
SENATE BILL 5156

State of Washington 59th Legislature 2005 Regular Session

By Senators Morton, Swecker, Oke, Deccio, Stevens, Honeyford,
Mulliken and Hewitt

Read first time 01/17/2005. Referred to Committee on Government
Operations & Elections.

1 AN ACT Relating to governmental consensus processes; adding a new
2 section to chapter 42.17 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that many within the
5 state executive branch use the consensus process for developing either
6 proposed executive request legislation or agency rules. The
7 legislature finds that while there are many benefits in the use of
8 well-designed and administered consensus processes, there is also the
9 potential for a misunderstanding of or a misuse in the consensus
10 process.

11 The legislature finds that the longstanding recognition of the
12 right to free speech includes the right to place in the official state
13 record a position of concern or opposition for the product reached
14 through a consensus process.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17 RCW
16 to read as follows:

17 When a state agency uses the consensus process to develop either
18 executive request legislation or rules adopted pursuant to chapter

1 34.05 RCW, the agency shall announce at the beginning of the process
2 that there is an opportunity at the end of the process for either
3 participants or persons who requested to participate but were
4 disallowed from participating, to file written statements of support,
5 concern, or opposition that will be appended to the final consensus
6 document.

7 Each state agency that uses the consensus process to formulate
8 proposed executive request legislation or agency rules shall allow
9 citizens to place a written statement of position in the official file
10 regarding the product that is declared by the state agency as a
11 consensus agreement. These position statements shall be filed within
12 sixty days of the completion of the consensus process. These
13 statements shall be retained in the agency's public record file and
14 available in accordance with procedures established under the open
15 public records act under this chapter.

--- END ---