

CHAPTER 320.

[S. B. 331.]

PUBLIC OFFICERS—CODE OF ETHICS.

AN ACT relating to governmental agencies and officers, employees, and agents thereof; and providing penalties.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. It is declared that the high moral and ethical standards among the public servants are essential to the conduct of free government; that a code of ethics for the guidance of public officers and employees is necessary in order to eliminate conflicts of interest in public office, improve standards of public service, and promote and strengthen the faith and confidence of the people of Washington in their government.

Legislative declaration.

SEC. 2. (1) State agency means any state board, commission, bureau, department, division, or tribunal other than a court.

Definitions. State agency.

(2) Legislative employee means any officer or employee of the legislature other than members thereof.

Legislative employee.

(3) Personal and private interest means any interest which pertains to a person, firm, corporation, or association whereby such person, firm, corporation, or association would gain a special benefit or advantage as distinguished from a general or public benefit or advantage.

Personal, private interest.

(4) Confidential information means such information as is declared confidential by other specific statutes.

Confidential information.

SEC. 3. No officer, employee of a state agency, legislative employee, or other public official shall have any interest, financial or otherwise, direct or indirect, or shall engage in any business or transaction or professional activity, or shall incur any obli-

Certain conflicting interests prohibited.

gation of any nature, which is in conflict with the proper discharge of his duties in the public interest.

Code of ethics.

SEC. 4. No officer or employee of a state agency, legislative employee, or other public officer shall use his position to secure special privileges or exemptions for himself or others.

(1) No legislative employee shall directly or indirectly give or receive or agree to receive any compensation, gift, reward, or gratuity from any source except the state of Washington for any matter connected with or related to the legislative process unless otherwise provided for by law.

(2) No officer or employee of a state agency, or other public officer shall, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from any source except the state of Washington, its political subdivisions, or employing municipal government, for any matter connected with or related to his services as such an officer or employee unless otherwise provided for by law.

Vetoed.

(3) No officer or employee of any department or agency of the state of Washington shall act as an agent or attorney for the prosecution of any claim against the state of Washington, nor shall he aid or assist in the prosecution or support of any such claim otherwise than in the proper discharge of his official duties, nor receive any gratuity or any share of or interest in any such claim.

(4) No person who has served as an officer or employee of a state agency shall, within a period of two years after the termination of such service or employment, appear before such agency or receive compensation for any services rendered on behalf of any person, firm, corporation, or association in relation to any case, proceeding, or application with respect to which such person was directly con-

cerned and in which he personally participated during the period of his service or employment.

(5) No officer or employee of a state agency, legislative employee, or public official shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position.

(6) No officer or employee of a state agency, legislative employee, or public official shall disclose confidential information gained by reason of his official position nor shall he otherwise use such information for his personal gain or benefit.

(7) No officer or employee of a state agency shall transact any business in his official capacity with any business entity of which he is an officer, agent, employee, or member, or in which he owns an interest.

(8) The head of each state agency shall publish for the guidance of its officers and employees a code of public service ethics appropriate to the specific needs of each such agency.

(9) No officer or employee of a state agency nor any firm, corporation, or association, or other business entity in which such officer or employee of a state agency is a member, agent, officer, or employee, or in which he owns a controlling interest, or any interest acquired after the acceptance of state employment, accept any gratuity or funds from any employee or shall sell goods or services to any person, firm, corporation, or association which is licensed by or regulated in any manner by the state agency in which such officer or employee serves.

SEC. 5. Each legislative employee, agency officer and such employees thereof as the agency head may by regulation provide, who is an officer, agent,

Statement of
interest—Con-
fidential.

member of, attorney for, or who owns an interest in any firm, corporation, association, or other business entity which is subject to state regulation shall file a sworn statement with the secretary of state disclosing the nature and extent of his relationship or interest, said statement to be kept in confidence and to be disclosed only to members of the legislature or any legislative committee which may be organized for the purpose of ascertaining a breach of this code, and the same also to be disclosed to any other authority having the power of removal of any public official or servant.

Construction.

SEC. 6. This act shall be construed liberally to effectuate its purposes and policy as set forth in section 1 of this act, and to supplement such existing laws as may relate to the same subject.

Violation,
gross misde-
meanor.

SEC. 7. Any person violating any provision of this act shall be guilty of a gross misdemeanor, and such person may be removed from his position or office, in addition to any other remedies or penalties provided by law, as for misconduct or malfeasance in office.

Passed the Senate March 9, 1959.

Passed the House March 9, 1959.

Approved by the Governor March 24, 1959, with the exception of subsection (3) of section 4, which is vetoed.

Veto message.
excerpt.

NOTE: Excerpt of Governor's veto message reads as follows:

"Senate Bill 331 enacts a code of ethics for the guidance of public officers and employees to eliminate conflicts of interest, to improve the standards of public service and to strengthen the faith and confidence of the people of this state in their government. Subsection (3) of section 4 reads as follows:

"(3) No officer or employee of any department or agency of the state of Washington shall act as an agent or attorney for the prosecution of any claim against the state of Washington, nor shall he aid or assist in the prosecution or support of any such claim otherwise than in the proper discharge of his official duties, nor receive any gratuity or any share of or interest in any such claim."

"I am fully aware that a sizeable number of members of commissions, advisory boards and of other state agencies are attorneys and certified public accountants. These public servants have unselfishly rendered many hours of gratuitous service to the State of Washington and to its citizens through their membership on these commissions and boards.

"It has been called to my attention by the Washington State Bar Association and other agencies that the item quoted might be misinterpreted so that these public servants and benefactors as well as other members of their business firms might be prevented from presenting to the State Tax Commission and other state agencies, claims which are entirely proper and in the usual course of business and which are not conflicting in any manner whatsoever with the honorary positions occupied by these public servants. To avoid the possibility of such a misinterpretation of this subsection, and in order not to deprive this state of the services of these members at the present time and in the future, I have decided to veto this item.

"I am aware that subsection (9) of section 4 as amended by a hastily considered floor amendment is unintelligible. Its validity is questionable. However, in view of the laudable purpose of this bill, I deem it inadvisable to veto this subsection.

"For the reasons indicated I have vetoed subsection (3) of section 4. The remainder of the bill is approved."

ALBERT D. ROSELLINI,
Governor.

CHAPTER 321.

[H. B. 84.]

EMPLOYMENT SECURITY.

AN ACT relating to employment security; amending section 76, chapter 35, Laws of 1945, as last amended by section 11, chapter 8, Laws of 1953 first extraordinary session, and RCW 50.20.080; also section 80, chapter 35, Laws of 1945, as last amended by section 1, chapter 209, Laws of 1955, and RCW 50.20.120; amending section 81, chapter 35, Laws of 1945, as last amended by section 15, chapter 215, Laws of 1951, and RCW 50.20.130; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 76, chapter 35, Laws of 1945, as last amended by section 11, chapter 8, Laws of 1953 first extraordinary session, and RCW 50.20.080 are each amended to read as follows:

RCW 50.20.080
amended.

An individual is disqualified for benefits, if the commissioner finds that he has failed without good cause, either to apply for available, suitable work when so directed by the employment office or the commissioner, or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the com-

Disqualifica-
tion for re-
fusal to work.