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SENATE BILL 5631

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State of Washington

54th Legislature

1995 Regular Session

By Senators Haugen, Moyer, Gaspard, McDonald, Snyder, Winsley, Pelz, Swecker, McAuliffe, Smith, C. Anderson, Kohl, Wood, Rasmussen and Hale

Read first time 01/30/95. Referred to Committee on Government Operations.

1 AN ACT Relating to citizen participation in the discussion of  
2 public issues; adding new sections to chapter 43.63A RCW; and providing  
3 an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that:

6 (a) Government is of the people, by the people, and for the people.  
7 All citizens should be enabled to participate and exercise their rights  
8 of freedom of speech, assembly, petition, and the right to be heard in  
9 order to celebrate, evaluate, and enhance the social, political,  
10 educational, and economic climates of our state in the future.

11 (b) In a democracy a primary role of citizens is to contribute  
12 their opinions, respond to the opinions of other citizens, and respond  
13 to the queries of their public and private organizational leaders on  
14 issues that are of interest and concern to all. Yet communication  
15 between the people and their leaders has remained difficult and  
16 elusive. Present societal processes with primary reliance upon people  
17 attending big meetings at often remote distances are usually beyond the  
18 time and energy levels of most citizens. There is growing recognition  
19 that this is a severe burden to the democratic process. Communication

1 at such big meetings is often frustrating to both leaders and people  
2 because time allows only a few people to talk while most can only  
3 listen. Efforts to pass resolutions and amendments or move toward  
4 consensus in such traditional legislative contexts is often an  
5 emotionally draining experience for all. The result is that many  
6 people drop out of such inadequate meetings and do not participate  
7 sufficiently in their public and organizational planning processes.  
8 Lack of adequate participation by citizens devitalizes our public and  
9 private organizations and institutions and is frequently and  
10 erroneously diagnosed as "apathy" among the people.

11 (c) Futures research is a process that includes the study of ways  
12 to improve the sociological and technological future; it is not just  
13 forecasting. Research in pure and applied social science that has been  
14 conducted in this state over the past two decades has recently received  
15 state and national recognition in the development of new administrative  
16 and communication technology. (Washington State Senate Resolution No.  
17 1993-8636.) Our state has been identified as one of five precursor  
18 states in social innovation (Megatrends, John Naisbitt, 1982, Warner  
19 Books, New York). For example, we were the only state that emerged  
20 from the bicentennial celebration in 1976 with a recommendation and  
21 funding by its commission for an ongoing program to better enable  
22 citizen volunteers to participate in the public planning processes of  
23 government - a subtle but significant difference from the volunteerism  
24 for physical service enacted by several other state commissions.

25 (d) It is necessary to use futures research in the move toward an  
26 information society, decentralization, long-term solutions, high-tech  
27 and high-touch, and networking ("Megatrends"). The representative  
28 democracy of today will contain a stronger component of participation  
29 by citizens tomorrow. These are cultural trends and cannot be stopped,  
30 only guided. The need now is to create a workable, essentially self-  
31 funded, network of citizens for the benefit of state and local  
32 governments through use of new means of "many-to-many" mass  
33 communication in our state as a whole: (i) To enhance public  
34 information through citizenship education, and (ii) to serve as a  
35 bridge for feedback communication between people and leaders of  
36 government, schools, business, and community in cooperation with  
37 traditional media. Present methods of citizen-government-community  
38 communication including public hearings and traditional "one-to-many"  
39 communication such as television, radio, and newspapers obtain public

1 information from governments and media through traditional news  
2 releases and editorials that are often piecemeal and insufficient to  
3 arrive at the public consensus needed for good governance and to enable  
4 citizens to be responsible. Further, societal processes that permit  
5 citizens to participate responsibly, routinely, and meaningfully within  
6 their time and energy levels in the viable discussion of issues with  
7 results returned to leaders are nearly nonexistent. This has resulted  
8 in public alienation. If the legislature is successful in the  
9 pioneering effort of chapter . . ., Laws of 1995 (this act), it will be  
10 a major societal accomplishment in community building and a worthy gift  
11 of our state and its citizens to our nation and the noblest of all  
12 experiments in governance--democracy.

