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SENATE BILL 5651

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State of Washington

57th Legislature

2001 Regular Session

By Senators Jacobsen, McDonald, Haugen, Horn, Kohl-Welles, Rasmussen, McAuliffe, Winsley, Costa and Thibaudeau

Read first time 01/30/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to creating the citizen councilor network; and  
2 adding new sections to chapter 43.09 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) The passage of Initiative Measure No. 695 in 1999 is a social  
6 indicator that governments, business, media, and community  
7 organizations need improved listening skills which can involve citizens  
8 responsibly in the political process.

9 (2) The governor has a constitutional responsibility to administer  
10 state affairs, the legislature has a constitutional responsibility to  
11 enact legislation in the state, and citizens have a political right to  
12 be enabled to participate viably in their organizations, institutions,  
13 and governments in the state in a process of building "social capital"  
14 and improving community mental health.

15 (3) The Washington state auditor has a constitutional  
16 responsibility and independently serves the citizens of Washington by  
17 promoting accountability, fiscal integrity, and openness in state and  
18 local government, and the approach of an auditor's work is constantly  
19 professionally evolving through new administrative theories involving

1 the use of "symbolic dialogues" and "social audits" of intangible  
2 assets along with regular financial, compliance, and performance audits  
3 in Washington and other states. Furthermore, in working with these  
4 governments in partnerships, the auditor strives to ensure the proper  
5 use of public resources to enable its citizens to more clearly envision  
6 their future in the theme, "Washington, an inspirational state in  
7 pursuit of happiness!"

8 (4) More than two thousand four hundred local governments of  
9 thirty-three different types and one hundred sixty-eight state  
10 agencies, colleges, universities, boards, and commissions are  
11 administered and audited for fiscal accountability of roughly forty  
12 billion dollars annually. Furthermore, as relationships are in  
13 partnerships with governments, and state auditor reports are  
14 constructive management tools for them to use.

15 (5) Accountability is a goal both of administration and auditing,  
16 but accountability is fundamental to the work of the state auditor as  
17 audits touch heavily on legal compliance with state laws and  
18 regulations and governmental entities' own policies and ordinances.

19 (6) Similar experiences in other states including Texas, Colorado,  
20 Oregon, and Utah have been positive to create a public forum to restore  
21 citizens' trust in their governments, expand social capital, and  
22 improve community mental health.

23 (7) Washington has long been recognized as a precursor state in  
24 social and economic innovation. It was the only state that emerged  
25 from the national bicentennial celebration in 1976 utilizing the last  
26 of its resources from royalties to fund ongoing programs in "citizen  
27 participation." Washington was able to discern that it was not quite  
28 "volunteerism" they were after: "Give me your body, your hands, your  
29 time." Rather Washington was more interested in "give me your mind,"  
30 which was significantly different. Furthermore, our nation is now on  
31 the verge of major discoveries in social science and some of the major  
32 discoveries have been occurring here in Washington state and the  
33 greater Seattle area by the Forum Foundation and was recognized as such  
34 in Washington State Senate Resolution No. 1993-8636.

35 (8) It is natural in our democratic republic that the citizens of  
36 Washington state be invited to participate in its governing processes  
37 in the exercise of their political rights whenever possible and within  
38 their time and energy levels and help the governor, legislature, and  
39 the state auditor in their constitutional responsibilities to

1 administer, legislate, and monitor all governments and public entities  
2 and public funds.

3 NEW SECTION. **Sec. 2.** The legislature recognizes that some  
4 citizens have difficulty accessing political processes that rely on  
5 public hearings held at locations that are often distant or held at  
6 inappropriate times from their residence or workplace. To increase  
7 public participation in the political process, the legislature intends  
8 to establish and support a self-funding pilot process in cooperation  
9 with the state auditor by which citizens can receive information about  
10 public issues and provide feedback to elected officials in a  
11 convenient, timely manner and local setting.

