

HOUSE BILL REPORT

HB 1542

As Passed Legislature

Title: An act relating to exempting financial or proprietary information provided to the department of community, trade, and economic development from public disclosure.

Brief Description: Exempting certain financial or proprietary information provided to the department of community, trade, and economic development from public disclosure.

Sponsors: By Representatives Van Loven, Gombosky, Fromhold and Dunn; by request of Department of Community, Trade, and Economic Development.

Brief History:

Committee Activity:

State Government: 2/23/01, 2/26/01 [DP].

Floor Activity:

Passed House: 3/9/01, 93-0.

Passed Senate: 4/6/01, 46-0.

Passed Legislature.

Brief Summary of Bill

- Exempts information collected by the Department of Community, Trade, and Economic Development from public disclosure.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Miloscia, Democratic Vice Chair; Schindler, Republican Vice Chair; Haigh, Lambert, McDermott and D. Schmidt.

Staff: Jim Morishima (786-7191).

Background:

I. Public Records Disclosure

Initiative 276, approved by the voters in 1972, requires that all state agencies make all public records available for public inspection and copying unless they fall within certain

statutory exceptions. The provisions requiring public records disclosure must be interpreted liberally and the exceptions narrowly in order to effectuate a general policy favoring disclosure.

Examples of statutory exceptions to the public records disclosure law include: a) personal information in agency files, the disclosure of which would violate an individual's right to privacy; b) financial and commercial information supplied by individuals applying for various programs; and c) residential addresses and telephone numbers of state agency employees.

II. The Department of Community, Trade, and Economic Development (CTED)

One of the duties of the CTED is to conduct research and analysis on market, demographic, and economic trends. The CTED also is required to contract for surveys of business and employment sectors. Some of the data the department receives when fulfilling these duties are sensitive or proprietary in nature.

Summary of Bill:

Information collected by the CTED to conduct research and analysis on market demographic, and economic trends, or in connection with surveys of business and employment sectors is exempt from public inspection and copying. The work product based on this information, however, remains available for public inspection and copying.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: The purpose of this bill is to protect financial and proprietary information. The CTED must collect this information as part of its statutory duties. If businesses feel that this information is not protected from disclosure, they may be reluctant to provide it. This information is necessary to fulfill one of the CTED's core functions: understanding changing economic trends and needs.

Testimony Against: None.

Testified: Sung Yang, Office of Trade and Economic Development.