

1 **ESSB 5192** - H AMD TO APP COMM AMD (5192-S.E AMH APP H2761.1)  
2 By Representative Anderson

3  
4 Strike everything after the enacting clause and insert the  
5 following:

6 "NEW SECTION. **Sec. 1.** The legislature finds that an  
7 examination of in-state investment opportunities within the context  
8 of the state investment board's overall investment strategy for  
9 diversification and maximizing returns is an appropriate role of  
10 the state investment board.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.33A  
12 RCW to read as follows:

13 (1) Consistent with the board's responsibility, investments are  
14 made in accordance with RCW 43.33A.110 mandating investment aimed  
15 at maximizing return at a prudent level of risk, and RCW 43.33A.140  
16 establishing duties of diversification and care. Subject to these  
17 standards, the board shall examine economically targeted  
18 investments in Washington as potential investments for funds  
19 managed by the board. Economically targeted investments shall be  
20 made in accordance with the board's asset allocation policies and  
21 included within existing asset categories while conforming to all  
22 of the laws, policies, and procedures governing the state  
23 investment board.

24 (2) Subject to available resources, the board will establish a  
25 program to facilitate exchange of information between its private  
26 equity general partners and appropriate parties with knowledge of  
27 quality, economically targeted investment opportunities. This  
28 program will also include a clearinghouse function aimed at  
29 receiving information on potential economically targeted  
30 investments.

31 (3) The state investment board will provide a report on  
32 activity relating to economically targeted investments at least  
annually. This report will be distributed to the members of the

1 state investment board, organizations representing board  
2 beneficiaries, the legislature, and the governor and may be  
3 included in the report provided for in RCW 43.33A.150.

4 (4) As used in this section, "economically targeted  
5 investments" means investments having the primary objective of  
6 investment return to funds managed by the board and the collateral  
7 objective of assisting the regional economy and the economic well-  
8 being of the state of Washington, its localities, and residents.

9 **Sec. 3.** RCW 43.33A.020 and 2002 c 303 s 1 are each amended to  
10 read as follows:

11 There is hereby created the state investment board to consist  
12 of fifteen members to be appointed as provided in this section.

13 (1) One member who is an active member of the public employees'  
14 retirement system and has been an active member for at least five  
15 years. This member shall be appointed by the governor, subject to  
16 confirmation by the senate, from a list of nominations submitted by  
17 organizations representing active members of the system. The  
18 initial term of appointment shall be one year.

19 (2) One member who is an active member of the law enforcement  
20 officers' and fire fighters' retirement system and has been an  
21 active member for at least five years. This member shall be  
22 appointed by the governor, subject to confirmation by the senate,  
23 from a list of nominations submitted by organizations representing  
24 active members of the system. The initial term of appointment  
25 shall be two years.

26 (3) One member who is an active member of the teachers'  
27 retirement system and has been an active member for at least five  
28 years. This member shall be appointed by the superintendent of  
29 public instruction subject to confirmation by the senate. The  
30 initial term of appointment shall be three years.

31 (4) The state treasurer or the assistant state treasurer if  
32 designated by the state treasurer.

33 ~~(5) ((A member of the state house of representatives. This~~  
34 ~~member shall be appointed by the speaker of the house of~~  
35 ~~representatives.))~~ Two members of the state house of  
36 representatives appointed by the speaker of the house of  
37 representatives, one of whom shall be a member of the majority  
38 party, and one of whom shall be a member of the minority party.

1           (6) ~~((A member of the state senate. This member shall be~~  
2 ~~appointed by the president of the senate.))~~ Two members of the  
3 state senate appointed by the president of the senate, one of whom  
4 shall be a member of the majority party, and one of whom shall be  
5 a member of the minority party.

6           (7) One member who is a retired member of a state retirement  
7 system shall be appointed by the governor, subject to confirmation  
8 by the senate. The initial term of appointment shall be three  
9 years.

10          (8) The director of the department of labor and industries.

11          (9) The director of the department of retirement systems.

12          (10) One member who is an active member of the school  
13 employees' retirement system and has at least five years of service  
14 credit. This member shall be appointed by the superintendent of  
15 public instruction subject to confirmation by the senate. The  
16 initial term of appointment shall be three years.

17          (11) Five nonvoting members appointed by the state investment  
18 board who are considered experienced and qualified in the field of  
19 investments.

