



# Providing opportunity for remote testimony and improving public notice

Jason Mercier  
Director, Center for Government Reform  
Washington Policy Center  
Tri-Cities Office

# Public Wants to be Involved

[Article 1, Section 1 – Political Power](#): “All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.”

First goal mentioned in the [House of Representatives official mission statement](#) is to: “Increase public participation, understanding, and transparency of the legislative process . . .”

[RCW 42.30.010](#): “The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”

# Closing the Distance to Olympia

Walla Walla to Olympia – 312 miles (5 hour 20 min drive)

Spokane to Olympia – 320 miles (5 hour drive)

Kennewick to Olympia – 265 miles (4 hour 20 min drive)

Bellingham to Olympia – 149 miles (2 hour 40 min drive)

Vancouver to Olympia – 106 miles (1 hour 45 min drive)

This means for many coming to Olympia for 1-3 min of testimony requires a full day of travel. And for those in Eastern Washington there are the Cascade Mountains to deal with . . .

# WSDOT Image of I-90 (2/18/14)



# Remote Testimony

Since 2011, Washington Policy Center has held regular legislative Wake-Up Call forums throughout the state, connecting legislators via videoconference to communities in Eastern Washington. Dozens of legislators and more than 1,000 citizens have participated.

Allowing the public to give lawmakers remote testimony at fixed locations around the state is not a partisan issue. It is a fairness issue. It would give citizens another opportunity to be part of the lawmaking process. And the idea has bipartisan support.

Options for remote testimony would also help Washingtonians overcome anything Mother Nature may throw our way during the winter months that the legislature is in session, sometimes cutting off much of the state behind a wall of snow.

# Alaska's Remote Testimony

“The Legislative Affairs Agency Information and Teleconferencing Section has one fundamental mission - to facilitate communication between legislators and their constituents. To fulfill this mission, Information and Teleconferencing maintains two integrated programs; a network of 23 [Legislative Information Offices \(LIO\)](#) throughout Alaska and an audio teleconference network. The two systems have been enhanced to include video conferencing, a growing presence on the internet, and a variety of handouts.”

“Constituents may participate in legislative committee hearings and/or constituent meetings with legislators using teleconference facilities.”

# Nevada's Remote Testimony

Nevada's capitol, Carson City, is hundreds of miles away from the state's main population center, Las Vegas. The Nevada Legislature therefore allows citizens in Las Vegas and across the state the chance to testify via videoconference from a fixed location.

Not only does this technology allow citizens from across Nevada to connect with their lawmakers, it also has the capability to bring in expert testimony from across the country and around the world to help inform the legislative debate.

Nevada: "With videoconferencing, we can tie into our University's network and communicate with rural Legislators and their constituents, saving time and travel for those Legislators. Since 1997, we have videoconferenced 3,294 hearings during session, from the capital in Carson City to the largest city in Nevada – Las Vegas"

# Remote Testimony Options

The most ambitious would be full videoconferencing from fixed locations like Nevada does. This could start with one location (Spokane?) and then eventually grow using the state's K-20 network.

Teleconference testimony similar to Alaska's could also be used. Instead of dedicated call-in centers, however, citizens could call into Olympia and follow set remote testimony rules.

A short-term option would be to build on the new legislative bill comment feature by tailoring the web form submissions to the committee members where a bill is being heard.



# Video Conferencing Upgrades

The 2013-15 budget included this proviso: Sec 501 (3)(b):

“\$1,221,000 of the general fund--state appropriation for fiscal year 2014 and \$1,221,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and **video-conferencing capabilities of the network.** These funds may be used to purchase engineering and advanced technical support for the network.”

TVW is also requesting \$2.84 million for replacement of all cameras, insufficient fiber connections and related production equipment.

# Remote Testimony Procedures

Although there is broad support for allowing remote testimony, there is concern that it would be disruptive to the current hearing process. To avoid disruptions different rules could be in place for those wishing to provide remote testimony.

For discussion purposes, a remote signup sheet could be used with citizens placed in a queue managed by committee staff. Signup for remote testimony could be required the day before the hearing (assuming proper notice of the meeting was given) so a Chair would know the universe and location of potential remote testimony before the hearing starts.

Testimony could then be taken first for those in Olympia with time reserved for those participating remotely. Chair could determine how much remote testimony to take per bill. As is the case with those attending in person, being in the remote testimony queue would not be a guarantee of being able to testify – time dependent.



# WASHINGTON STATE LEGISLATURE

Legislature Home | Senate | House of Representatives | Help

## Inside the Legislature

- ★ Find Your Legislator
- ★ Visiting the Legislature
- ★ Agendas, Schedules and Calendars
- ★ Bill Information
- ★ Laws and Agency Rules
- ★ Legislative Committees
- ★ Legislative Agencies
- ★ Legislative Information Center
- ★ E-mail Notifications
- ★ Civic Education
- ★ History of the State Legislature

## Outside the Legislature

- ★ Congress - the Other Washington
- ★ TWW
- ★ Washington Courts
- ★ OFM Fiscal Note Website

### You have selected to comment on HB 2369

Increasing legislative transparency by providing mandatory notice and waiting periods before legislative action, banning title-only bills, opening all legislative committees to the public.

