

CERTIFICATION OF ENROLLMENT
HOUSE CONCURRENT RESOLUTION 4418

52nd Legislature
1991 Regular Session

Passed by the House April 25, 1991
Voice Vote

**Speaker of the
House of Representatives**

Passed by the Senate April 28, 1991
Yeas 34 Nays 13

President of the Senate

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE CONCURRENT RESOLUTION 4418** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

HOUSE CONCURRENT RESOLUTION 4418

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Anderson, Jacobsen, McLean, Pruitt, Vance and Bowman. Read first time April 18, 1991. Referred to Committee on Rules Review.

1 WHEREAS, Liberal access to government records was mandated by a
2 popular vote of the people as Initiative 276 and has enjoyed strong
3 legislative and judicial support; and

4 WHEREAS, The legislature remains strongly supportive of the
5 principles: (1) That public agencies shall make available for public
6 inspection and copying all public records, RCW 42.17.250 and subsequent
7 sections, (2) that actions of public agencies and their subdivisions be
8 taken openly and that their deliberations be conducted openly, chapter
9 42.30 RCW, and (3) that the people of this state do not yield their
10 sovereignty to the agencies which serve them and do not give their
11 public servants the right to decide what is good for the people to know
12 and what is not good for them to know; and

13 WHEREAS, Enforcement of the Open Public Meeting Act and the Public
14 Records Act has been clouded by uncertainty and ambiguity in some
15 areas; and

16 WHEREAS, Numerous other state laws purport to grant confidentiality
17 to certain records and meetings of public agencies, but such laws have

1 never been coordinated with the acts and are a source of confusion to
2 the public when requests for access are made; and

3 WHEREAS, The legislature has repeatedly been asked to amend both
4 acts on a piecemeal basis; and

5 WHEREAS, The legislature has not considered the overall impact of
6 the many changes made in recent years to the various laws governing
7 access to public records and attendance at government meetings, nor has
8 it considered the relationships among these laws; and

9 WHEREAS, It has been approximately twenty years since the passage
10 of the basic state law providing citizens with the right of access to
11 government records, and during this time important and far-reaching
12 technological changes have occurred in the manner in which public
13 records are obtained, stored, and released; and these technological
14 changes are not specifically addressed in key provisions of this law
15 and of other laws relating to the right of access to public records;

16 NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of
17 the state of Washington, the Senate concurring, That a joint select
18 committee on open government be hereby created to conduct a study on
19 the adequacy of the state laws governing the public's rights to obtain
20 access to government records and to attend meetings of government
21 boards, commissions, and committees; and

22 BE IT FURTHER RESOLVED, That the joint select committee be composed
23 of eight members to be appointed as follows: Two members from each
24 caucus in the House of Representatives who shall be appointed by the
25 Speaker of the House of Representatives, and two members from each
26 caucus in the Senate who shall be appointed by the President of the
27 Senate; and

28 BE IT FURTHER RESOLVED, That the joint committee's study shall be
29 comprehensive, and the committee shall develop recommendations,
30 including, but not limited to, proposed legislation to accomplish the

1 following changes in the laws relating to the right to access to public
2 records and the right to attend government meetings:

3 (1) Recodification, clarification, and modernization of the laws;

4 (2) Revision and clarification of exemptions to make them more
5 concise and precise without undermining the general principals of
6 liberal access to government records and meetings;

7 (3) Provision of a means to inform government officials and
8 citizens on the rights under the laws and how they are enforced; and

9 (4) Reductions in the delay and cost of obtaining fair and complete
10 decisions on access requests; and

11 BE IT FURTHER RESOLVED, That by January 1, 1992, the joint select
12 committee shall submit its study report, including its recommendations
13 for changing the law, to the members of the legislature.