

SENATE BILL REPORT

2SSB 5355

As Amended by House, February 27, 2012

Title: An act relating to special meetings.

Brief Description: Regarding notice requirements for special meetings of public agencies.

Sponsors: Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Morton, Swecker and Honeyford).

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 2/07/11, 2/15/11 [DPS]; 1/12/12 [DP2S, w/oRec].

Passed Senate: 2/09/12, 48-0.

Passed House: 2/27/12, 97-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: That Second Substitute Senate Bill No. 5355 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Pridemore, Chair; Swecker, Ranking Minority Member; Benton, Chase and Nelson.

Minority Report: That it be referred without recommendation.

Signed by Senator Roach.

Staff: Sharon Swanson (786-7447)

Background: The Open Public Meetings Act governs the meeting process followed by public agencies. A special meeting may be called by the presiding officer of the governing body of a public agency or by a majority of the members of the governing body by delivering written notice personally, by mail, fax, or electronic mail, to each local newspaper of general circulation, and to each local radio or television which has requested to be notified of special meetings.

Notice must occur at least 24 hours before the meeting. The notice must indicate the meeting's time and place, and specify the business to be transacted.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Second Substitute Bill: Written notice of a special meeting is deemed waived when a member submits a written waiver of notice with the clerk or secretary of the governing body at or prior to the time the meeting convenes or a member is actually present at the time the meeting convenes. A written waiver may be sent by telegram, fax, or electronic mail.

In addition to existing requirements, notice of a special meeting must be:

- posted on an agency's website, if any; and
- prominently displayed at the main entrance of the agency's principal location and the meeting site if it is not held at the agency's principal location.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill:

Testimony From 2011 Regular Session.

OTHER: The purpose of the bill is good, but the provision that personal notice be given to up to 1000 people may have a huge economic impact on a smaller jurisdiction.

Persons Testifying:

Persons Testifying From 2011 Regular Session.

OTHER: Ramsey Ramerman, Association of Washington Cities.

House Amendment(s): Removes section stating that written waiver of notice must be deemed waived if a member submits a written waiver of notice with the clerk or secretary of the governing body at or prior to the time the meeting convenes or if a member is actually present at the time the meeting convenes. Adds language that states that notice of a special meeting must be posted on an agency's website unless an agency has insufficient qualified personnel, as defined by a job description or existing contract, to update the website.