



STATE OF WASHINGTON

## SENTENCING GUIDELINES COMMISSION

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### SENTENCING GUIDELINES COMMISSION BYLAWS

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#### **Article I      Officers of The Sentencing Guidelines Commission**

The presiding officer of the sentencing guidelines commission denominated the “chairperson” shall be appointed by the governor. The chair shall call and preside over all meetings of the sentencing guidelines commission, appoint the presiding officers and members of subcommittee of the sentencing guidelines commission except as specifically provided herein, and do all such other things as are appropriate for or delegated to such officer by the sentencing guidelines commission; (2) a vice-chair, appointed by the chairperson of the sentencing guidelines commission, shall preside in the absence of the chair as well as act for the chair and the sentencing guidelines commission under direction; (3) in the absence of both the chair and vice-chair, an acting vice-chair, appointed by the sentencing guidelines commission shall preside at that meeting of the sentencing guidelines commission.

#### **Article II      Meetings of The Sentencing Guidelines Commission**

- (1) The sentencing guidelines commission shall meet at the call of its chair or upon request of any three members of the sentencing guidelines commission.
- (2) Subcommittees, advisory committees shall meet upon the call of their respective presiding officers.
- (3) The sentencing guidelines commission meets the definitions of a “public agency” and its members are the “governing body” executing the purpose of the sentencing guidelines commission. This makes it subject to the Open Public Meetings Act, Chapter 42.30 RCW.

### **Article III Absences of Members From Meetings**

Any member who misses three consecutive meetings will have the fact called to that member's attention by the chair of the sentencing guidelines commission with the request that the member reconsider his or her ability to continue as a member. This includes members who send designees in their place for three consecutive meetings. The chair shall also advise the governor of situations regarding absenteeism which the chair deems appropriate to call to the attention of the governor and request that the governor consider a replacement for that member.

### **Article IV Quorum**

A quorum for the transaction of business, except actions taken pursuant to RCW 9.94A.870 or 9.94A.875 shall constitute no fewer than a simple majority of the voting members appointed. The members present at a meeting at which a quorum is not present may elect to proceed with the business of the meeting subject to ratification of all action taken whenever a quorum is next present at a meeting.

### **Article V Participation and Discussion during Sentencing Guidelines Commission Meetings, Rules of Order, and Forms of Action**

- (1) Only duly appointed members or his or her designee of the sentencing guidelines commission and such other persons as are recognized by the chair shall be permitted to participate in the discussion of any matter before the sentencing guidelines commission unless otherwise authorized by a majority of the members of the sentencing guidelines commission present and voting.
- (2) A period of time, as determined by the Chair, will be provided at the end of each regular and special meeting for public comment. Comments not provided during the meeting can be submitted via email to staff who will distribute them to members.
- (3) The business of the sentencing guidelines commission shall be conducted in accordance with *Robert's Rules of Order*, new edition, unless such rules are suspended or unless otherwise provided for by these rules.
- (4) The sentencing guidelines commission shall act by the adoption of a motion or a resolution.

### **Article VI Voting Procedures**

- (1) Voting during meetings of the sentencing guidelines commission shall be recorded.
- (2) The chairperson shall have the same voting rights as any other members of the sentencing guidelines commission.
- (3) Only duly appointed members of the sentencing guidelines commission or their designees with explicit member authority shall be permitted to vote on any issues before the sentencing guidelines commission. No proxies, except a member's proxy exercised by his or her designee, shall be permitted to vote. If no explicit authority is presented to the Chair or staff prior to the meeting, the designee may not vote. If the designee votes without explicit authority, the vote will not be counted.

- (4) Action by the sentencing guidelines commission will be determined by a simple majority vote in accordance with quorum requirements.
- (5) Any member on the sentencing guidelines commission or designee who has a direct or indirect personal interest in a contract or application before the sentencing guidelines commission will withdraw himself/herself from voting on that matter. The sentencing guidelines commission member may, however, participate in discussions and answer questions from other sentencing guidelines commission members.

## **Article VII Minutes**

- (1) All meetings of the sentencing guidelines commission and designated subcommittees will have staff available to make a written record concerning the actions of the commission.
- (2) Upon termination of the sentencing guidelines commission meeting, the minutes shall be promptly recorded and submitted to the commission members for final approval.
- (3) At the next scheduled meeting of the sentencing guidelines commission, the minutes shall be reviewed by the commission and any amendments or changes will be made. The commission will then adopt the minutes as final. Designated subcommittee notes will be recorded and mailed to the subcommittee members. These notes will be automatically approved and adopted if there are no suggested changes.
- (4) The chair of the sentencing guidelines commission will sign the approved commission meeting minutes. The minutes will then be placed in appropriate folders for a permanent record, subject to audit and public inspection.

## **Article VIII Change in Bylaws**

- (1) A section or subsection of the bylaws may be reviewed for change at the request of any voting member of the sentencing guidelines commission.
- (2) A change in the bylaws must be approved by a simple majority vote of the sentencing guidelines commission.