

HOUSE OF REPRESENTATIVES

Olympia, Washington

Bil Analysis

Bil No. HB 1652

Providing entrepreneurial opportunities  
for disabled persons.

Brief title

Hearing Date 2/17/99

Reps Carlsson and Clements

Sponsor (s)

Staff Steve Andin

State Government Committee

Phone 786-7127

**BACKGROUND:**

The Office of Minority and Women's Business Enterprise developed goals for the participation of qualified minority and women-owned and controlled businesses in state agency and institutional procurement contracts. These goals were to include minority and women-owned and controlled businesses and adopt standard contract clauses for the inclusion of minority-owned businesses.

Each state agency and institution was required to comply with the annual goals established by the agency or institution and adopt a plan to assure that minority and women-owned controlled businesses are afforded the maximum practical opportunity to directly and meaningfully participate in the public contracts by the agency or institution for public work and the purchase of goods and services.

However, Initiative No. 200 (I-200) approved by voters in 1998. Among other provisions, 200 provides that the state shall not grant preferential treatment to any individual on the basis of race or sex in the operation of public contracts. The Governor issued Executive Order No. 98-01 in December of 1998. Among other things, it directed that race and sex may not be used in the final selection of a public contractor and that affirmative action preferences under the Minority and Women's Business Enterprise program shall be discontinued. The directive intended that the goals set under the Minority and Women's Business Enterprise program shall be mandatory that sanctions may not be imposed for failing to comply with the goals and the goals shall not conflict with I-200.

**SUMMARY:**

A five-year program established for businesses that are owned and controlled by disabled persons and apply the provisions of the Minority and Women Business Enterprise program to businesses

certified, including requirements that the goals established for businesses are mandatory requirements for performance on projects not exceed \$25,000 in value. This program commences on July 1, 1999 and ends on June 30, 2004.

No more than 80 businesses may be certified as being owned and controlled by disabled persons and the Office of Minority and Women's Business Enterprise purposes of this program, disabled persons defines a person with physical or mental impairment that substantially limits a major life activity. The impairment must be a medical condition that is diagnosed and must be permanent, but does not include illegal alcohol or drug use or negative effects brought about by the use of drugs or alcohol.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** This bill contains an emergency clause and takes effect July 1, 1999.