20          The legislative members shall serve terms of two years. The  
21 initial legislative members appointed to the board shall be  
22 appointed no sooner than January 10, 1983. The position of a  
23 legislative member on the board shall become vacant at the end of  
24 that member's term on the board or whenever the member ceases to be  
25 a member of the senate or house of representatives from which the  
26 member was appointed.

27          After the initial term of appointment, all other members of the  
28 state investment board, except ex officio members, shall serve  
29 terms of three years and shall hold office until successors are  
30 appointed. Members' terms, except for ex officio members, shall  
31 commence on January 1 of the year in which the appointments are  
32 made.

33          Members may be reappointed for additional terms. Appointments  
34 for vacancies shall be made for the unexpired terms in the same  
35 manner as the original appointments. Any member may be removed  
36 from the board for cause by the member's respective appointing  
37 authority.

1           NEW SECTION.    **Section 4.** A new section is added to chapter  
2 43.33A RCW to read as follows:

3           The state investment board is prohibited from any direct or  
4 indirect equity or debt participation or holding in any investment  
5 services provider, securities dealer or brokerage firm, or any type  
6 of domestic or foreign investment partnership, that invests pension  
7 funds on behalf of the state investment board or receives fees for  
8 services rendered to the board.

9           **Sec. 5.** RCW 42.17.310 and 2002 c 335 s 1, 2002 c 224 s 2, 2002  
10 c 205 s 4, and 2002 c 172 s 1 are each reenacted and amended to  
11 read as follows:

12           (1) The following are exempt from public inspection and  
13 copying:

14           (a) Personal information in any files maintained for students  
15 in public schools, patients or clients of public institutions or  
16 public health agencies, or welfare recipients.

17           (b) Personal information in files maintained for employees,  
18 appointees, or elected officials of any public agency to the extent  
19 that disclosure would violate their right to privacy.

20           (c) Information required of any taxpayer in connection with the  
21 assessment or collection of any tax if the disclosure of the  
22 information to other persons would (i) be prohibited to such  
23 persons by RCW 84.08.210, 82.32.330, 84.40.020, or 84.40.340 or  
24 (ii) violate the taxpayer's right to privacy or result in unfair  
25 competitive disadvantage to the taxpayer.

26           (d) Specific intelligence information and specific  
27 investigative records compiled by investigative, law enforcement,  
28 and penology agencies, and state agencies vested with the  
29 responsibility to discipline members of any profession, the  
30 nondisclosure of which is essential to effective law enforcement or  
31 for the protection of any person's right to privacy.

32           (e) Information revealing the identity of persons who are  
33 witnesses to or victims of crime or who file complaints with  
34 investigative, law enforcement, or penology agencies, other than  
35 the public disclosure commission, if disclosure would endanger any  
36 person's life, physical safety, or property. If at the time a  
37 complaint is filed the complainant, victim or witness indicates a  
38 desire for disclosure or nondisclosure, such desire shall govern.

1 However, all complaints filed with the public disclosure commission  
2 about any elected official or candidate for public office must be  
3 made in writing and signed by the complainant under oath.

4 (f) Test questions, scoring keys, and other examination data  
5 used to administer a license, employment, or academic examination.

6 (g) Except as provided by chapter 8.26 RCW, the contents of  
7 real estate appraisals, made for or by any agency relative to the  
8 acquisition or sale of property, until the project or prospective  
9 sale is abandoned or until such time as all of the property has  
10 been acquired or the property to which the sale appraisal relates  
11 is sold, but in no event shall disclosure be denied for more than  
12 three years after the appraisal.

13 (h) Valuable formulae, designs, drawings, computer source code  
14 or object code, and research data obtained by any agency within  
15 five years of the request for disclosure when disclosure would  
16 produce private gain and public loss.

17 (i) Preliminary drafts, notes, recommendations, and intra-  
18 agency memorandums in which opinions are expressed or policies  
19 formulated or recommended except that a specific record shall not  
20 be exempt when publicly cited by an agency in connection with any  
21 agency action.

22 (j) Records which are relevant to a controversy to which an  
23 agency is a party but which records would not be available to  
24 another party under the rules of pretrial discovery for causes  
25 pending in the superior courts.

26 (k) Records, maps, or other information identifying the  
27 location of archaeological sites in order to avoid the looting or  
28 depredation of such sites.

29 (l) Any library record, the primary purpose of which is to  
30 maintain control of library materials, or to gain access to  
31 information, which discloses or could be used to disclose the  
32 identity of a library user.

