

# SENATE BILL REPORT

## SB 5800

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As Reported By Senate Committee On:  
Labor, Commerce & Financial Institutions, February 22, 2001

**Title:** An act relating to the privacy of certain business financial and commercial information requested by port districts.

**Brief Description:** Exempting certain records requested by port districts from public inspection and copying.

**Sponsors:** Senators Prentice and Winsley.

**Brief History:**

**Committee Activity:** Labor, Commerce & Financial Institutions: 2/19/01, 2/22/01 [DP, DNP].

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### SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Gardner, Vice Chair; Benton, Hochstatter, Honeyford, Rasmussen, Regala, West and Winsley.

**Minority Report:** Do not pass.

Signed by Senator Patterson.

**Staff:** David Cheal (786-7576)

**Background:** Public port districts seek bids from private entities for capital projects and enter into contracts with private companies for the use and lease of port facilities. These transactions often require the disclosure of information by the private group that could be considered proprietary in nature.

The public disclosure law, which applies to all state and local governmental entities, requires disclosure upon request of all information and classes of documents and records that are not expressly excluded by statute. So any information submitted to a port district through bid or contract documents must be disclosed upon request. Port officials believe this is having a chilling effect upon the bid process, and shrinking the pool of bidders and users of port facilities.

**Summary of Bill:** Financial and commercial information and records supplied by anyone for the purpose of qualifying to submit a bid or proposal for a port district project or for the purpose of negotiating the use or lease of port facilities is added to the list of exemptions from the public disclosure law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Ports need to be able to assure potential bidders and users of port facilities that proprietary information they submit in connection with bids or lease contracts can be kept confidential. Otherwise the pool of bidders, and competition, will shrink.

**Testimony Against:** None.

**Testified:** Terry Finn, Linda Strout, Port of Seattle.