

HOUSE BILL REPORT

E2SSB 6426

As Reported By House Committee On:
State Government
Appropriations

Title: An act relating to public electronic access to government information.

Brief Description: Providing public electronic access to government information.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Sutherland, Ludwig, Talmadge, Quigley, Vognild, Williams, Owen, McCaslin, Amondson, Hochstatter, West, Erwin, Bauer, Pelz, A. Smith, Hargrove, Skratek and Oke).

Brief History:

Reported by House Committee on:
State Government, February 24, 1994, DPA;
Appropriations, February 28, 1994, DPA(SG).

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass as amended. Signed by 9 members: Representatives Anderson, Chair; Veloria, Vice Chair; Reams, Ranking Minority Member; L. Thomas, Assistant Ranking Minority Member; Campbell; Conway; Dyer; King and Pruitt.

Staff: Kenneth Hirst (786-7105).

Background: With certain exceptions, candidates for state and local elective offices, political committees, and campaigns making independent political expenditures must file reports with the Public Disclosure Commission regarding campaign financing. Candidates, elected officials, certain state appointed officials, and certain state professional staff must file statements with the commission regarding their personal financial affairs and the financial affairs of their immediate families, including the receipt of gifts received in connection with their offices. Certain lobbyists of state government must register with the commission. Registered lobbyists and their employers, as well as those conducting certain grassroots lobbying campaigns, must file reports with the commission regarding their lobbying and governmental activities. State agencies must also file reports regarding lobbying activities.

Summary of Amended Bill:

PDC Records. Contingent on the availability of funds, the Public Disclosure Commission (PDC) must, by January 1, 1995, design a program for electronic access to the public documents filed with the commission. Documents available in the program must include PDC meeting schedules, financial affairs reports, contributions reports, expenditure reports, and gift reports. Also subject to the availability of funds, the PDC must develop and provide those who file reports with the commission a system for certifying the reports they have filed electronically or by facsimile.

Task Force. A Public Information Access Policy Task Force is created. It is composed of: the State Librarian and the Director of the Department of Information Services, or their designees, who serve as the co-chairs of the task force; five representatives of the general public and four representatives of state and local governmental agencies who are appointed by the Governor; four state legislators, two each appointed by the Speaker of the House and the President of the Senate; and, at the option of the Chief Justice of the Supreme Court, a representative of the judicial branch appointed by the Chief Justice.

The task force is to identify specific means of encouraging and establishing widespread, public, electronic access to the public records held by state and local government. Its study does not include providing the type of services beyond such access that would be provided by a vendor for commercial purposes, such as through a geographic information system.

The task force must report to the Legislature and the Governor its initial recommendations by December 1, 1994, and its final recommendations by December 1, 1995. The task force ceases to exist on June 30, 1996.

Amended Bill Compared to Engrossed Second Substitute Bill:

The composition of the task force and the content and deadlines established for its reports are altered by the amendment.

Fiscal Note: Requested February 18, 1994.

Effective Date of Amended Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: (1) The bill requires PDC records to be made computer available by next year because these records do not involve content issues regarding disclosure. A task force would look at providing computer access to other public

documents for recommendations regarding content and availability for computer connection. (2) Providing computer access to public documents is not a leading edge concept; Idaho and California are already providing such access. (3) The cost of distributing information electronically to inform the public is very low.

Testimony Against: (1) The bill prior to amendment requires a study that is not privacy sensitive and will not result in access to a broad part of the public. The proposals of the office of the Superintendent of Public Instruction regarding the bill before it was amended by the Senate conflict with privacy needs. (2) Citizens, not just agency personnel, should be appointed to the task force. (3) The deadlines established by the bill prior to amendment are unrealistic. (4) If the task force is to study geographic information systems, it should be composed of stakeholders in that issue.

Witnesses: (In favor) Senator Sutherland, prime sponsor; Melissa Warheit, Public Disclosure Commission; Nancy Zussy, State Library; and John Servais. (Requesting changes in the task force and its study) Janeanne Dubuar, Computer Professionals for Social Responsibility; Jeff Michka, Coalition of Washington Communities; Rowland Thompson, Allied Daily Newspapers and Association of Washington Broadcasters; Diane Kramer, Washington Newspaper Publishers Association; Sam Hunt, Department of Information Services; and Ron Wagner, TRW.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on State Government. Signed by 25 members: Representatives Sommers, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn; Dunshee; G. Fisher; Foreman; Jacobsen; Leonard; Linville; H. Myers; Peery; Rust; Sehlin; Sheahan; Stevens; Talcott; Wang and Wolfe.

Staff: Pam Madson (786-7148).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on State Government: No new changes were recommended.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The scope of the striking amendment is narrowed considerably from the original bill. The Public Disclosure Commission (PDC) will be making information available electronically that they now make available in hard copy. Users will use the system at their expense. It will provide a quicker turnaround of information. Those who file with the PDC may now file electronically.

Testimony Against: None.

Witnesses: Senator Dean Sutherland, prime sponsor (in favor).