

INITIATIVE 302

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 302 to the Legislature is a true and correct copy as it was received by this office.

1 AN ACT Relating to establishing the office of citizen councilor;
2 and adding new sections to chapter 43.09 RCW.

3 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) Freedom of speech, freedom of petition, and freedom of assembly
6 are hollow rights if people feel unable to be heard.

7 (2) Freedom to be heard is not mentioned in the United States
8 Constitution and thus is a right reserved to the people under the ninth
9 amendment.

10 (3) The accounting profession has fully developed financial audits
11 of tangible accounting for fraud but has not yet developed ways to
12 measure intangible accounting of human assets such as the esprit de
13 corps and stakeholder interests and concerns of citizens in their
14 various roles as taxpayers, clients, patients, consumers, workers, and
15 constituent members of organizations.

16 (4) The economic collapse of Enron and WorldCom and other similar
17 economic experiences demonstrate that there is a need in society to
18 continue to develop intangible accounting procedures of "compliance
19 audits" and "performance audits," now performed by the state auditor,

1 and to develop new "social audits" and "internal audits" of intangible
2 accounting assets to allow all interested citizens to participate in
3 the legitimating of the free enterprise system and its economic and
4 political institutions.

5 (5) The forum foundation is a nonprofit, research corporation of
6 Washington state organized in 1970 to improve the functioning of
7 organizations and society based on futures research and administrative
8 theory conducted at the University of Washington from 1968-70,
9 continued at the church council of greater Seattle from 1971-90,
10 recognized partially by 1993 Senate Resolution 8636 and fully
11 documented in the book *The Leadership of Civilization Building*
12 *(Administrative and Civilization Theory, Symbolic Dialogue, and Citizen*
13 *Skills for the 21st Century)* by Richard J. Spady and Richard S. Kirby
14 in collaboration with Cecil H. Bell, Jr.), 2002, available in Seattle,
15 King County, University of Washington libraries and University and
16 Elliott Bay bookstores, Seattle, and the Cokesbury bookstore in
17 Kirkland.

18 (6) There is a need to create a citizen councilor network of small
19 discussion groups, open to all citizens, self-funded, and using
20 symbolic dialogue to communicate among political and economic leaders
21 and the people at large.

22 (7) Governments have been unable to discuss the merits of citizen
23 participation and zeitgeist communication in a substantive manner to
24 this date.

25 (8) The passage of Initiative Measure No. 695 in 1999, Initiative
26 Measure No. 776 in 2002, and the defeat of Referendum Measure No. 53 in
27 2002 are social indicators that governments, business, media, and
28 community organizations need improved listening skills in order to
29 substitute human responsibility for futile strife and hatreds.

30 (9) The governor has a constitutional responsibility to administer
31 state affairs, the legislature has a constitutional responsibility to
32 enact legislation in the state, and citizens have a political right to
33 be heard and enabled to participate viably with their opinions in their
34 organizations, institutions, and governments in the state in a process
35 of building social capital and improving community mental health and
36 happiness, one of the goals of all governments, for "life, liberty, and
37 the pursuit of happiness."

38 (10) The Washington state auditor has a constitutional
39 responsibility and independently serves the citizens of Washington by

1 promoting accountability, fiscal integrity, and openness in state and
2 local government. The approach of an auditor's work is constantly
3 professionally evolving through new administrative theories involving
4 the use of new symbolic dialogue, in social audits and internal audits
5 of intangible human assets along with regular financial, compliance,
6 and performance audits as done in Washington and other states.
7 Furthermore, in working with these governments in partnerships, the
8 auditor strives to ensure the proper use of public resources to enable
9 its citizens to more clearly envision their future in the theme,
10 "Washington, an inspirational state in pursuit of happiness!"