12 NEW SECTION. **Sec. 3.** (1) The office of citizen councilor is  
13 created in accordance with section 11 of this act. According to  
14 Webster's Dictionary, "councilor" means an official advisor to a  
15 sovereign or chief magistrate. Any citizen registered to vote, or who  
16 lives or works in Washington but is not a registered voter, who  
17 volunteers to act as an official government advisor may become a  
18 citizen councilor on request by sending a letter to the state auditor  
19 or by calling a special toll-free number and subscribing to a nominal  
20 fee as set by the state auditor to recover substantially the direct  
21 costs from citizen participation in the program. The indirect costs of  
22 public officials and government employee participation to provide  
23 information to citizen councilors in their discussions shall be borne  
24 by the government entity participating. Citizen councilors shall act  
25 collectively as official advisors or a sounding board for the governor,  
26 the legislature, the state auditor, or other public officials and  
27 agencies such as the department of community, trade, and economic  
28 development on issues of public interest or concern. Conveners of  
29 citizen councilor groups shall be those designated by the citizen  
30 councilor coordinator or deputy citizen councilor coordinator under  
31 section 5 of this act from among citizen councilors who volunteer to  
32 host a group. Every effort shall be made to assign citizen councilors  
33 to a group that meets at a convenient time and place for those  
34 participating. Meetings will usually be in small groups meeting in  
35 similar resident or work area zip codes.

36 (2) Citizen councilors may participate:

1 (a) In a citizen councilor group of approximately eight to twelve  
2 persons organized by residence or work area zip code with the  
3 assistance of the citizen councilor coordinator;

4 (b) In a citizen councilor organizational group under section 8 of  
5 this act; or

6 (c) As an individual if the individual is unable to attend meetings  
7 in groups due to age, disability, remote location, or personality  
8 conflict.

9 (3) Citizen councilors will be reassigned a group on request to  
10 assure that their group meeting place, time, and makeup is convenient  
11 and compatible, or the citizen councilor coordinator may make  
12 individual assignments of a councilor when deemed necessary.

13 NEW SECTION. **Sec. 4.** (1) The state auditor shall determine  
14 suggested issues for public discussion approximately quarterly but not  
15 more than monthly from suggestions received from the governor, the  
16 legislature, public officials, agencies, and individual citizen  
17 councilors and recommend an appropriate issue or issues for  
18 consideration by citizen councilors to a steering committee in rotation  
19 and in accord with subsection (2) of this section. An advisory  
20 steering committee shall be composed of the following nonvoting  
21 members: (a) A representative from the governor's office, (b)  
22 legislative members: One member of the minority and one member of the  
23 majority party from each house of the legislature, (c) a representative  
24 from the superintendent of public instruction, (d) a representative  
25 from each county, (e) a representative from each regional government,  
26 (f) a representative of higher education, (g) a representative from the  
27 association of Washington cities, (h) a representative from any  
28 organization participating with over fifty groups of eight to twelve  
29 persons under section 6(7) of this act, (i) the citizen councilor  
30 coordinator and deputy citizen councilor coordinator selected as  
31 provided in section 5 of this act, and (j) others invited by the state  
32 auditor.

33 (2) After consideration by the members of the steering committee,  
34 the state auditor shall determine and assign the issue or issues  
35 approved for discussion to the volunteer citizen councilor coordinator  
36 for preparation and implementation by value reporters and others,  
37 except that the first meeting of a group will be an orientation meeting  
38 prepared by the state auditor. Thereafter issues will be determined in

1 rotation first by the governor, second by the legislature, and then by  
2 the state auditor. If the governor or legislature at its turn fails to  
3 determine an issue for discussion within ten days of its consideration  
4 and adjournment by the steering committee, the determination will be  
5 made by the state auditor. Value reporters assigned to gather  
6 information on issues shall be careful to present all issues as  
7 evenhandedly as possible, taking care to present the generally  
8 prevailing viewpoints surrounding an issue or issues from experts,  
9 officials, scholars, and others in an effort to provide the public with  
10 information needed for discussion. Value reporters shall represent the  
11 "people's right to know" and conduct interviews of experts, officials,  
12 scholars, and others to solicit their various viewpoints and record  
13 such interviews on audio or video tape for later reproduction and  
14 distribution to citizen councilor groups. Before any materials are  
15 released to citizen councilor groups, however, persons interviewed and  
16 taped shall approve their taped interview for release or complete  
17 another interview to their satisfaction, otherwise their statement  
18 shall not be included in materials sent to citizens.

