

proposed additional area as is provided herein for the organization of a park and recreation service area, and all electors within both the organized park and recreation service area and the proposed additional territory shall vote upon the proposition for enlargement.

Passed the House February 19, 1973.

Passed the Senate February 28, 1973.

Approved by the Governor March 8, 1973.

Filed in Office of Secretary of State March 8, 1973.

---

CHAPTER 66

[ House Bill No. 268 ]

PUBLIC OPEN MEETINGS ACT--EXCLUSIONS

AN ACT Relating to public officers and agencies; amending section 7, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.070; amending section 11, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.110; amending section 12, chapter 250, Laws of 1971, ex. sess. and RCW 42.30.120; and amending section 14, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.140.

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

Section 1. Section 7, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.070 are each amended to read as follows:

The governing body of a public agency shall 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. Unless otherwise provided for in the act under which the public agency was formed, meetings of the governing body need not be held within the boundaries of the territory over which the public agency exercises jurisdiction. If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day. If by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the presiding officer of the governing body: PROVIDED, That the notice requirements of this chapter shall be suspended during such emergency. It shall not be a violation of the requirements of this chapter for a majority of the members of a governing body to travel together or gather for purposes other than a regular meeting or a special meeting as these terms are used in this chapter; PROVIDED, That they take no action as defined in this chapter.

Sec. 2. Section 11, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.110 are each amended to read as follows:

Nothing contained in this chapter shall be construed to prevent a governing body from holding executive sessions during a regular or special meeting to consider matters affecting national security; the selection of a site or ((the purchase of real estate)) the acquisition of real estate by lease or purchase, when publicity regarding such consideration would cause a likelihood of increased price; the appointment, employment, or dismissal of a public officer or employee; or to hear complaints or charges brought against such officer or employee by another public officer, person, or employee unless such officer or employee requests a public hearing. The governing body also may exclude from any such public meeting or executive session, during the examination of a witness on any such matter, any or all other witnesses in the matter being investigated by the governing body.

Sec. 3. Section 12, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.120 are each amended to read as follows:

Each member of the governing body who attends a meeting of such governing body where action is taken in violation of any provision of this chapter applicable to him, with knowledge of the fact that the meeting is in violation thereof, shall be subject to personal liability in the form of a civil penalty in the amount of one hundred dollars. The civil penalty shall be assessed by a judge of the superior court and an action to enforce this penalty may be brought by any person. A violation of this chapter does not constitute a crime and assessment of the civil penalty by a judge shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense. ((Reasonable expenses, including attorney's fees, shall be awarded the person bringing the action if the suit results in assessment of the civil penalty. The members held to be in violation shall be personally liable only for their pro rata share of the expenses.))

Sec. 4. Section 14, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.140 are each amended to read as follows:

If any provision of this chapter conflicts with the provisions of any other statute, the provisions of this chapter shall control: PROVIDED, That this chapter shall not apply to:

(1) The proceedings concerned with the formal issuance of an order granting, suspending, revoking, or denying any license, permit, or certificate to engage in any business, occupation or profession or to any disciplinary proceedings involving a member of such business, occupation or profession, or to receive a license for a sports activity or to operate any mechanical device or motor vehicle where a license or registration is necessary; or

(2) That portion of a meeting of a quasi-judicial body which relates to a quasi-judicial matter between named parties as

distinguished from a matter having general effect on the public or on a class or group; or

(3) Matters governed by Title 34 RCW, the administrative procedure act, except as expressly provided in RCW 34.04.025; or

(4) That portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by such governing body during the course of any collective bargaining, professional negotiations, grievance or mediation proceedings, or reviewing the proposals made in such negotiations or proceedings while in progress.

Passed the House February 18, 1973.

Passed the Senate February 28, 1973.

Approved by the Governor March 8, 1973.

Filed in Office of Secretary of State March 8, 1973.

CHAPTER 67

[ House Bill No. 277 ]

CODE CITIES' BUDGET-FIXING DAY

AN ACT Relating to budgets in code cities; and amending section 35A.33.060, chapter 119, Laws of 1967 ex. sess. and RCW 35A.33.060; and amending section 8, chapter 95, Laws of 1969 1st ex. sess. and RCW 35.33.061.

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

Section 1. Section 35A.33.060, chapter 119, Laws of 1967 ex. sess. and RCW 35A.33.060 are each amended to read as follows:

Immediately following the filing of the preliminary budget with the clerk, the clerk shall publish a notice once each week for two consecutive weeks stating that the preliminary budget for the ensuing fiscal year has been filed with the clerk, that a copy thereof will be furnished to any taxpayer who will call at the clerk's office therefor and that the legislative body of the city will meet on or before the first ((business day)) Monday of the month next preceding the beginning of the ensuing fiscal year for the purpose of fixing the final budget, designating the date, time and place of the legislative budget meeting and that any taxpayer may appear thereat and be heard for or against any part of the budget. The publication of such notice shall be made in the official newspaper of the city if there is one, otherwise in a newspaper of general circulation in the city or if there be no newspaper of general circulation in the city, then by posting in three public places fixed by ordinance as the official places for posting the city's official notices.