOR THE FINANCING OF ELECTION CAMPAIGNS; ADOPTING SECTIONS 42.17.020, 42.17.040, 42.17.050, 42.17.060, 42.17.067, 42.17.070, 42.17.080, 42.17.090, 42.17.095, 42.17.100, 42.17.105, 42.17.110, 42.17.120, 42.17.125, 42.17.128, 42.17.130 AND 42.17.135 RCW BY REFERENCE; AND ADDING NEW SECTIONS 2.12.100 AND 2.12.105 TO THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City Council wishes to make candidates and political committees accountable to the citizens; and

WHEREAS, certain statutory provisions in chapter 42.17 RCW make candidates and political committees accountable through campaign finance disclosure; and

WHEREAS, these statutory provisions do not currently apply to candidates or political committees in the City of Gig Harbor because the City contains fewer than 5000 registered voters as of the date of the most recent election; and

WHEREAS, pursuant to RCW Section 42.17.405, the City Council may adopt the statutes by reference through an ordinance, resolution or other official action; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. A new Section 2.12.100 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

2.12.100 Campaign Financing -- Obligation of Political Candidates and Committees to Comply with Requirements of GHMC 2.12.105. The provisions of GHMC 2.12.105 and the statutes adopted by reference therein, shall apply to all election

campaigns other than for a precinct committee officer and for a federal elective office.

Section 2. A new Section 2.12.105 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

2.12.105 Disclosure-campaign finances adopted.

The following state statutes are specifically adopted by reference and incorporated herein as if set forth in full. Brief summaries of each provision are provided for reference purposes only, are not intended to amend any of the statutory provisions, and should not be relied upon as a full description of the requirements contained in any statutory provision.

- A. RCW 42.17.020 **Definitions.**
- B. RCW 42.17.040 **Obligation of political committees to file statement of organization.** [Requiring a statement of organization for every political committee, setting deadlines for filing of the statement, describing the contents of such statement and identifying the manner in which such statement must be filed.]
- C. RCW 42.17.050 **Treasurer-Depositories.** [Requiring each candidate to designate and file the names and addresses of his/her treasurer and bank, describing the manner of filing and the prohibitions on support of political candidates by political committees and exceptions thereto.]
- D. RCW 42.17.060 **Deposit of contributions-Investment of campaign funds, qualifications-Unidentified contributions-Cash contributions.** [Describing the manner in which a treasurer shall deposit contributions in bank accounts, the methodology for keeping and identifying such accounts, prohibitions on the use of accumulated unidentified contributions and acceptance of cash contributions.]
- E. RCW 42.17.065 **Filing and reporting by continuing political committee.** [Describing the manner in which a continuing political committee shall file reports, the contents of such reports and required bookkeeping.]
- F. RCW 42.17.067 **Fund-raising activities-Alternative reporting method.** [Describing the manner in which certain fund-raising activities may be reported, the contents of such report, and the manner of filing.]
- G. RCW 42.17.070 **Expenditures-Authorization of and restrictions on.** [Describing the manner in which a candidate or political committee may make expenditures of funds, and the necessary record-keeping requirements.]
- H. RCW 42.17.080 **Candidates' and treasurers' duty to report contributions and expenditures.** [Describing the manner in which a report of contributions must be filed by a candidate or political committee, the timeframes for such reporting and continued reporting, and the necessary record-keeping requirements.]

- I. RCW 42.17.090 **Contents of report.** [Listing all of the necessary elements of the report required by RCW 42.17.080.]
- J. RCW 42.17.095 **Disposal of surplus funds.** [Describing the manner in which a candidate or political committee supporting or opposing a candidate may dispose of surplus funds.]
- K. RCW 42.17.100 **Special reports-Independent expenditures.** [Defining "independent expenditures," which are not required to be reported pursuant to RCW 42.17.060, 42.17.080 or 42.17.090, and describing the method for filing an initial report of such expenditures.]
- L. RCW 42.17.105 **Special reports, late contributions or totals over five hundred dollars-Certain late contributions prohibited.** [Requiring campaign treasurers to prepare special reports when a contribution or aggregate of contributions exceeds five hundred dollars, is from a single person or entity, and is received during a special reporting period, defining a "special reporting period," "aggregate of contributions," and describing the acceptable methods for filing such a report and setting forth violations.]
- M. RCW 42.17.110 **Commercial advertisers-Documents and books open for public inspection-Delivery of copies to commission upon request.** [Requiring commercial advertisers of political advertising to maintain certain records for public inspection, describing the type of records, the contents of the records, and requiring such advertisers to provide copies of such information under certain circumstances.]
- N. RCW 42.17.120 **Identification of contributions and communications.** [Prohibiting the concealment of the identity of a contributor of campaign funds, or the expenditure of such funds.]
- O. RCW 42.17.125 **Personal use of contributions-When permitted.** [Describing the circumstances in which certain contributions may be expended for an individual's personal use.]
- P. RCW 42.17.128 **Use of public funds for political purposes.** [Prohibiting the use of public funds to finance campaigns for state or local office.]
- Q. RCW 42.17.130 **Forbids use of public office or agency facilities in campaign.** [Prohibiting the use of public office or agency facilities in campaigns, describing the activities which constitute exceptions.]
- R. RCW 42.17.135 **Earmarked contributions.** [Describing the manner in which a candidate or political committee receiving a contribution earmarked for the benefit of another candidate or political committee must report the contribution and provide notification.]

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,

clause or phrase of this ordinance.

Section 4. Pursuant to RCW 35A.12.140, a copy of all the statutes set forth in Section 2 of this ordinance shall be filed in the office of the City Clerk for examination by the public.

Section 5. Pursuant to RCW 42.17.405, the City Clerk shall mail a copy of this ordinance to the Public Disclosure Commission after adoption.

Section 6. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY TOWSLEE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: 1/5/98
PASSED BY THE CITY COUNCIL: 1/26/98
PUBLISHED: 2/4/98
EFFECTIVE DATE: 2/9/98
ORDINANCE NO. 784

SUMMARY OF ORDINANCE NO. 784

of the City of Gig Harbor, Washington

On the 26th day of January, 1998, the City Council of the City of Gig Harbor, passed Ordinance No.784. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE DISCLOSURE OF FINANCING FOR ELECTION CAMPAIGNS, REQUIRING THAT CANDIDATES FOR CITY OFFICE COMPLY WITH CERTAIN STATUTORY FILING, REPORTING AND DISCLOSURE PROVISIONS FOR THE FINANCING OF ELECTION CAMPAIGNS; ADOPTING SECTIONS 42.17.020, 42.17.040, 42.17.050, 42.17.060, 42.17.067, 42.17.070, 42.17.080, 42.17.090, 42.17.095, 42.17.100, 42.17.105, 42.17.110, 42.17.120, 42.17.125, 42.17.128, 42.17.130 AND 42.17.135 RCW BY REFERENCE; AND ADDING NEW SECTIONS 2.12.100 AND 2.12.105 TO THE GIG HARBOR MUNICIPAL CODE.

The full text of this Ordinance will be mailed upon request.

DATED this 27th day of January, 1998.

MOLLY TOWSLEE, CITY CLERK