

HOUSE BILL REPORT

HB 3175

As Reported by House Committee On:
General Government Appropriations

Title: An act relating to transferring the office of minority and women's business enterprises into the department of commerce.

Brief Description: Transferring the office of minority and women's business enterprises into the department of commerce.

Sponsors: Representative Darneille.

Brief History:

Committee Activity:

General Government Appropriations: 2/4/10, 2/5/10 [DPS].

Brief Summary of Substitute Bill

- Transfers the Office of Minority and Women's Business Enterprises and its functions to the Department of Commerce.

HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Darneille, Chair; Takko, Vice Chair; McCune, Ranking Minority Member; Blake, Dunshee, Hudgins, Kenney, Klippert, Pedersen, Sells, Short, Van De Wege and Williams.

Staff: Alex MacBain (786-7288).

Background:

The Office of Minority and Women's Business Enterprises (OMWBE) was created in 1983 with the statutory purpose of providing minority and women-owned business enterprises (MWBE) the maximum practicable opportunity for increased participation in public works contracts and public contracts for goods and services. Among other things, the OMWBE is required to:

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- develop and implement programs and a comprehensive plan to provide an opportunity for qualified MWBE to participate in public works and in supplying goods and services to state agencies and educational institutions;
- identify barriers to equal participation by qualified MWBE in state agency and educational contracts;
- establish annual overall goals for MWBE participation for each state agency and educational institution;
- develop and maintain a central MWBE certification list for state agencies and educational institutions; and
- submit an annual report to the Governor and the Legislature outlining the progress in implementing the MWBE.

The OMWBE is the sole authority for certifying minority, women-owned, and socially and economically disadvantaged businesses for participation in public contracting programs. Only small business concerns, as defined by the OMWBE, may be certified.

Summary of Substitute Bill:

The OMWBE and its functions are transferred to the Department of Commerce (COM) to be an office within the COM. All materials held by the OMWBE related to its operation are transferred to the custody of the COM. Employees of the OMWBE are transferred to the COM without a loss of rights, subject to the civil service rules.

Substitute Bill Compared to Original Bill:

A definition of "department" is added, and various references to "office" are removed and replaced with "director" or "department" for purposes of assigning responsibility for rule-making, reports to the Legislature, investigations, cooperating and acting jointly with governmental agencies, ruling on certification disputes, uses of the MWBE Account, and setting fees paid by businesses and agencies using the OMWBE certification services.

Appropriation: None.

Fiscal Note: Requested on February 3, 2010.

Effective Date of Substitute Bill: The bill takes effect on July 1, 2010.

Staff Summary of Public Testimony:

None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.