

SENATE BILL REPORT

SB 6142

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 4, 1994

Brief Description: Exempting materials submitted for certification under chapter 39.19 RCW from public records disclosure requirements.

SPONSORS: Senators Fraser, Sheldon, Prentice and Winsley; by request of Office of Minority and Women's Business Enterprises

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6142 be substituted therefor, and the substitute bill do pass.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Niemi, Quigley, Roach, Schow and Spanel.

Staff: Dick Armstrong (786-7460)

Hearing Dates: February 4, 1994

BACKGROUND:

The Legislature created the Office of Minority and Women's Business Enterprises in 1983 in order to increase the level of participation by minority and women-owned businesses in state contracts with the private sector. The office is required to establish annual overall goals for participation by qualified minority and women-owned businesses for each state agency and institution of higher education. The goals are established for public works as well as the procurement of goods and services and may be administered on a contract-by-contract basis or a class-of-contracts basis.

The Office of Minority and Women's Business Enterprises is responsible for maintaining a central list of minority and women's business enterprises that have been certified by the office for use by state agencies and educational institutions. The information submitted by businesses for certification purposes is not exempt from public disclosure. Business-related financial information that is required for participation in a number of other state programs is exempt from public disclosure.

SUMMARY:

Financial statements, tax records and business plans that are submitted to the Office of Minority and Women's Business Enterprises by a person, firm or corporation in order to be certified as a minority or women-owned business are exempt from public inspection and copying under the Public Disclosure Act.

EFFECT OF PROPOSED SUBSTITUTE:

It is clarified that records submitted to OMWBE which establish ownership or control of the business are not exempt from public inspection.

Appropriation: none

Revenue: none

Fiscal Note: none requested

Effective Date: July 1, 1994

TESTIMONY FOR:

The bill will put women and minority business on a level playing field because competitors will no longer have access to business records.

TESTIMONY AGAINST:

This type of information should be available for public inspection in order to insure that businesses are in fact owned and controlled by women and minorities.

TESTIFIED: Jim Medina, OMWBE (pro); Roland Thompson (con)