11 (11) More than two thousand four hundred local governments of
12 thirty-three different types and one hundred sixty-eight state
13 agencies, colleges, universities, boards, and commissions are
14 administered and audited for fiscal accountability of roughly eighty-
15 four billion dollars annually. Furthermore, as relationships are in
16 partnerships with governments, the state auditor reports are
17 constructive management tools for them to use.

18 (12) Accountability is a goal both of administration and auditing,
19 but accountability is fundamental to the work of the state auditor as
20 audits touch heavily on legal compliance with state laws and rules and
21 governmental entities' own policies and ordinances.

22 (13) Similar experiences in other states including Texas, Colorado,
23 Oregon, and Utah have been positive to create a public forum to restore
24 citizens' trust in their governments, expand social capital, and
25 improve community mental health.

26 (14) Washington has long been recognized as a precursor state in
27 social and economic innovation. It was the only state that emerged
28 from the national bicentennial celebration in 1976 to use the last of
29 its resources from royalties to fund ongoing programs in citizen
30 participation. Washington was able to discern that it was not quite
31 volunteerism they were after in the statement: "Give me your body,
32 your hands, your time." Rather Washington was more interested in the
33 theme, "give me your mind," which was significantly different.
34 Furthermore, our nation is now on the verge of major discoveries in
35 social science and some of the major discoveries have been occurring
36 here in Washington state and the greater Seattle area by the forum
37 foundation and was recognized as such in 1993 Senate Resolution No.
38 8636. This recognition has been further augmented by publication in
39 2002 by the forum foundation of (a) *The Leadership of Civilization*

1 *Building (Administrative and Civilization Theory, Symbolic Dialogue,*
2 *and Citizen Skills for the 21st Century)* by Richard J. Spady and
3 Richard S. Kirby with collaboration of Cecil H. Bell, Jr. in Seattle
4 and (b) *Society's Breakthrough! (Releasing Essential Wisdom and Virtue*
5 *in All the People)* by Jim Rough in Port Townsend, and (c) acceptance of
6 the fast forum technique by the Washington association of churches to
7 inaugurate research in a youth religious councilor network.

8 (15) It is natural in our democratic republic that the citizens of
9 Washington state be invited to participate in its governing processes
10 within their time and energy levels in the exercise of their political
11 rights whenever possible and help the governor, legislature, and the
12 state auditor in their constitutional responsibilities to administer,
13 legislate, and monitor all governments, public entities, and public
14 funds.

15 NEW SECTION. **Sec. 2.** The legislature recognizes that some
16 citizens have difficulty accessing political processes that rely on
17 public hearings held at locations that are often distant or held at
18 inappropriate times from their residence or workplace. To increase
19 public participation in the political process, the legislature intends
20 to establish and support a self-funding pilot process in cooperation
21 with the state auditor and the secretary of state by which citizens can
22 receive information about public issues and provide feedback to elected
23 officials in a convenient, timely manner and local setting.

24 NEW SECTION. **Sec. 3.** (1) The office of citizen councilor is
25 created in accordance with section 13 of this act. Any citizen
26 registered to vote, or who lives or works in Washington but is not a
27 registered voter, who volunteers to act as an official government
28 advisor may become a citizen councilor on request by sending a letter
29 to the state auditor or by calling a special toll-free number and
30 subscribing to a nominal fee as set by the state auditor to recover
31 substantially the direct costs from citizen participation in the
32 program. The indirect costs of public officials, university, and
33 government employee participation to provide information to citizen
34 councilors in their dialogues and deliberations shall be borne by the
35 government entity or university participating. Citizen councilors
36 shall act collectively as official advisors or a sounding board for the
37 governor, the legislature, the state auditor, or other public officials

1 and agencies such as the department of community, trade, and economic
2 development on issues of public interest or concern. Conveners of
3 citizen councilor groups shall be those designated by the citizen
4 councilor coordinator or deputy citizen councilor coordinator under
5 sections 7 and 8 of this act from among citizen councilors who
6 volunteer to host a group. Every effort shall be made to assign
7 citizen councilors to a group that meets at a convenient time and place
8 for those participating. Meetings will usually be in small groups
9 meeting in related resident or work area zip codes.