13 (2) The legislature further recognizes that governments derive  
14 their just powers from the consent of the governed, and the pursuit of  
15 happiness is a right of the people and a purpose of governments.  
16 Governments are not charged with providing their citizens with all the  
17 amenities of life they feel are required for their happiness, but  
18 governments are charged with enabling their citizens to pursue their  
19 own happiness. Increased opportunities by citizens to meet and receive  
20 information, reflect and discuss information, and respond as a sounding  
21 board with their advisory opinions to their leaders, both public and  
22 private, is an important exercise of their constitutional rights and  
23 right to be heard. In turn, exercise of these rights is an important  
24 factor in the continual process of the transferring authority from the  
25 people to their leaders and in fostering domestic and economic  
26 tranquility in a search for solutions to increasingly complex societal  
27 and economic problems. The credibility of government and the political  
28 relationships between the people and their leaders will be enhanced.

29 (3) It is the intent of the legislature to facilitate public and  
30 private planning and decision-making processes and to strengthen the  
31 functioning of democracy in the state of Washington by widening  
32 channels of communication and fostering more positive relationships  
33 between citizens and public and private institutions. The legislature  
34 proposes a structure whereby any small group of eight to twelve  
35 citizens meeting at times and places convenient to themselves may  
36 receive public information and queries on issues and communicate back  
37 to officials, themselves, and the public-at-large their advisory  
38 opinions on those issues. It is the intent of the legislature to  
39 create a climate in which citizens can act responsibly within their

1 abilities of time and energy to influence decisions affecting their  
2 lives and future in Washington state. In short, it is necessary to  
3 supplement traditional governmental processes to facilitate the ability  
4 of citizens to participate meaningfully and conveniently in the  
5 planning processes of government and community that affect their lives  
6 in the exercise of their rights of life, liberty, and the pursuit of  
7 happiness. "We must not perish by the distance between people and  
8 government, between people and power." (Dr. J. Bronowski, The Ascent  
9 of Man 1973.)

10 NEW SECTION. **Sec. 2.** (1) The office of citizen councilor is  
11 created in accordance with section 13 of this act. (Councilor: "An  
12 official advisor to a sovereign or chief magistrate." Webster.) Any  
13 citizen registered to vote who volunteers to act as an official  
14 government advisor may become a citizen councilor on request by sending  
15 a letter to the department of community, trade, and economic  
16 development or calling a special toll-free number and paying a nominal  
17 fee as set by the steering committee. Citizen councilors shall act  
18 collectively as official advisors and a sounding board for public  
19 officials and agencies, legislative study committees, and the  
20 department of community, trade, and economic development on issues of  
21 public interest or concern. Conveners of citizen councilor groups  
22 shall be those designated by the citizen councilor coordinator or  
23 deputy citizen councilor coordinator under section 4 of this act from  
24 among citizen councilors who volunteer to host a group. Every effort  
25 shall be made to assign citizen councilors to a group that meets at a  
26 convenient time and place. Meetings will usually be in residence or  
27 work area zip codes.

28 (2) Citizen councilors may participate:

29 (a) In a citizen councilor organizational group under section 8 of  
30 this act;

31 (b) In a citizen councilor group usually organized by residence or  
32 work area zip code with the assistance of the citizen councilor  
33 coordinator; or

34 (c) As an individual if the individual is unable to attend meetings  
35 in groups due to age, disability, or remote location.

36 (3) Citizen councilors will be reassigned a group on request to  
37 assure that their group meeting place, time, and makeup is convenient  
38 and compatible.

