
From: [REDACTED]
Sent: Thursday, December 15, 2022 6:28 PM
To: [REDACTED]

Subject: RE: Isn't participation and attendance one in the same on zoom and in person per the Act?

The OPMA is pretty much silent on what information an agency can require for people to participate in public comment. 42.30.040 says that people cannot be required to provide any information in order to *attend* a meeting. The new section on public comment adopted in 2022, 42.30.240, doesn't really address the topic of what information needs to be provided, either. The attorney general's open government resource manual (<https://www.atg.wa.gov/Open-Government-Resource-Manual/Chapter-3>) is also silent on it. And the MRSC OPMA guide really doesn't address it either.

My advice to an agency about public comment would be that they shouldn't ask for more than the name of the person speaking, for putting in the minutes of the meeting. They don't need an address, or to know if you live in the jurisdiction, or what topic you intend to address, because none of those things are germane.

In [REDACTED] we ask people to sign up to speak in public comment because it helps us get their names spelled right, and we call on people who have signed up in the order they signed up, but we *always* ask if anyone else (online or in person) wishes to address the council even if they haven't signed up – so signing up is not a condition of being able to speak.

In formal public hearings on a particular topic it really helps the speaker to have provided accurate information for the record, because only those people who commented on the matter secure the right to appeal the decision later (e.g. under LUPA for land use decisions). And since a public hearing is about a particular matter, the chair can require people's comments to be relevant to that topic – it's not a wide-open forum like a general public comment period.

In the legislature, for committee meetings, they ask people to specify what bill they want to speak on, whether they're speaking in support, opposition, or with concerns, if they represent any particular organization, etc., because that all goes in the bill report; the for/against information is used to alternate back and forth between proponents and opponents so that one side doesn't monopolize all the time. But that's really not necessary in a local government public comment period.

From: [REDACTED]
Sent: Thursday, December 15, 2022 2:40 PM
To: [REDACTED]
Subject: Isn't participation and attendance one in the same on zoom and in person per the Act?

Hi [REDACTED]

When using zoom or in person at school board meeting and a participant/attendee wishes to make public comment doesn't the act no longer require the demands by a district to pre-register with name, address, topic they wish to discuss? I mean WTH! Raise hand using Zoom is there just for that.

And our school district sure doesn't get more than two, maybe three folks who want to comment. The only exception is at hearings. The last one it was only me, the two before that there was three.