33 (m) Financial information supplied by or on behalf of a person,  
34 firm, or corporation for the purpose of qualifying to submit a bid  
35 or proposal for (i) a ferry system construction or repair contract  
36 as required by RCW 47.60.680 through 47.60.750 or (ii) highway  
37 construction or improvement as required by RCW 47.28.070.

38 (n) Railroad company contracts filed prior to July 28, 1991,  
39 with the utilities and transportation commission under RCW

1 81.34.070, except that the summaries of the contracts are open to  
2 public inspection and copying as otherwise provided by this  
3 chapter.

4 (o) Financial and commercial information and records supplied  
5 by private persons pertaining to export services provided pursuant  
6 to chapter 43.163 RCW and chapter 53.31 RCW, and by persons  
7 pertaining to export projects pursuant to RCW 43.23.035.

8 (p) Financial disclosures filed by private vocational schools  
9 under chapters 28B.85 and 28C.10 RCW.

10 (q) Records filed with the utilities and transportation  
11 commission or attorney general under RCW 80.04.095 that a court has  
12 determined are confidential under RCW 80.04.095.

13 (r) Financial and commercial information and records supplied  
14 by businesses or individuals during application for loans or  
15 program services provided by chapters 43.163, 43.160, 43.330, and  
16 43.168 RCW, or during application for economic development loans or  
17 program services provided by any local agency.

18 (s) Membership lists or lists of members or owners of interests  
19 of units in timeshare projects, subdivisions, camping resorts,  
20 condominiums, land developments, or common-interest communities  
21 affiliated with such projects, regulated by the department of  
22 licensing, in the files or possession of the department.

23 (t) All applications for public employment, including the names  
24 of applicants, resumes, and other related materials submitted with  
25 respect to an applicant.

26 (u) The residential addresses or residential telephone numbers  
27 of employees or volunteers of a public agency which are held by any  
28 public agency in personnel records, public employment related  
29 records, or volunteer rosters, or are included in any mailing list  
30 of employees or volunteers of any public agency.

31 (v) The residential addresses and residential telephone numbers  
32 of the customers of a public utility contained in the records or  
33 lists held by the public utility of which they are customers,  
34 except that this information may be released to the division of  
35 child support or the agency or firm providing child support  
36 enforcement for another state under Title IV-D of the federal  
37 social security act, for the establishment, enforcement, or  
38 modification of a support order.

1 (w)(i) The federal social security number of individuals  
2 governed under chapter 18.130 RCW maintained in the files of the  
3 department of health, except this exemption does not apply to  
4 requests made directly to the department from federal, state, and  
5 local agencies of government, and national and state licensing,  
6 credentialing, investigatory, disciplinary, and examination  
7 organizations; (ii) the current residential address and current  
8 residential telephone number of a health care provider governed  
9 under chapter 18.130 RCW maintained in the files of the department,  
10 if the provider requests that this information be withheld from  
11 public inspection and copying, and provides to the department an  
12 accurate alternate or business address and business telephone  
13 number. On or after January 1, 1995, the current residential  
14 address and residential telephone number of a health care provider  
15 governed under RCW 18.130.040 maintained in the files of the  
16 department shall automatically be withheld from public inspection  
17 and copying unless the provider specifically requests the  
18 information be released, and except as provided for under RCW  
19 42.17.260(9).

20 (x) Information obtained by the board of pharmacy as provided  
21 in RCW 69.45.090.

22 (y) Information obtained by the board of pharmacy or the  
23 department of health and its representatives as provided in RCW  
24 69.41.044, 69.41.280, and 18.64.420.

25 (z) Financial information, business plans, examination reports,  
26 and any information produced or obtained in evaluating or examining  
27 a business and industrial development corporation organized or  
28 seeking certification under chapter 31.24 RCW.

29 (aa) Financial and commercial information supplied to the state  
30 investment board by any person for two years after the date the  
31 information was supplied when the information relates to the  
32 investment of public trust or retirement funds and when disclosure  
33 would result in a material loss to such funds (~~(or in private loss~~  
34 ~~to the providers of this information)~~).

35 (bb) Financial and valuable trade information under RCW  
36 51.36.120.

37 (cc) Client records maintained by an agency that is a domestic  
38 violence program as defined in RCW 70.123.020 or 70.123.075 or a  
39 rape crisis center as defined in RCW 70.125.030.

1 (dd) Information that identifies a person who, while an agency  
2 employee: (i) Seeks advice, under an informal process established  
3 by the employing agency, in order to ascertain his or her rights in  
4 connection with a possible unfair practice under chapter 49.60 RCW  
5 against the person; and (ii) requests his or her identity or any  
6 identifying information not be disclosed.