1        NEW SECTION.    **Sec. 3.**    The department of community, trade, and  
2 economic development:

3        (1) Shall determine suggested issues for public discussion  
4 approximately quarterly but not more than monthly from suggestions  
5 received from public officials, agencies, legislators, and individual  
6 citizen councilors and recommend an appropriate issue or issues for  
7 consideration by citizen councilors to a steering committee. The  
8 steering committee shall be composed of four voting members: One  
9 member of the minority and one member of the majority party from each  
10 house of the legislature. Other nonvoting members of the steering  
11 committee shall be: (a) A representative from the governor's office,  
12 (b) a representative from the superintendent of public instruction, (c)  
13 a representative from any organization participating with over fifty  
14 groups of eight to twelve persons under section 5(7) of this act, and  
15 (d) the citizen councilor coordinator and deputy citizen councilor  
16 coordinator selected as provided in section 4 of this act except that  
17 the citizen councilor coordinator or deputy citizen councilor  
18 coordinator may vote on the steering committee in case of a tie;

19        (2) After approval by the legislative members of the steering  
20 committee, shall assign the issue or issues approved for discussion to  
21 the volunteer citizen councilor coordinator for preparation and  
22 implementation by value reporters and others. Value reporters assigned  
23 to gather information on issues shall be careful to present all issues  
24 as evenhandedly as possible, taking care to present the generally  
25 prevailing viewpoints surrounding an issue or issues from experts,  
26 officials, and others in an effort to provide the public with  
27 information needed for discussion. Value reporters shall conduct  
28 interviews of experts, officials, and others to solicit their various  
29 viewpoints and record such interviews on audio or video tape for later  
30 reproduction and distribution to citizen councilor groups. Before any  
31 materials are released to citizen councilor groups, however, persons  
32 interviewed and taped shall approve their taped interview for release  
33 or complete another interview to their satisfaction, otherwise their  
34 statement shall not be included in materials sent to citizens;

35        (3) Shall approve the public information materials prepared by the  
36 citizen councilor coordinator, deputy citizen councilor coordinator,  
37 and staffs and authorize its distribution to citizen councilors to the  
38 steering committee for final approval before distribution.

1        NEW SECTION.    **Sec. 4.**    The offices of citizen councilor coordinator  
2 and deputy citizen councilor coordinator are created within the  
3 department of community, trade, and economic development. The director  
4 of community, trade, and economic development shall appoint the citizen  
5 councilor coordinator and deputy citizen councilor coordinator with the  
6 advice and consent of the steering committee. The citizen councilor  
7 coordinator and deputy citizen councilor coordinator shall serve at the  
8 pleasure of the director of community, trade, and economic development,  
9 until terminated with the approval of the steering committee, and shall  
10 be volunteers and serve without compensation, but shall be reimbursed  
11 for actual expenses incurred in carrying out their duties under  
12 sections 1 through 13 of this act as funds are available.

13        NEW SECTION.    **Sec. 5.**    The citizen councilor coordinator and deputy  
14 citizen councilor coordinator shall:

15        (1) Promote to the citizens of the state the citizen councilor  
16 program and its contribution to public and private planning processes;

17        (2) Oversee preparation, tabulation, summarization, and  
18 dissemination of data and information by the volunteer staff;

19        (3) Receive, on behalf of the citizen councilor revolving fund,  
20 gifts and donations of real or personal property, including cash and  
21 in-kind services;

22        (4) Hire a value reporter and other paid staff to assist the  
23 volunteer staff if funds are available;

24        (5) Contract for any services including without limitation toll-  
25 free telephone number and answering services, keypunch, computer,  
26 scanning, recording, reporting, research, consulting, printing, and  
27 mailing to carry out this chapter as long as the providers of these  
28 services either work without financial compensation or are unrelated to  
29 the citizen councilor coordinator or deputy citizen councilor  
30 coordinator;

31        (6) Solicit volunteers to assist in administering the program from  
32 community service, educational, civic, business, religious, and other  
33 organizations;

34        (7) Solicit citizen councilor groups from existing organizations;

35        (8) Solicit individual citizen councilors to participate in local  
36 groups organized by mutual convenience usually within the same  
37 residence or work zip code area;

1 (9) Assign value reporters to interview scholars, experts, public  
2 officials, planners, leaders, and others on tape concerning topics of  
3 discussion assigned by the department of community, trade, and economic  
4 development;

5 (10) Produce audio or video cassette tapes, or both, and printed  
6 materials evenhandedly;

