

SENATE BILL REPORT

SB 5806

As of March 5, 2001

Title: An act relating to open public meetings.

Brief Description: Changing provisions relating to open public meetings.

Sponsors: Senators Benton, Fairley, Horn, Kline, Rasmussen, Roach and Stevens.

Brief History:

Committee Activity: State & Local Government: 2/26/01, 3/5/01.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Staff: Diane Smith (786-7410)

Background: The Open Public Meetings Act establishes the requirements for the meetings of public agencies, including local governments, to be considered open to the public for purposes of validating any action taken at the meeting. Specific requirements for agendas and timing of notice to the public are not addressed. Meetings are not required to be held within the territory over which the public agency has jurisdiction.

Summary of Substitute Bill: In order to save any action taken at a meeting of a public agency from being null and void, the agenda for the meeting must indicate that final action may be taken at that meeting. In order for a meeting to be open and public, the agenda must be posted at least 72 hours in advance for regular meetings or 24 hours in advance for special meeting and be specific enough to indicate the subject matter or action to be taken.

The governing body of the public agency holding the meeting is allowed to require persons who wish to comment to identify themselves.

Meetings at which final action is taken must be held, if possible, within the territory over which the public agency has jurisdiction.

Substitute Bill Compared to Original Bill: The substitute bill deletes provisions that would make null and void any final action taken in violation of the section requiring meetings to be held within the jurisdiction, if possible.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Other than allowing posting— to occur on the local government's web site and in local newspapers, this is a fine measure that helps governments do a better job by

enhancing public input. If the special meeting agenda could be posted 12 hours in advance, the meeting could be the next day.

Testimony Against: The null and void could nullify important government action. The requirement to hold a meeting inside the jurisdiction, if possible, could have unexpected consequences especially when there is no evidence of substantial abuses. Not being able to add agenda items reduces flexibility.

Testified: Cherie Davidson, League of Women Voters of Washington (pro); Lorraine Wilson, Washington State Sch. Directors' Association (concerns); Margaret Tweet (pro); Pat McElrod, DNR (concerns); Jerry Sheehan, ACLU (pro); Charlotte Taylor, City of Lacey (concerns); Rowland Thompson, Allied Daily Newspapers (neutral); Vicki Kilgore, The Olympian (neutral).