7 (ee) Investigative records compiled by an employing agency  
8 conducting a current investigation of a possible unfair practice  
9 under chapter 49.60 RCW or of a possible violation of other  
10 federal, state, or local laws prohibiting discrimination in  
11 employment.

12 (ff) Business related information protected from public  
13 inspection and copying under RCW 15.86.110.

14 (gg) Financial, commercial, operations, and technical and  
15 research information and data submitted to or obtained by the clean  
16 Washington center in applications for, or delivery of, program  
17 services under chapter 70.95H RCW.

18 (hh) Information and documents created specifically for, and  
19 collected and maintained by a quality improvement committee  
20 pursuant to RCW 43.70.510 or 70.41.200, or by a peer review  
21 committee under RCW 4.24.250, regardless of which agency is in  
22 possession of the information and documents.

23 (ii) Personal information in files maintained in a data base  
24 created under RCW 43.07.360.

25 (jj) Financial and commercial information requested by the  
26 public stadium authority from any person or organization that  
27 leases or uses the stadium and exhibition center as defined in RCW  
28 36.102.010.

29 (kk) Names of individuals residing in emergency or transitional  
30 housing that are furnished to the department of revenue or a county  
31 assessor in order to substantiate a claim for property tax  
32 exemption under RCW 84.36.043.

33 (ll) The names, residential addresses, residential telephone  
34 numbers, and other individually identifiable records held by an  
35 agency in relation to a vanpool, carpool, or other ride-sharing  
36 program or service. However, these records may be disclosed to  
37 other persons who apply for ride-matching services and who need  
38 that information in order to identify potential riders or drivers  
39 with whom to share rides.

1 (mm) The personally identifying information of current or  
2 former participants or applicants in a paratransit or other transit  
3 service operated for the benefit of persons with disabilities or  
4 elderly persons.

5 (nn) The personally identifying information of persons who  
6 acquire and use transit passes and other fare payment media  
7 including, but not limited to, stored value smart cards and  
8 magnetic strip cards, except that an agency may disclose this  
9 information to a person, employer, educational institution, or  
10 other entity that is responsible, in whole or in part, for payment  
11 of the cost of acquiring or using a transit pass or other fare  
12 payment media, or to the news media when reporting on public  
13 transportation or public safety. This information may also be  
14 disclosed at the agency's discretion to governmental agencies or  
15 groups concerned with public transportation or public safety.

16 (oo) Proprietary financial and commercial information that the  
17 submitting entity, with review by the department of health,  
18 specifically identifies at the time it is submitted and that is  
19 provided to or obtained by the department of health in connection  
20 with an application for, or the supervision of, an antitrust  
21 exemption sought by the submitting entity under RCW 43.72.310. If  
22 a request for such information is received, the submitting entity  
23 must be notified of the request. Within ten business days of  
24 receipt of the notice, the submitting entity shall provide a  
25 written statement of the continuing need for confidentiality, which  
26 shall be provided to the requester. Upon receipt of such notice,  
27 the department of health shall continue to treat information  
28 designated under this section as exempt from disclosure. If the  
29 requester initiates an action to compel disclosure under this  
30 chapter, the submitting entity must be joined as a party to  
31 demonstrate the continuing need for confidentiality.

32 (pp) Records maintained by the board of industrial insurance  
33 appeals that are related to appeals of crime victims' compensation  
34 claims filed with the board under RCW 7.68.110.

35 (qq) Financial and commercial information supplied by or on  
36 behalf of a person, firm, corporation, or entity under chapter  
37 28B.95 RCW relating to the purchase or sale of tuition units and  
38 contracts for the purchase of multiple tuition units.

1 (rr) Any records of investigative reports prepared by any  
2 state, county, municipal, or other law enforcement agency  
3 pertaining to sex offenses contained in chapter 9A.44 RCW or  
4 sexually violent offenses as defined in RCW 71.09.020, which have  
5 been transferred to the Washington association of sheriffs and  
6 police chiefs for permanent electronic retention and retrieval  
7 pursuant to RCW 40.14.070(2)(b).

8 (ss) Credit card numbers, debit card numbers, electronic check  
9 numbers, card expiration dates, or bank or other financial account  
10 numbers supplied to an agency for the purpose of electronic  
11 transfer of funds, except when disclosure is expressly required by  
12 law.