7 (11) Mail public information materials to citizen councilor  
8 conveners or individual citizen councilors, or both;

9 (12) Provide, at cost, group mailing labels of its own conveners on  
10 request of an organization participating or to a county, municipality,  
11 or school district if a private iteration of their own constituents is  
12 desired at their own time and expense;

13 (13) Scan or tabulate, or both, citizen councilor response sheets  
14 using, as appropriate, the "Fast Forum" computer program that is  
15 available without cost to the citizen councilor program and the  
16 University of Washington academic computing services as a nonprofit,  
17 external user;

18 (14) Mail organizational, community, school, business, or church  
19 profiles to the leaders of such participating organizations for their  
20 information and without cost when they have over fifty groups  
21 responding state-wide;

22 (15) Prepare summary reports of data generated and press releases;

23 (16) Mail summary reports and other information to all citizen  
24 councilors, conveners, participating organizations, and to those public  
25 officials who have indicated to the citizen councilor coordinator that  
26 they are interested; and

27 (17) Maintain data generated for public and media reference in the  
28 department of community, trade, and economic development.

29 NEW SECTION. **Sec. 6.** State officials, agencies, and the  
30 legislature and their staffs shall actively cooperate and participate  
31 with the department of community, trade, and economic development, the  
32 citizen councilor coordinator staff, and value reporters in the posing  
33 of issues and preparation of materials for citizen councilor  
34 consideration.

35 NEW SECTION. **Sec. 7.** The citizen councilor coordinator shall  
36 actively encourage citizen councilor groups to form throughout the  
37 state. Citizen councilor groups shall usually consist of a minimum of

1 eight and a maximum of twelve regularly assigned members and meet on  
2 call of their convener at times and places they deem most appropriate  
3 during a thirty-day or other designated time period. Citizen councilor  
4 groups shall normally meet three or four times per year on state  
5 issues. They shall have the opportunity to listen to audio or video  
6 tapes articulating an issue of public interest or concern and study  
7 other materials prepared or authorized as described in section 3 of  
8 this act. Citizen councilors shall have the opportunity to respond  
9 anonymously making their opinions known on individual mark-sense  
10 response sheets for return to the citizen councilor coordinator for  
11 keypunching or optical scanning, tabulation, and analysis.

12 NEW SECTION. **Sec. 8.** Eight through twelve citizens from  
13 organizations such as, but not limited to, community, civic,  
14 associations, cooperatives, unions, church, business, or school  
15 district groups may enroll as an organizational group with their own  
16 convener designated. An organizational profile report shall be  
17 provided the leaders of organizations with fifty or more groups without  
18 cost to inform them of how their members responded to public issues  
19 posed or approved by the department of community, trade, and economic  
20 development and shall be open to public inspection in the offices of  
21 the department of community, trade, and economic development. If  
22 additional profiles or services are requested by an organization of its  
23 own constituents, the policy, rules, and fees to cover such costs shall  
24 be as determined by the citizen councilor coordinator. Organizations  
25 with fifty or more groups may purchase mailing labels of their group  
26 conveners at cost and prepare and mail their own group materials for  
27 tabulation at their own effort and expense. This data shall not be  
28 tabulated by the citizen councilor coordinator and shall not be  
29 combined with the public data nor available for public inspection at  
30 the department of community, trade, and economic development.

31 NEW SECTION. **Sec. 9.** Governmental units such as counties,  
32 municipalities, and others may purchase mailing labels of conveners,  
33 including organizational conveners, if they wish to use the network of  
34 citizen councilors in their general geographical areas. Counties can  
35 obtain mailing labels of conveners within their county; municipalities  
36 and others can obtain mailing labels of conveners within specific zip  
37 codes. They then can request participation from such groups using

1 their own materials for tabulation at their own effort and expense.  
2 The citizen councilor coordinator may authorize use of the volunteer  
3 staff to advise or assist in such projects if volunteers are available.