10 (2) Citizen councilors may participate:

11 (a) In a citizen councilor group of approximately eight to twelve
12 persons organized by residence or work area zip code with the
13 assistance of the citizen councilor coordinator;

14 (b) In a citizen councilor organizational group under sections 9
15 and 10 of this act; or

16 (c) As an individual if the individual is unable to attend meetings
17 in groups due to age, disability, remote location, or personality
18 conflict.

19 (3) Citizen councilors will be reassigned a group on request to
20 assure that their group meeting place, time, and makeup is convenient
21 and compatible, or the citizen councilor coordinator may make
22 individual assignments of a councilor when deemed necessary.

23 (4) For the purposes of this section and sections 4 through 13 of
24 this act, "councilor" means an official advisor to a sovereign or chief
25 magistrate.

26 NEW SECTION. **Sec. 4.** (1) The state auditor shall prepare by March
27 1st of each year a citizen councilor network opinionnaire as a social
28 audit using the fast forum technique as developed by forum foundation
29 research. This initial opinionnaire shall be based on the state of the
30 union address of the president of the United States together with a few
31 "performance audit" questions posed by the state auditor and consist of
32 four pages of approximately twenty-three to thirty questions. In
33 addition, legislators from each legislative district may submit to the
34 state auditor by February 1st a list of approximately twenty to twenty-
35 seven questions to be appended to the state of the union questions for
36 response of citizen councilors in their own district. The state
37 auditor may append questions in a district if the legislators of a
38 district do not do so. If district legislators cannot agree together

1 on the questions to be submitted, then each senator shall get one-half
2 the space available as determined by the state auditor and each
3 representative shall be given one quarter. The state auditor or the
4 state auditor's representative may edit all questions submitted for
5 grammar and style with the overall opinionnaire format.

6 (2) The governor may prepare by March 15th of each year a citizen
7 councilor network opinionnaire to be administered by the state auditor
8 and using the fast forum technique as developed by forum foundation's
9 research. The opinionnaire shall be based on the state of the state
10 address or other concerns of the governor and consist of four pages of
11 approximately twenty-three to thirty questions with editing by the
12 state auditor to assure a style consistent with the state of the union
13 address or typical yes/no, multiple choice, Likert, or end-anchor value
14 questions used by the fast forum technique. In addition, legislators
15 from each legislative district may submit to the state auditor by the
16 end of April a list of approximately twenty to twenty-seven questions
17 to be appended to the state of the state questions for response of
18 citizen councilors in their district. The state auditor may append
19 questions in a district if the legislators of a district do not do so.
20 If district legislators cannot agree together on the questions to be
21 submitted, then each senator shall get one-half the space available as
22 determined by the state auditor and each representative shall be given
23 one-quarter. The state auditor or the state auditor's representative
24 may edit all questions submitted for grammar and style with the overall
25 opinionnaire. If the governor does not prepare a citizen councilor
26 network opinionnaire by March 15th, the state auditor will convene a
27 citizen's wisdom council to select the issue or issues for
28 consideration partially based on concepts in the book *Society's*
29 *Breakthrough! (Releasing Essential Wisdom and Virtue in All the*
30 *People)*, 2002, by Jim Rough of Port Townsend in accordance with
31 sections of this act.

32 NEW SECTION. **Sec. 5.** (1) On request of the state auditor, the
33 secretary of state shall select a citizen's wisdom council composed of
34 twelve statewide registered voters selected randomly by lot using
35 public lotto-type mechanical drawing procedures to symbolically
36 represent the people of the state of Washington and ascertain that all
37 selected are willing to participate and to make random replacements if
38 necessary.