13 (tt) Financial information, including but not limited to  
14 account numbers and values, and other identification numbers  
15 supplied by or on behalf of a person, firm, corporation, limited  
16 liability company, partnership, or other entity related to an  
17 application for a liquor license, gambling license, or lottery  
18 retail license.

19 (uu) Records maintained by the employment security department  
20 and subject to chapter 50.13 RCW if provided to another individual  
21 or organization for operational, research, or evaluation purposes.

22 (vv) Individually identifiable information received by the work  
23 force training and education coordinating board for research or  
24 evaluation purposes.

25 (ww) Those portions of records assembled, prepared, or  
26 maintained to prevent, mitigate, or respond to criminal terrorist  
27 acts, which are acts that significantly disrupt the conduct of  
28 government or of the general civilian population of the state or  
29 the United States and that manifest an extreme indifference to  
30 human life, the public disclosure of which would have a substantial  
31 likelihood of threatening public safety, consisting of:

32 (i) Specific and unique vulnerability assessments or specific  
33 and unique response or deployment plans, including compiled  
34 underlying data collected in preparation of or essential to the  
35 assessments, or to the response or deployment plans; and

36 (ii) Records not subject to public disclosure under federal law  
37 that are shared by federal or international agencies, and  
38 information prepared from national security briefings provided to

1 state or local government officials related to domestic  
2 preparedness for acts of terrorism.

3 (xx) Commercial fishing catch data from logbooks required to be  
4 provided to the department of fish and wildlife under RCW  
5 77.12.047, when the data identifies specific catch location,  
6 timing, or methodology and the release of which would result in  
7 unfair competitive disadvantage to the commercial fisher providing  
8 the catch data. However, this information may be released to  
9 government agencies concerned with the management of fish and  
10 wildlife resources.

11 (yy) Sensitive wildlife data obtained by the department of fish  
12 and wildlife. However, sensitive wildlife data may be released to  
13 government agencies concerned with the management of fish and  
14 wildlife resources. Sensitive wildlife data includes:

15 (i) The nesting sites or specific locations of endangered  
16 species designated under RCW 77.12.020, or threatened or sensitive  
17 species classified by rule of the department of fish and wildlife;

18 (ii) Radio frequencies used in, or locational data generated  
19 by, telemetry studies; or

20 (iii) Other location data that could compromise the viability  
21 of a specific fish or wildlife population, and where at least one  
22 of the following criteria are met:

23 (A) The species has a known commercial or black market value;

24 (B) There is a history of malicious take of that species; or

25 (C) There is a known demand to visit, take, or disturb, and the  
26 species behavior or ecology renders it especially vulnerable or the  
27 species has an extremely limited distribution and concentration.

28 (zz) The personally identifying information of persons who  
29 acquire recreational licenses under RCW 77.32.010 or commercial  
30 licenses under chapter 77.65 or 77.70 RCW, except name, address of  
31 contact used by the department, and type of license, endorsement,  
32 or tag. However, the department of fish and wildlife may disclose  
33 personally identifying information to:

34 (i) Government agencies concerned with the management of fish  
35 and wildlife resources;

36 (ii) The department of social and health services, child  
37 support division, and to the department of licensing in order to  
38 implement RCW 77.32.014 and 46.20.291; and

1 (iii) Law enforcement agencies for the purpose of firearm  
2 possession enforcement under RCW 9.41.040.

3 (aaa)(i) Discharge papers of a veteran of the armed forces of  
4 the United States filed at the office of the county auditor before  
5 July 1, 2002, that have not been commingled with other recorded  
6 documents. These records will be available only to the veteran,  
7 the veteran's next of kin, a deceased veteran's properly appointed  
8 personal representative or executor, a person holding that  
9 veteran's general power of attorney, or to anyone else designated  
10 in writing by that veteran to receive the records.

11 (ii) Discharge papers of a veteran of the armed forces of the  
12 United States filed at the office of the county auditor before July  
13 1, 2002, that have been commingled with other records, if the  
14 veteran has recorded a "request for exemption from public  
15 disclosure of discharge papers" with the county auditor. If such  
16 a request has been recorded, these records may be released only to  
17 the veteran filing the papers, the veteran's next of kin, a  
18 deceased veteran's properly appointed personal representative or  
19 executor, a person holding the veteran's general power of attorney,  
20 or anyone else designated in writing by the veteran to receive the  
21 records.

