

HOUSE BILL REPORT

HB 1145

As Reported by House Committee On:
Local Government

Title: An act relating to joint meetings of county legislative authorities.

Brief Description: Allowing joint meetings of county legislative authorities under certain circumstances.

Sponsors: Representatives Haler and Fey.

Brief History:

Committee Activity:

Local Government: 1/21/15, 1/28/15 [DPS].

Brief Summary of Substitute Bill

- Authorizes two or more county legislative authorities to hold joint regular or special meetings in a participating county if the agenda item or items relate to actions or considerations of mutual interest or concern to the participating legislative authorities.
- Establishes notice and location provisions related to joint regular and special meetings.
- Retains authorities related to the transaction of official business for counties participating in joint regular or special meetings.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Takko, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon, McBride, McCaslin, Peterson and Pike.

Staff: Ethan Moreno (786-7386).

Background:

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.

Counties - Regular and Special Meetings of Legislative Authorities.

Washington counties provide regional services to all residents within their jurisdiction, including administering elections and furnishing judicial services, and a broader array of services to residents in unincorporated areas.

County legislative authorities are required to hold regular meetings at the county seat to transact any business required or permitted by law. Although the term "regular meeting" is not defined in statutory provisions governing counties, the Municipal Research and Services Center defines "regular meeting" as one that is held according to a schedule adopted by the applicable public governing body.

Contrary to the geographic limitations on regular meetings, county legislative authorities may hold special meetings (meetings that are not held according to an adopted schedule) to transact the business of the county at any location within the county if the agenda item or items are of unique interest or concern to the citizens of the area of the county in which the special meeting is to be held.

Special meetings have specific notice and transaction requirements established in statute. The notices of special meetings must be: delivered at least 24 hours before the meeting to requesting newspapers, radio and television stations; posted on the agency's website; and prominently displayed at the main entrance of the entity's principal location and, if applicable, meeting site. The notices must specify the time and place of the special meeting and the business to be transacted. Final disposition actions may not be taken on any matter that is not specified in the notice.

Neither regular nor special meeting provisions for counties include permissions, requirements, or other governing conditions related to joint meetings of county legislative authorities in a single location.

Attorney General Opinion.

On November 14, 2014, the Attorney General of Washington issued an opinion (AGO 2014, No. 7) stating that the legislative authority of one county may not meet outside its borders, and within another county's borders, to discuss joint, bi-county projects. The opinion also stated that the Legislature could authorize these joint meetings, but that it has not yet done so.

Summary of Substitute Bill:

Any two or more county legislative authorities may hold a joint regular or special meeting in a participating county if the agenda item or items relate to actions or considerations of mutual interest or concern to the participating legislative authorities. A joint regular meeting may only be held at the county seat of a participating county. A legislative authority participating in a joint regular meeting must, for purposes of the meeting, comply with notice requirements for special meetings. This special meeting notice requirement does not apply to the legislative authority of the county in which the joint regular meeting will be held.

If the joint legislative authority meeting is a special meeting, the meeting may be held at the county seat or other agreed upon location within the jurisdiction of a participating county.

In the event of a joint regular meeting, each participating county retains its authority to transact any business required or permitted by law. In the event of a joint special meeting, each county retains its authority to transact business of the county.

Substitute Bill Compared to Original Bill:

The amended bill makes the following changes to the original bill:

- requires county legislative authorities participating in joint regular meetings to, for purposes of those meetings, satisfy the meeting requirements for special meetings;
- exempts the hosting county in a joint regular meeting from the obligation to comply with special meeting notice requirements;
- removes a provision in the underlying bill allowing county legislative authorities holding a joint special meeting to have the meeting solely in the county seat of a participating county; and
- authorizes county legislative authorities holding a joint special meeting to hold the meeting at the county seat or other agreed upon location within the jurisdiction of a participating county.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Under current law, even though they are only separated by a river and a few miles, the county commissioners of Benton and Franklin counties cannot meet together. The counties are working together on issues of mutual interest, including emergency response systems. This bill addresses an issue that has been in the media, and the request for this bill is from county commissioners. Counties would benefit from a general authority to hold joint meetings rather than special exceptions authorizing some joint meetings.

This bill addresses a recent issue Pierce County had with regard to filling a legislative vacancy for the 30th district. One possible amendment for the bill: if counties are meeting for joint legislative district appointments, allow the joint meetings to be held at a location, other than the county seat, within a participating county.

(In support with amendment(s)) Under the current language of the bill, regular joint meetings for "away" counties could occur without notice. In the event of a joint regular meeting, the "visiting" county or counties should be required to follow notice provisions for special meetings.

(Opposed) None.

Persons Testifying: (In support) Representative Haler, prime sponsor; and Jennifer Joly, Pierce County Government Relations.

(In support with amendment(s)) Rowland Thompson, Allied Daily Newspapers.

Persons Signed In To Testify But Not Testifying: None.