19 (3) The state auditor shall refer the public information material  
20 prepared by the citizen councilor coordinator, deputy citizen councilor  
21 coordinator, and staffs to the steering committee for its review and  
22 recommendations. The governor, legislative committee assigned, or the  
23 state auditor, whichever determined the issue, shall then make the  
24 final determination of any materials distributed to citizen councilors,  
25 except if the governor or legislative committee assigned fails to make  
26 a final determination within ten days of adjournment of the steering  
27 committee giving its recommendations, then the state auditor shall make  
28 the final determination and distribute the materials to the citizen  
29 councilor network.

30 NEW SECTION. **Sec. 5.** The offices of citizen councilor coordinator  
31 and deputy citizen councilor coordinator are created within the office  
32 of state auditor. The state auditor shall appoint the citizen  
33 councilor coordinator and deputy citizen councilor coordinator with the  
34 advice of the steering committee. The citizen councilor coordinator  
35 and deputy citizen councilor coordinator shall serve at the pleasure of  
36 the state auditor, until terminated with the approval of the steering  
37 committee, and shall be citizen volunteers and serve without  
38 compensation, but shall be reimbursed for actual expenses incurred in

1 carrying out their duties under sections 1 through 11 of this act as  
2 funds for subscriptions and donations are available.

3 NEW SECTION. **Sec. 6.** The citizen councilor coordinator and deputy  
4 citizen councilor coordinator shall:

5 (1) Promote to the citizens of the state the citizen councilor  
6 program and its contribution to public and private planning processes;

7 (2) Oversee preparation, tabulation, summarization, and  
8 dissemination of data and information by the government and volunteer  
9 staff;

10 (3) Receive, on behalf of the citizen councilor revolving fund,  
11 gifts and donations of real or personal property, including cash and  
12 in-kind services;

13 (4) Hire a value reporter and other paid staff to assist the  
14 volunteer staff if funds are available;

15 (5) Contract for any services including without limitation a toll-  
16 free telephone number and answering service, keying, optical scanning,  
17 computer tabulation, recording, reporting, research, consulting,  
18 printing, and mailing to carry out sections 1 through 11 of this act;

19 (6) Solicit volunteers to assist in administering the program from  
20 community service, educational, civic, business, religious, and other  
21 organizations;

22 (7) Solicit citizen councilor groups from existing organizations;

23 (8) Solicit individual citizen councilors to participate in local  
24 groups organized by mutual convenience usually within the same  
25 residence or work zip code area;

26 (9) Assign value reporters to interview scholars, experts, public  
27 officials, planners, leaders, and others on tape concerning topics of  
28 discussion assigned by the state auditor;

29 (10) Produce audio or video cassette tapes, or both, and printed  
30 materials as evenhandedly as possible;

31 (11) Mail public information materials to citizen councilor  
32 conveners or individual citizen councilors, or both, after final  
33 approval by the state auditor;

34 (12) Provide, at cost, group mailing labels of its own conveners on  
35 request of an organization participating or to a county, regional  
36 government, municipality, or school district if a private iteration of  
37 their own constituents is desired at their own time and expense;

1 (13) Machine-scan or key, or both, citizen councilor response  
2 sheets and tabulate data;

3 (14) Mail organizational, community, school, business, or church  
4 profiles to the leaders of such participating organizations for their  
5 information and without cost when they have over fifty groups  
6 responding statewide. Such information shall be filed for public  
7 review;

8 (15) Prepare summary reports of data generated and press releases;

9 (16) Mail summary reports and other information to all citizen  
10 councilor conveners for their groups and to participating  
11 organizations, and to those public officials who have indicated to the  
12 citizen councilor coordinator that they are interested; and

13 (17) Maintain data generated for public and media reference in the  
14 state auditor's office.

15 NEW SECTION. **Sec. 7.** The citizen councilor coordinator shall  
16 actively encourage citizen councilor groups to form throughout the  
17 state. Citizen councilor groups shall usually consist of a minimum of  
18 eight and a maximum of twelve regularly assigned members and meet on  
19 call of their convener at times and places they deem most appropriate  
20 during a thirty-day or other designated time period. Citizen councilor  
21 groups might normally meet approximately two or three times per year on  
22 state issues, one or two times on county or municipal issues, and one  
23 time on federal issues in response to the president of the United  
24 States through the state-of-the-union address. They shall have the  
25 opportunity to listen to audio or video tapes articulating an issue of  
26 public interest or concern and study other materials prepared or  
27 authorized as described in section 4 of this act. Citizen councilors  
28 shall have the opportunity to respond anonymously making their opinions  
29 known on individual mark-sense response sheets for return to the  
30 citizen councilor coordinator for keying or optical scanning,  
31 tabulation, and analysis.

