

SENATE BILL REPORT

SB 6689

As of February 2, 1998

Title: An act relating to ensuring equal opportunity without quotas in public employment, education, and contracting.

Brief Description: Ensuring equal opportunity in public employment, education, and contracting.

Sponsors: Senators Prince, Winsley, Kline, B. Sheldon, Haugen, Goings, Fraser, Fairley, Wood and Thibaudeau.

Brief History:

Committee Activity: Law & Justice: 2/4/98.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: David Johnson (786-7754)

Background: Generally, the law prohibits discrimination based on race, gender, and ethnicity. However, the Supreme Court has ruled that state agencies may take such factors into consideration as part of affirmative action programs. Some agencies have programs in place which consider these factors in hiring, contracting, and education. There has been criticism of the use of quotas in these types of programs.

Summary of Bill: The use of quotas in public employment, education, and contracting is prohibited. A quota is defined as a fixed number requirement to be attained, or not to be exceeded, and which violates the federal Constitution.

Programs may consider race, gender, and ethnicity in order to ensure equal opportunity and prevent discrimination, if allowed by the federal Constitution. However, no program may hire unqualified persons.

Agencies may take those actions necessary to comply with federal requirements to receive funds. Courts are not limited in their ability to limit or correct discrimination.

Appropriation: None.

Fiscal Note: Not requested.

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