1 (2) In any event, the state auditor shall convene a citizen's
2 wisdom council annually and appoint a facilitator to the council who is
3 experienced in helping diverse people reach unanimous conclusions on
4 difficult topics. The purpose of the citizen's wisdom council is to
5 create the next agenda for the citizen councilor network. Before
6 adjournment, the citizens wisdom council will prioritize their
7 statements generated concerning the agenda for the state auditor by
8 consensus or failing that by majority rule. The state auditor shall
9 establish policies and procedures for convening the citizen's wisdom
10 council, and will promote widespread media coverage of the event.
11 Results of the citizen's wisdom council at its conclusion will be
12 presented in a public ceremony.

13 (3) The expenses and standard per diem allowances for legislators
14 will be provided to the members of the citizen's wisdom council for
15 their work and a professional honorarium will be paid to the
16 facilitator under sections 11, 12, and 13 of this act.

17 (4) The state auditor will assign the topics and priority of the
18 citizen's wisdom council to the citizen councilor coordinator for
19 development of an opinionnaire and supportive materials by one or more
20 value reporters in accordance with section 6(2) of this act and effect
21 the social audit and symbolic dialogue network.

22 NEW SECTION. **Sec. 6.** (1) Other than the state of the union, state
23 of the state, and citizen's wisdom council opinionnaire and materials,
24 the state auditor shall determine suggested issues for public dialogue
25 and deliberation in a social audit approximately quarterly but not more
26 than monthly from suggestions received from the governor, the
27 legislature, state and local public officials, agencies, counties,
28 municipalities, and individual citizen councilors and recommend an
29 appropriate issue or issues for consideration by the citizen councilor
30 network to a steering committee and under subsection (2) of this
31 section. An advisory citizen councilor steering committee shall be
32 composed of the following nonvoting members: (a) A representative from
33 the governor's office; (b) legislative members: One member of the
34 minority party and one member of the majority party from each house of
35 the legislature; (c) a representative from the superintendent of public
36 instruction; (d) a representative from each county; (e) a
37 representative from each regional government; (f) a representative of
38 higher education; (g) a representative from the association of

1 Washington cities; (h) a representative from any organization
2 participating with over fifty groups of eight to twelve persons under
3 section 10 of this act; (i) the citizen councilor coordinator and
4 deputy citizen councilor coordinator selected as provided in section 7
5 of this act; and (j) others invited by the state auditor. All will
6 serve without remuneration except if expenses are provided otherwise by
7 law by their own agency to public persons attending. Travel expenses
8 may be provided on request to steering committee members if funds are
9 available at the sole discretion of the citizen councilor coordinator
10 or deputy citizen councilor coordinator.

11 (2) After consideration and advice by the members of the steering
12 committee, the state auditor, as an elected public official, shall
13 determine and assign the issue or issues approved for discussion to the
14 volunteer citizen councilor coordinator for preparation and
15 implementation by value reporters and others, except that the first
16 meeting of a group will be an orientation meeting prepared by the state
17 auditor unless the group was organized and already functioning under
18 the auspices of the Washington association of churches or others before
19 the effective date of this act. Value reporters assigned to gather
20 information on issues shall be careful to present all issues as
21 evenhandedly as possible, taking care to present the generally
22 prevailing viewpoints surrounding an issue or issues from experts,
23 officials, scholars, and others in an effort to provide the public with
24 information needed for discussion. Value reporters shall represent the
25 people's right to know and will conduct interviews of experts,
26 officials, scholars, and others to solicit their various viewpoints and
27 record such interviews on audio or videotape for later reproduction and
28 distribution to citizen councilor groups. Before any materials are
29 released to citizen councilor groups, however, persons interviewed and
30 taped shall approve their taped interview for release or complete
31 another interview to their satisfaction, otherwise their statement
32 shall not be included in materials sent to citizens.

33 (3) The state auditor shall refer the public information material
34 prepared by the citizen councilor coordinator, deputy citizen councilor
35 coordinator, and their staffs to the steering committee for its review
36 and recommendations. The governor for his state of the state address
37 and the state auditor for all other opinionnaire materials shall make
38 the final determination of all materials distributed to citizen
39 councilors.