4 NEW SECTION. **Sec. 10.** Because of the strong citizenship education  
5 component under sections 1 through 13 of this act, school districts are  
6 encouraged to organize organizational groups of parents under section  
7 8 of this act and obtain a packet of material prepared by the citizen  
8 councilor coordinator for high school social studies teachers.  
9 Students can listen to the tape, study and discuss the material, and  
10 hand-tabulate the percentage responses of their own class to the  
11 objective questions posed. When the profile reports are returned,  
12 students can compare similarities and differences individually and as  
13 a class with those responses of their parents and citizens state-wide  
14 to widen the discussion. Tolerance of diversity of opinion and a  
15 respect for the opinions of others, which is essential in a democracy,  
16 is fostered through constructive class discussions in psychosocial  
17 education and critical thinking. Citizenship education is itself vital  
18 to the full functioning of the democratic institutions in which we all  
19 participate. The goal is to make all students aware of the  
20 responsibilities of citizenship and to communicate that: "You are an  
21 important part of society. You, your opinions, and the reasons behind  
22 them will shape the future." If the citizen councilor coordinator  
23 determines that sufficient funds are available, student opinions may be  
24 tabulated state-wide for student comparison with the opinions of  
25 citizen councilors.

26 NEW SECTION. **Sec. 11.** Each citizen councilor shall be asked to  
27 make donations from time to time to help cover the costs of the citizen  
28 councilor program estimated at ten to fifteen dollars per person per  
29 year at 1995 costs. It is also the intention of the legislature that  
30 donations and gifts be solicited from public-spirited individuals,  
31 businesses, and foundations for the purpose of funding the program.  
32 However, since all costs of this program are provided by donations with  
33 no funds from public sources, the citizen councilor coordinator shall  
34 use his or her discretion in determining the scale and the scope of the  
35 program so that expenses do not exceed available funds.

1        NEW SECTION.    **Sec. 12.**    A citizen councilor revolving fund is  
2 created and shall consist of donations collected under this chapter and  
3 any moneys appropriated to it by law for specific purposes. The state  
4 treasurer shall be custodian of the revolving fund. Disbursements from  
5 the revolving fund shall be on authorization of the citizen councilor  
6 coordinator. In order to maintain an effective expenditure and revenue  
7 control, the citizen councilor revolving fund shall be subject in all  
8 respects to chapter 43.88 RCW, but no appropriation is required to  
9 permit expenditures and payment of obligations from the fund.

10        NEW SECTION.    **Sec. 13.**    (1) The department of community, trade, and  
11 economic development may provide the citizen councilor coordinator and  
12 his or her volunteer staff with space in existing offices and with  
13 clerical services from existing staff to assist in establishing and  
14 conducting the citizen councilor program. Appropriations are not  
15 required, but the director of community, trade, and economic  
16 development may consider the services provided under this section in  
17 submitting the department's budget.

18        (2) The citizen councilor coordinator shall seek to obtain  
19 donations from citizen councilor organizational groups, citizen  
20 councilors, and public-spirited individuals, community service  
21 organizations, businesses, and foundations to cover the costs of the  
22 program. When ten thousand dollars in donations have been received,  
23 the department of community, trade, and economic development shall  
24 authorize the citizen councilor coordinator to establish a toll-free  
25 telephone number and answering service and to develop a list of the  
26 names, addresses, and telephone numbers of persons and groups  
27 interested in serving as citizen councilors, citizen councilor  
28 conveners, or citizen councilor organizational groups, or in making  
29 donations. When forty thousand dollars in donations have been  
30 received, the citizen councilor coordinator may initiate the new  
31 communication process contemplated in sections 1 through 13 of this act  
32 and continue it at a scope and scale that is supportable by the  
33 resources available.

34        (3) In the event the program under this chapter fails to support  
35 itself and is necessary to be terminated by the department of  
36 community, trade, and economic development or expires, funds remaining  
37 after payment of all outstanding expenses and disposal of equipment and  
38 supplies owned shall be deposited in the general fund.

1        NEW SECTION.    **Sec. 14.**    Sections 1 through 13 of this act shall  
2 expire June 30, 1999.

3        NEW SECTION.    **Sec. 15.**    Sections 1 through 13 of this act are each  
4 added to chapter 43.63A RCW.

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