

SENATE BILL REPORT

SB 5095

As Passed Senate, March 4, 1999

Title: An act relating to public corporations, commissions, and authorities.

Brief Description: Clarifying that public corporations, commissions, and authorities are public agencies for purposes of the open public meetings act.

Sponsors: Senators Thibaudeau, Horn, Kohl-Welles, Patterson, Haugen, Prentice and Costa.

Brief History:

Committee Activity: State & Local Government: 1/25/99, 1/28/99 [DP].
Passed Senate, 3/4/99, 46-0.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Gardner, Vice Chair; Haugen, Horn, Kline and McCaslin.

Staff: Eugene Green (786-7405)

Background: Any city, town, or county may create a public corporation, commission or authority to: administer and execute federal grants or programs; receive and administer private funds, goods, or services for any lawful purpose; and perform any lawful public purpose or public function. The ordinance or resolution creating the public entity must limit the liability of these authorities to the assets and properties of the authorities in order to prevent recourse to the cities, towns, or counties or their assets or credit. The Pike Place Market in Seattle is an example of such a public authority. Questions have arisen as to whether these public authorities are governed by both the state's Open Public Meetings Act and public records statutes.

Summary of Bill: Public corporations, commissions, and authorities created by cities, towns, and counties must comply with the state's Open Public Meetings Act and public record statutes.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The people appointed to serve on the boards of these public corporations, commissions, and authorities make decisions that affect the public. Therefore, their deliberations and records should be open to the public. There should be no doubt that the public has a right to know what and how decisions are made by these entities.

Testimony Against: None.

Testified: PRO: Paul Telford, Reform Party; Rowland Thompson, Allied Daily Newspapers.

House Amendment(s): The House amendment strikes the Senate bill and replaces it with more comprehensive language. It adds a new section to public corporation law providing that public corporations are subject to the general laws regulating local governments, multi-member governing bodies, and local governmental officials (e.g., open public meetings, open public records, ethics for municipal officers, local government whistleblower law and the like).