32 NEW SECTION. **Sec. 8.** Eight through twelve citizens from  
33 organizations such as, but not limited to, community service, civic  
34 associations, cooperatives, unions, religious, business, or school  
35 district groups may enroll as an organizational group with their own  
36 convener designated. An organizational profile report shall be  
37 provided the leaders of organizations with fifty or more groups without

1 cost to inform them of how their members responded to public issues  
2 posed or approved by the state auditor and shall be open to public  
3 inspection in the office of the state auditor. If additional profiles  
4 or services are requested by an organization of its own constituents,  
5 the policy, rules, and fees to cover such costs shall be paid  
6 separately. Organizations with fifty or more groups may purchase  
7 mailing labels of their group conveners from the state auditor and  
8 prepare and mail their own group materials for tabulation at their own  
9 effort and expense. These data shall not be tabulated by the citizen  
10 councilor coordinator and shall not be combined with the public data  
11 nor available for public inspection at the office of the state auditor.

12 NEW SECTION. **Sec. 9.** Each citizen councilor shall be asked to  
13 make donations from time to time to help cover the costs of the citizen  
14 councilor program estimated at fifteen to twenty dollars per person per  
15 year at present costs. It is also the intention of the state auditor  
16 that donations and gifts be solicited from public-spirited individuals,  
17 businesses, and foundations for the purpose of assisting in the funding  
18 of the program and the providing of scholarships to unemployed or low-  
19 income citizens. However, since all direct costs of this program are  
20 provided by donations and subscriptions with no funds from public  
21 sources, the citizen councilor coordinator shall use his or her  
22 discretion in determining the scale and the scope of the program so  
23 that expenses do not exceed available funds.

24 NEW SECTION. **Sec. 10.** A citizen councilor revolving fund is  
25 created and shall consist of donations and subscriptions collected  
26 under sections 1 through 11 of this act and any moneys appropriated to  
27 it by law for specific purposes. The state treasurer shall be  
28 custodian of the revolving fund. Disbursements from the revolving fund  
29 shall be on authorization of the citizen councilor coordinator. In  
30 order to maintain an effective expenditure and revenue control, the  
31 citizen councilor revolving fund shall be subject in all respects to  
32 chapter 43.88 RCW, but no appropriation is required to permit  
33 expenditures and payment of obligations from the fund.

34 NEW SECTION. **Sec. 11.** (1) The state auditor may provide the  
35 citizen councilor coordinator and his or her volunteer staff with space  
36 in existing offices and with clerical services from existing staff to

1 assist in establishing and conducting the citizen councilor program.  
2 Appropriations are not required, but the state auditor may consider the  
3 services provided under this section in submitting the department's  
4 budget.

5 (2) The citizen councilor coordinator shall seek to obtain  
6 donations from citizen councilor organizational groups, citizen  
7 councilors, and public-spirited individuals, community service  
8 organizations, businesses, and foundations to help cover the costs of  
9 the program. When ten thousand dollars in donations have been  
10 received, the state auditor shall authorize the citizen councilor  
11 coordinator to establish a toll-free telephone number and answering  
12 service and to develop a list of the names, addresses, and telephone  
13 numbers of persons and groups interested in serving as citizen  
14 councilors, citizen councilor conveners, or in citizen councilor  
15 organizational groups, or in making donations. Whenever possible, the  
16 names, addresses, and legislative districts of registered voters  
17 maintained by the secretary of state shall be copied to reduce costs of  
18 the state auditor while increasing accuracy of the citizen councilor  
19 records. When forty thousand dollars in donations have been received,  
20 the citizen councilor coordinator may initiate the new communication  
21 process contemplated in sections 1 through 11 of this act and continue  
22 it at a scope and scale that is supportable by the resources available.

23 (3) In the event the program under sections 1 through 11 of this  
24 act fails to support its direct costs and is necessary to be terminated  
25 by the state auditor, funds remaining after payment of all outstanding  
26 expenses and disposal of equipment and supplies owned shall be  
27 deposited in the general fund.

28 NEW SECTION. **Sec. 12.** Sections 1 through 11 of this act are each  
29 added to chapter 43.09 RCW.

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