### Fill out the form below to leave your bill comment

Required items marked with \*

#### Verify your legislative district

Please enter your home address below:

Street:\*  City:\*  State:\* WA Zip:\*

Verify District

#### Enter your contact information

First Name:\*  Last Name:\*

Email:\*  Confirm Email:\*

Phone Number:  ex. 3605551234 or (360) 555-1234

#### Enter your bill comment

Note: Your bill comment message will be visible to legislators in all districts.

Position:\*

Support Oppose Neutral

Message:\* (1000 characters remaining)

# Web Form Testimony

The Legislature has launched a new comment form on bills this session. According to staff, “Copies of comments are placed in a database for review at the members’ convenience and are distributed to the members e-mail system as they are received.”

These comments, however, are not automatically sent to committee members at the time of a hearing on a bill nor are the comments reflected in the bill reports.

# Web Form Testimony (cont.)

To enhance this new resource, the official committee agenda notice could include a note that testimony may be offered via this web form.

Those checking a box indicating they want their comments to be considered official testimony and entered in the bill report could have their comments sent directly to the committee members the day of the hearing.

# House Public Notice Rules

## House Rule 24 - Duties of Committees

“(A) NOTICE OF COMMITTEE MEETING. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject . . .”

# House Public Notice Rules

## House Rule 24 - Duties of Committees

“(D) (1) Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill. . . .

(8) During its consideration of or vote on any bill, resolution, or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.”

# Senate Public Notice Rules

## Committee Rules 45

“1. At least five days notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.”



# Senate Public Notice Rules

## Committee Rules 45

“2. No committee may hold a public hearing during a regular or extraordinary session on a proposal identified as a draft unless the draft has been made available to the public at least twenty-four hours prior to the hearing. This rule does not apply during the five days prior to any cutoff established by concurrent resolution nor does it apply to any measure exempted from the resolution.”

# Senate Public Notice Rules

## Committee Rules 45

“3. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any committee or subcommittee of the senate shall be open to the public. In case of any disturbance or disorderly conduct at any such deliberations, the chair shall order the sergeant at arms to suppress the same and may order the meeting closed to any person or persons creating such disturbance.”

January 14, 2013

Dear Lawmakers,

As you begin your work on the people's behalf our hope is that you will ensure that the legislative process remains open and transparent so the public can be meaningfully involved. Among the legislative transparency reforms that you should consider is a proposal by the Washington Policy Center that would:

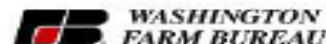
- Provide mandatory public notice and waiting periods before legislative action;
- Ban title only bills; and
- Subject the legislature to the same transparency requirements that are placed on local governments.

We've seen all too often the problems that occur when the public is cut out of the legislative debate. Please give your support to these transparency protections so the people have a real opportunity to participate in the 2013 Session.

Sincerely,

Association of Washington Business  
Greater Pasco Area Chamber of Commerce  
Greater Yakima Chamber of Commerce  
Home Builders Association of Tri-Cities  
Kittitas County Chamber of Commerce  
Lake Chelan Chamber of Commerce  
Moses Lake Chamber of Commerce  
National Federation of Independent Business  
Seattle Metropolitan Chamber of Commerce

Spokane Home Builders Association  
Tri-City Regional Chamber of Commerce  
Walla Walla Valley Chamber of Commerce  
Washington Coalition for Open Government  
Washington Newspaper Publishers Association  
Washington Policy Center  
Washington State Americans for Prosperity  
Washington State Farm Bureau  
Washington State Grange



# HB 2369 and SB 6560

“Increasing legislative transparency by providing mandatory notice and waiting periods before legislative action, banning title-only bills, and opening all legislative committees to the public.”

- Requires at least 72 hrs notice of public hearings with bills listed;
- Requires bills, substitutes and strikers to be available at least 72 hrs before public hearing;
- All bills must receive a public hearing in same session of consideration before they can be voted on;

# HB 2369 and SB 6560

- Ensures consideration of votes on bills occurs in public by prohibiting caucus meetings during a policy committee hearing;
- Bans “title-only” bills;
- Provides 48 hr time out before votes on a bill after it is placed on floor calendar; and
- Provides 24 hr time out before passage on final text to be considered.

# Strong Public Support

**Tri-City Herald** Voice of the  
Mid-Columbia

 **The Columbian**

THE DAILY  
**Herald**

**The Seattle Times**  


**THE SPOKESMAN-REVIEW**

 **TDN.com**  
The Daily News Online · Serving The Lower Columbia

 **THE NEWS TRIBUNE**

**Kitsap Sun**

 **The Olympian**

# Additional Information

- [Presentation: How Nevada's teleconferencing system works](#)
- [Nevada legislature's bill authorizing the teleconferencing process](#)
- [Washington Policy Center's Legislative Wake Up Forums \(videoconference with Eastern Washington\)](#)
- [Alaska's remote testimony teleconference system for citizens](#)
- [Coalition calls on lawmakers to adopt legislative transparency reforms](#)
- [Opening the doors to Olympia with remote testimony](#)
- [HB 2369/SB 6560: Increasing legislative transparency](#)



## Questions?

Jason Mercier  
Director, Center for Government Reform  
Washington Policy Center  
Tri-Cities Office  
(509) 547-2234  
[www.washingtonpolicy.org](http://www.washingtonpolicy.org)