

SENATE BILL REPORT

SB 5517

As of February 7, 2012

Title: An act relating to exempting institutions of higher education that do not use archives and records management services from payment for those services.

Brief Description: Exempting institutions of higher education that do not use archives and records management services from payment for those services.

Sponsors: Senators Tom, Hill, Kilmer and Shin.

Brief History:

Committee Activity: Higher Education & Workforce Development: 2/09/11, 2/16/11 [DP]; 2/01/12.

Ways & Means: 2/25/11 [DPS, DNP, w/oRec].

SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Tom, Chair; Shin, Vice Chair; Hill, Ranking Minority Member; Baumgartner, Becker, Ericksen, Kastama, Kilmer and White.

Staff: Kimberly Cushing (786-7421)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5517 be substituted therefor, and the substitute bill do pass.

Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli, Ranking Minority Member; Brown, Hatfield, Hewitt, Keiser, Kohl-Welles, Pflug, Pridemore, Rockefeller, Schoesler and Tom.

Minority Report: Do not pass.

Signed by Senators Fraser, Holmquist Newbry, Honeyford and Kastama.

Minority Report: That it be referred without recommendation.

Signed by Senators Parlette, Ranking Minority Member Capital; Baumgartner and Baxter.

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.

Staff: Kimberly Cushing (786-7421)

Background: Under current Washington law, all public records must be and remain the property of the state of Washington.

In order to ensure the proper management and safeguarding of public records, the Division of Archives and Records Management is established in the Office of the Secretary of State. The State Archivist must administer the Division and have reasonable access to all public records. One of the Archivist's duties is to establish and operate state records centers for the purpose of preserving, servicing, screening, and protecting all state public records. The records centers must be authorized by appropriation.

Legislative records are defined as correspondence, amendments, reports, and minutes of meetings made by or submitted to legislative committees as well as transcripts or records of hearings or other data filed with committees in connection with the exercise of legislative or investigatory functions. Legislative records do not include the following: bills and their copies, records of official acts of the Legislature kept by the Secretary of State, materials otherwise available at the state library, or reports or correspondence made or received by or under the personal control of the individual legislators.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Second Substitute): The State Archivist is no longer directed to establish state record centers as authorized by appropriation. Instead it is specified that – to insure the maintenance of security and preservation standards and to promote efficiency and access consistent with the requirements of this chapter – no other state agency may establish, operate, or lease an archives, records center, records warehouse, or records storage facility except as authorized by the State Archivist.

Any state agency with an archives, records center, records warehouse, or records storage facility must transfer the records to the state archives by July 1, 2013.

This section does not apply to legislative records.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Proposed Second Substitute (Higher Education & Workforce Development): PRO: This bill combines all archives offices into the State Archives. The State Archives has room to expand and consolidation will save full-time equivalent positions. Budget cuts are normally across the board, but this is a more precise way of consolidating government, which recognizes efficiency. The Founding Fathers had difficulty getting access to records from the British, which is why preserving records is built

into our government. In 1957, the State Archivist was directed to centralize and make accessible records. Eastern Washington University (EWU) has the best digital archives in the country. EWU's archives provide professional educational opportunities for students, and we want to preserve these jobs.

CON: The Evergreen State College (TESC) is concerned it would have to shut down local archiving. All institutions are facing declines in budgets and would welcome savings but are concerned moving records will actually require increased resources.

Persons Testifying (Higher Education & Workforce Development): PRO: Senator Kastama; Jerry Handfield, State Archivist; Anthony Flinn, EWU Faculty.

CON: Julie Garver, TESC; Margaret Shepherd, University of Washington.