

HOUSE BILL REPORT

HB 1371

As Reported By House Committee On:
Energy & Utilities

Title: An act relating to the privacy of information collected for emergency communications networks.

Brief Description: Protecting the privacy of certain information collected for emergency communications networks.

Sponsors: Representatives Fuhrman, H. Myers, Morton, Grant, Sehlin, Ludwig, Edmondson, G. Cole, Ballard, Thomas, Vance, Wood, Ballasiotes, Brough, Chandler, Horn, Miller, Franklin, Long, Sheahan, Forner, Cooke, Talcott, Reams and Casada.

Brief History:

Reported by House Committee on:
Energy & Utilities, February 25, 1993, DPS.

HOUSE COMMITTEE ON ENERGY & UTILITIES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Grant, Chair; Finkbeiner, Vice Chair; Casada, Ranking Minority Member; Miller, Assistant Ranking Minority Member; Johanson; Kessler; Kremen; Long; and Ludwig.

Staff: Harry Reinert (786-7110).

Background: Washington's electorate approved the Public Disclosure Act as Initiative 276 in the November 1972 general election. In addition to requirements relating to campaign financing, lobbyist reporting, and public officials' financial affairs, the Public Disclosure Act (PDA) also provides for public access to public records. The PDA requires all state and local governments, and all of their agencies, to make available for public review and copying most agency records. There are a number of specific exemptions. These exemptions range from personal information in employment records to financial information supplied as part of loan applications to domestic violence center records.

Since 1981, counties in Washington have been authorized to impose an assessment on telephone access lines to pay for emergency response telephone systems, commonly referred to

as "911" systems. The state's privacy statute has also included a specific exemption from the wiretap statute for these systems, excluding them from the general prohibition against recording telephone calls without the consent of both parties to the communication.

In 1992, the Legislature passed legislation creating a statewide emergency communications network for enhanced 911 (E-911) service. Counties, either individually or jointly with other counties, are required to establish E-911 service by the end of 1998. An advisory committee has been created to assist the counties in establishing the systems. A state E-911 tax was approved by the voters in the November 1992 general election to assist the smaller counties in paying for the cost of the system.

Summary of Substitute Bill: Databases and other compilations of data maintained by emergency response systems are exempt from public disclosure under the Public Disclosure Act.

Substitute Bill Compared to Original Bill: The original bill excluded from public disclosure all information maintained by an emergency response system.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Emergency management systems may have information that is of a sensitive or personal nature. People may be less willing to cooperate with the response systems if they know this information is available for public inspection.

Testimony Against: The press frequently reviews recordings of emergency response systems to assess police and fire response to emergencies. Prohibiting public disclosure of this information will make it difficult to assure the public that these agencies are responding to emergencies in a timely manner.

Witnesses: Rep. Steve Fuhrman, prime sponsor; Heather Douglas, Stevens County 911 (pro); Roland Thompson, Allied Daily Newspapers (con); K.O. Rosenberg, Stevens, Ferry, and Pend Oreille Counties (pro); Diana Kramer, Washington Newspaper Publishers Association (con); and Ken Beck, Department of Community Development (pro, in concept).