22 (iii) Discharge papers of a veteran filed at the office of the  
23 county auditor after June 30, 2002, are not public records, but  
24 will be available only to the veteran, the veteran's next of kin,  
25 a deceased veteran's properly appointed personal representative or  
26 executor, a person holding the veteran's general power of attorney,  
27 or anyone else designated in writing by the veteran to receive the  
28 records.

29 (iv) For the purposes of this subsection (1)(aaa), next of kin  
30 of deceased veterans have the same rights to full access to the  
31 record. Next of kin are the veteran's widow or widower who has not  
32 remarried, son, daughter, father, mother, brother, and sister.

33 (bbb) Those portions of records containing specific and unique  
34 vulnerability assessments or specific and unique emergency and  
35 escape response plans at a city, county, or state adult or juvenile  
36 correctional facility, the public disclosure of which would have a  
37 substantial likelihood of threatening the security of a city,  
38 county, or state adult or juvenile correctional facility or any  
39 individual's safety.

1 (ccc) Information compiled by school districts or schools in  
2 the development of their comprehensive safe school plans pursuant  
3 to RCW 28A.320.125, to the extent that they identify specific  
4 vulnerabilities of school districts and each individual school.

5 (ddd) Information regarding the infrastructure and security of  
6 computer and telecommunications networks, consisting of security  
7 passwords, security access codes and programs, access codes for  
8 secure software applications, security and service recovery plans,  
9 security risk assessments, and security test results to the extent  
10 that they identify specific system vulnerabilities.

11 (2) Except for information described in subsection (1)(c)(i) of  
12 this section and confidential income data exempted from public  
13 inspection pursuant to RCW 84.40.020, the exemptions of this  
14 section are inapplicable to the extent that information, the  
15 disclosure of which would violate personal privacy or vital  
16 governmental interests, can be deleted from the specific records  
17 sought. No exemption may be construed to permit the nondisclosure  
18 of statistical information not descriptive of any readily  
19 identifiable person or persons.

20 (3) Inspection or copying of any specific records exempt under  
21 the provisions of this section may be permitted if the superior  
22 court in the county in which the record is maintained finds, after  
23 a hearing with notice thereof to every person in interest and the  
24 agency, that the exemption of such records is clearly unnecessary  
25 to protect any individual's right of privacy or any vital  
26 governmental function.

27 (4) Agency responses refusing, in whole or in part, inspection  
28 of any public record shall include a statement of the specific  
29 exemption authorizing the withholding of the record (or part) and  
30 a brief explanation of how the exemption applies to the record  
31 withheld.

32 NEW SECTION. **Section 6.** A new section is added to chapter  
33 43.33A RCW to read as follows:

34 Every four years the joint legislative audit and review  
35 committee shall conduct a performance review of the board's  
36 business operations and comparative financial performance.  
37 Reimbursement for the performance review shall be made from the  
38 board to the joint legislative audit and review committee. The

1 joint legislative audit and review committee shall report the  
2 findings of each performance review to the appropriate legislative  
3 committees, the ranking members of each party in the state senate  
4 and the state house of representatives, the state auditor, and the  
5 governor.

6 NEW SECTION. **Section 7.** The joint legislative audit and  
7 review committee, in conjunction with the state treasurer and state  
8 auditor, shall conduct a cash basis valuation audit of the state  
9 investment board private equity portfolio and provide a written  
10 report on the findings of the audit to the appropriate legislative  
11 committees and the governor by September 30, 2003. This audit shall  
12 be funded by the state investment board."

13 Correct the title.

**Effect:** The striking amendment has the following effects:

- ∅ Deletes the provision limiting the terms of nonvoting Board members to two years;
- ∅ Adds two additional legislative members to the Board, one being from the House and the other from the Senate.
- ∅ Requires one of the members from each house to be from the majority party and the other from the minority party.
- ∅ Prohibits the Board from investing in financial services entities that invest pension funds on behalf of the Board or which receive fees for services provided to the Board.
- ∅ Limits the exemption from disclosure under the Public Disclosure Act for financial and commercial information supplied to the Board by any person. This exemption is limited to a period of two years after the date that the information was supplied and makes the exemption applicable only if disclosure would result in a material loss to public trust or retirement funds.
- Requires JLARC to conduct a performance review of the Board's business and financial performance every four years and report the findings to the Legislature, State Auditor, and the Governor.
- ∅ Requires JLARC to conduct a cash basis valuation audit of the Board's private equity portfolio and report to both the Legislature and the Governor by September 30, 2003.