

SENATE BILL REPORT

SHB 1504

As Reported By Senate Committee On:
Government Operations, February 27, 1998

Title: An act relating to public record protection.

Brief Description: Protecting records of strategy discussions.

Sponsors: House Committee on Government Administration (originally sponsored by Representatives McMorris, Boldt, Honeyford and Dunn).

Brief History:

Committee Activity: Government Operations: 3/27/97 [DP]; 2/20/98, 2/27/98 [DPA].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass as amended.

Signed by Senators McCaslin, Chair; Hale, Vice Chair; Anderson, Haugen, Horn, Patterson and T. Sheldon.

Staff: Genevieve Pisarski (786-7488)

Background: Each state and local agency is required to make all public records available for public inspection and copying unless the record is exempt from disclosure. The Legislature has enacted a number of such exemptions, including: preliminary drafts, notes, recommendations, and intra-agency memos in which opinions are expressed or policies are formulated, unless the agency publicly cites the document in an agency action; and the contents of real estate appraisals made for the acquisition or sale of property until the sale is abandoned or finalized.

Although strategy sessions pertaining to collective bargaining, professional negotiations, and grievance and mediation proceedings are exempt from the provisions of the Open Public Meetings Act, records pertaining to such sessions are not expressly exempt from public inspection and copying under the Public Disclosure Act.

Summary of Amended Bill: Records which would reveal, either directly or indirectly, the strategy or position that the agency will take before and during the course of collective bargaining, professional negotiations, or grievance or mediation proceedings, are exempt from public inspection and copying. After the conclusion of these, the records will be open to public inspection and copying.

Amended Bill Compared to Substitute Bill: The records are exempt only before and during the course of bargaining, negotiations, or proceedings.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This exemption makes requirements for public records and public meetings consistent on this point.

Testimony Against: None.

Testified: Kathy Gerke, Association of Cities (pro); Rowland Thompson, Allied Daily Newspapers (pro w/amendment).