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

12 NEW SECTION. **Sec. 8.** The citizen councilor coordinator and deputy
13 citizen councilor coordinator shall:

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

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

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

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

25 (5) Contract for any services including without limitation a toll-
26 free telephone number and answering service, keying, optical scanning,
27 computer tabulation, recording, reporting, research, consulting,
28 printing, and mailing to carry out sections 1 through 13 of this act;

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

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

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

36 (9) Assign value reporters to interview scholars, experts, public
37 officials, planners, leaders, and others on tape concerning topics of
38 discussion assigned by the state auditor;

1 (10) Produce audio or video cassette tapes, or both, and printed
2 materials as evenhandedly as possible;

3 (11) Mail or distribute by e-mail public information materials to
4 citizen councilor communicators for conveners or individual citizen
5 councilors, or both, after final approval by the state auditor;

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

10 (13) Use machine-scan, interactive telephone, or computer
11 technology, or all three, to record citizen councilor responses and
12 tabulate data;

13 (14) Mail organizational, community, school, business, or church
14 profiles to the leaders of such participating organizations for their
15 information and without cost when they have over fifty groups
16 responding statewide. Such information shall be filed for public
17 review;

18 (15) Prepare summary reports of data generated and press releases
19 and post the data for public analysis on a web site when the technology
20 is available;

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

25 (17) Maintain data generated for public and media reference in the
26 state auditor's office and/or posted on a web site for public access.

27 The secretary of state will cooperate with the state auditor on
28 request by providing information on initiatives, referendums, and the
29 Washington state voters' pamphlet for the consideration of the citizen
30 councilor network in their dialogues and deliberations.

31 NEW SECTION. **Sec. 9.** The citizen councilor coordinator shall
32 actively encourage citizen councilor groups to form throughout the
33 state. Citizen councilor groups shall usually consist of a minimum of
34 eight and a maximum of twelve regularly assigned members and meet on
35 call of their convener at times and places they deem most appropriate
36 during a thirty-day or other designated time period. Citizen councilor
37 groups might normally meet approximately two or three times per year on
38 state issues, one or two times on county or municipal issues, and one

1 time on federal issues in response to the president of the United
2 States through the state of the union address. They shall have the
3 opportunity to listen to audio or videotapes articulating an issue of
4 public interest or concern and study other materials prepared or
5 authorized as described in section 4 of this act. Citizen councilors
6 shall have the opportunity to respond anonymously making their opinions
7 known on individual mark-sense response sheets or other interactive
8 response technology for return to the citizen councilor coordinator for
9 tabulation and analysis.

10 NEW SECTION. **Sec. 10.** Eight through twelve citizens from
11 organizations such as, but not limited to, community service, civic
12 associations, cooperatives, unions, religious, business, or school
13 district groups may enroll as an organizational group with their own
14 communicator and convener designated. An organizational profile report
15 shall be provided the leaders of organizations with fifty or more
16 groups without cost to inform them of how their members responded to
17 public issues posed as approved by the state auditor and others and
18 shall be open to public inspection in the office of the state auditor
19 or posted on a web site for public analysis. If additional profiles or
20 services are requested by an organization of its own constituents, the
21 policy, rules, and fees to cover such costs shall be paid separately.
22 Organizations with fifty or more groups may purchase mailing labels of
23 their group conveners from the state auditor and prepare and mail their
24 own group materials for tabulation at their own effort and expense.
25 These data shall not be tabulated by the citizen councilor coordinator
26 and shall not be combined with the public data nor available for public
27 inspection at the office of the state auditor.

