

SENATE BILL REPORT

SB 5672

As of February 5, 2007

Title: An act relating to posting information on public agencies' web sites.

Brief Description: Requiring special purpose districts and municipalities to post certain information on their web sites.

Sponsors: Senator Fairley.

Brief History:

Committee Activity: Government Operations & Elections: 2/05/07.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Sharon Swanson (786-7447)

Background: In 1971, the Legislature enacted the Open Meetings Act (Act) to make the conduct of government more accessible and open to the public.

The Act applies to all city and town councils and all county councils and boards of county commissioners, as well as to many subordinate city and county commissions, boards, and committees. The Act requires that all meetings of such bodies be open to the public and that all action taken by such bodies be done at meetings that are open to the public.

Currently, the governing body of a public agency must provide the time for holding regular meetings by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body.

Special meetings may be called at any time 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, by fax, or by electronic mail to each member of the governing body, to each local newspaper of general circulation, and to each local radio or television station which has on file with the governing body a written request to be notified of such special meeting or of all special meetings. Such notice must be delivered personally, by mail, by fax, or by electronic mail at least 24 hours before the time of such meeting as specified in the notice.

Summary of Bill: The bill as referred to committee not considered.

SUMMARY OF PROPOSED SUBSTITUTE AS HEARD IN COMMITTEE (Government Operations & Elections): The governing body of every special purpose district and any municipality that owns or maintains a web site must post to their web site:

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.

- The agenda of all regular and special meetings of the governing body 72 hours before a meeting.
- The text of any ordinance, rule, or regulation that is under consideration at a meeting must be posted at the same time the agenda is posted.
- The minutes of all regular and special meetings within ten business days after a meeting.
- A schedule of the time and place of all regular meetings on the governing body.
- A roster of the names of all members of its governing body, identifying the positions, and constituency where applicable, of all members, including the start and end date of the elective or appointed terms of all members.

Except in cases of emergency, the special purpose district or municipality must promptly post to its web site a notice of the time and place of all special meetings of the governing body.

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: PRO: Public disclosure is eminent for all members of the public. Government must disclose what is being discussed, considered, and voted on, no matter how small the government entity. Passage of this bill will enhance the openness and transparency of government. The cost will be nominal when balanced against the greater good.

CON: This bill is an unfunded mandate. It is not possible to have minutes posted on the internet within five days. Many small counties and districts do not have the personnel or the resources to complete that short of a turn around. There is no money behind the bill to finance the technical supports that are necessary. Local governments would like to prioritize choice rather than have a mandate from the state telling us what we must post. We are short on resources so local governments should be able to decide where the need is for their communities. In one week a local government had two special meetings and one regular meeting. There is no way to keep up with the postings involved.

OTHER: Perhaps assistance from the state in terms of information and man power to get our systems upgraded would be helpful.

Persons Testifying: PRO: Anthony Hemstad, City of Maple Valley; Alan Gamblin, Citizens Against Unfair Taxes.

CON: Sandy Paul Lyle, City of Pacific; Victoria Lincoln, Association of Washington Cities; Eric Johnson, Washington Association of Counties; Dayna Prewitt, Washington Association of County Commission, Council Clerks; Pat Jones, Washington Public Ports Association.

OTHER: Dick Goldsmith, Association of Washington Public Hospital Districts.