

# SENATE BILL REPORT

## SHB 2003

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As of March 21, 2007

**Title:** An act relating to a pilot program for the business enterprises program.

**Brief Description:** Implementing a pilot program for the business enterprises program.

**Sponsors:** House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Alexander, Hunt, Morrell and Ormsby).

**Brief History:** Passed House: 3/07/07, 97-0.

**Committee Activity:** Labor, Commerce, Research & Development: 3/20/07.

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Staff:** Sherry McNamara (786-7402)

**Background:** The Department of Services for the Blind (DSB) is a state rehabilitation agency that provides a variety of programs to persons who are blind or visually impaired. DSB also provides services for employers interested in accommodating or hiring workers with vision loss. One of the programs offered by DSB is the Business Enterprise Program (BEP).

The BEP trains and licenses persons who are legally blind to manage snack/gift shops, espresso stands, and food service facilities in public buildings. The goal of BEP is to increase employment opportunities to persons who are blind or visually impaired and to encourage them to become successful and independent business persons.

The BEP ensures that applicants receive training to operate and manage a restaurant, provides the essential pieces of food service equipment, and provides ongoing management assistant to vendors who are blind. The BEP is self-supporting and is not funded by state or federal dollars.

The DSB has the first and primary right to operate vending facilities on state, federal, county, municipal, and other government property. The DSB may waive this right if it is unable to operate a vending facility in a given location.

**Summary of Substitute Bill:** The DSB is required to implement a pilot program within existing resources. The pilot program requires a person who is legally blind, in cooperation with the DSB, to subcontract with a full-service commercial food service establishment, skill center, or community college culinary program in the Pritchard Building.

The DSB selects the commercial food services establishment from a list of bids submitted by interested establishments and enters into a three-year contract with the successful bidder.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The DSB is required to submit an electronic report on the pilot program to the appropriate legislative committees 18 months after the beginning of the pilot program. The DSB will not be charged rent for this pilot program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:** PRO: This bill will provide an opportunity to stimulate food service quality and operations. It will allow the current vendor to integrate with a food establishment. It will create a situation that will benefit both parties by providing an exemption of the rental costs for improved food services operation.

CON: The BEP is designed to provide an opportunity for blind people to become independent and successful entrepreneurs. This bill strips that opportunity and removes the independence and freedom that the 1936 Randolph-Sheppard Act was created to provide for blind people. The federal legislation does not agree with this approach. During the legislative session, the Pritchard Cafeteria is very busy; during the interim, 75 percent of the people leave. It is hard to make it on your own financially with the current situation; if you add a silent partner it would be impossible. In the bill, there isn't a statement about what the purpose of the pilot program is and what the future plans might be.

OTHER: The current law allows subcontracting. This bill would mandate subcontracting. The Legislature should support blind people in becoming successful, independent business people and not single out a specific vendor. There are several ways to deal with any problems in the current situation without legislation.

**Persons Testifying:** PRO: Representative Alexander, prime sponsor.

CON: Roy Gappert, Robert Ott, Robert Miller, Judie Neis, BEP Vendor; Glenn McCully, Washington Council of the Blind.

OTHER: Lou Oma Durand, Director, Department of Services for the Blind.