28 NEW SECTION. **Sec. 11.** (1) Each citizen councilor shall be asked
29 to make donations from time to time to help cover the costs of the
30 citizen councilor program estimated at ten dollars per person per year
31 at present costs. It is also the intention of the state auditor that
32 donations and gifts be solicited from public-spirited individuals,
33 businesses, and foundations to assist in the funding of the program and
34 to provide scholarships to unemployed or low-income citizens. However,
35 since all direct costs of this program are provided by donations and
36 subscriptions with no funds from public sources, the citizen councilor
37 coordinator shall use his or her discretion in determining the scale

1 and the scope of the program so that expenses do not exceed available
2 funds.

3 (2) Libraries will be encouraged to participate and allow citizens
4 who are not members of a citizen councilor group to respond to the
5 state of the union opinionnaire with appended questions by district
6 legislators as well as state of the state with appended questions and
7 wisdom council opinionnaires. A citizen may purchase a machine-
8 scannable response sheet from a library at a price to cover the direct
9 costs to the library plus an amount to cover indirect costs. Current
10 costs are twenty-five cents per sheet direct cost to an organization
11 that includes scanning and tabulation of data plus twenty-five cents to
12 the library to cover indirect costs of administration which results in
13 fifty cents per sheet for the citizen.

14 NEW SECTION. **Sec. 12.** A citizen councilor revolving fund is
15 created and shall consist of donations and subscriptions collected
16 under sections 1 through 13 of this act and any moneys appropriated to
17 it by law for specific purposes. The state treasurer shall be
18 custodian of the revolving fund. Disbursements from the revolving fund
19 shall be on authorization of the citizen councilor coordinator or
20 deputy citizen councilor coordinator. In order to maintain an
21 effective expenditure and revenue control, the citizen councilor
22 revolving fund shall be subject in all respects to chapter 43.88 RCW,
23 but no appropriation is required to permit expenditures and payment of
24 obligations from the fund.

25 NEW SECTION. **Sec. 13.** (1) The state auditor shall establish the
26 office of citizen councilor and will provide the citizen councilor
27 coordinator and his or her volunteer staff with space in existing
28 offices. Appropriations are not required, but the state auditor may
29 consider the services provided under this section in submitting its
30 budget.

31 (2) The citizen councilor coordinator shall seek donations from
32 citizen councilor organizational groups, citizen councilors, public-
33 spirited individuals, community service organizations, businesses, and
34 foundations to help cover the costs of the program. When ten thousand
35 dollars in donations have been received, the state auditor shall
36 authorize the citizen councilor coordinator to establish a toll-free
37 telephone number and answering service to develop a list of the names,

1 addresses, and telephone numbers of persons and groups interested in
2 serving as citizen councilors, citizen councilor communicators and/or
3 conveners, and communicators and conveners in citizen councilor
4 organizational groups, or in making donations. Whenever possible, the
5 names, addresses, and legislative districts of registered voters
6 maintained by the secretary of state shall be copied to reduce costs of
7 the state auditor while increasing accuracy of the citizen councilor
8 records. When ten thousand dollars in additional donations have been
9 received, the citizen councilor coordinator may initiate the new
10 communication process contemplated in sections 1 through 13 of this act
11 and continue it at a scope and scale that is supportable by the
12 resources available.

13 (3) In the event the program under sections 1 through 13 of this
14 act fails to support its direct costs and is necessary to be terminated
15 by the state auditor, funds remaining after payment of all outstanding
16 expenses and disposal of equipment and supplies owned shall be
17 deposited in the general fund.

18 (4) The theory, programming, and procedures in this act are
19 pioneering and have never been used at the state level before in an
20 effort to design new audit processes to measure intangible human assets
21 of esprit de corps and the concerns and interests of stakeholder
22 citizens. The state auditor, as an elected public official and
23 constitutionally charged to monitor state government and perform
24 appropriate tangible asset financial audits and intangible asset
25 compliance, performance, social, and internal audits, shall be given
26 the widest discretion possible in resolving problems that might arise
27 in administration of this new professional technology project if
28 necessary.

29 NEW SECTION. **Sec. 14.** Sections 1 through 13 of this act are each
30 added to chapter 43.09 RCW.

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