

5362

Sponsor(s): Senators A. Smith, Niemi, Pelz, Spanel and Quigley

Brief Description: Requiring full disclosure of civil court proceedings relating to public hazards.

SB 5362.E - DIGEST

(DIGEST AS ENACTED)

Requires full disclosure of civil court proceedings relating to public hazards.

Provides that any person who violates an order publishing or sealing information shall be in contempt of court.

Authorizes actions for declaratory relief.

VETO MESSAGE ON SB 5362

April 12, 1993

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 6, Engrossed Senate Bill No. 5362 entitled:

"AN ACT Relating to full disclosure of civil court proceedings relating to public hazards."

Section 6 of Engrossed Senate No. 5362 is an emergency clause which implements this bill on July 1, 1993. I do not believe that the early effective date is appropriate in this case. The purpose of ESB 5362 is to inform the public of the existence of public hazards, such as products or instrumentalities which pose a danger of damage or injury to the public, by establishing as the public policy of this state that information regarding the existence of such hazards not be sealed by court order nor concealed by private contract or agreement. It is not the intent of this bill to disclose trade secrets or other proprietary information protected under existing statutes, case law and court rules. The existence of a public hazard will be determined by the courts and only such information as the court determines to be necessary to inform the public of the existence and nature of the hazard will be subject to the disclosure requirements of the bill.

With the exception of section 6, Engrossed Senate Bill No. 5362 is approved.

Respectfully submitted,
Mike Lowry
Governor