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**SENATE BILL 6426**

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**State of Washington****53rd Legislature****1994 Regular Session**

**By** Senators Sutherland, Ludwig, Talmadge, Quigley, Vognild, Williams, Owen, McCaslin, Amondson, Hochstatter, West, Erwin, Bauer, Pelz, A. Smith, Hargrove, Skratek and Oke

Read first time 01/21/94. Referred to Committee on Government Operations.

1       AN ACT Relating to public electronic access to government  
2 information; amending RCW 43.105.041; adding a new section to chapter  
3 43.17 RCW; adding a new section to chapter 42.17 RCW; adding a new  
4 section to chapter 28A.300 RCW; adding a new section to chapter 27.04  
5 RCW; creating new sections; and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7       NEW SECTION. **Sec. 1.** The legislature finds that reengineering  
8 government processes along with capitalizing on advancements made in  
9 digital technology can build greater efficiencies in government service  
10 delivery. The legislature further finds that providing citizen  
11 electronic access to presently available public documents will allow  
12 increased citizen involvement in state policies and empower citizens to  
13 participate in state policy decision making.

14       NEW SECTION. **Sec. 2.** By January 1, 1995, the legislature shall  
15 design and implement a program for public electronic access to public  
16 legislative documents. Such a program may include electronic bulletin  
17 boards, fax-request services, providing information for the internet  
18 system, contracting the provision of documents, and other service

1 delivery options. Documents available in such a program shall include,  
2 but is not limited to, bills, bill digests, bill reports, legislative  
3 reports, legislative meeting schedules, the Revised Code of Washington,  
4 and the Washington Administrative Code.

5       **NEW SECTION.**   **Sec. 3.**   The legislature shall create a public  
6 electronic access advisory committee of at least seven members to  
7 provide guidance and advice in performing the duties of section 2 of  
8 this act. Members shall be chosen by the president of the senate and  
9 the speaker of the house of representatives and shall, at a minimum,  
10 include a representative of organizations that promote access to  
11 government, computer equipment providers, computer user organizations,  
12 an expert on computer system security, a representative of the  
13 department of information services, and a representative of the public-  
14 at-large.

15       **Sec. 4.**   RCW 43.105.041 and 1990 c 208 s 6 are each amended to read  
16 as follows:

17       The board shall have the following powers and duties related to  
18 information services:

19       (1) To develop standards governing the acquisition and disposition  
20 of equipment, proprietary software and purchased services, and  
21 confidentiality of computerized data;

22       (2) To purchase, lease, rent, or otherwise acquire, dispose of, and  
23 maintain equipment, proprietary software, and purchased services, or to  
24 delegate to other agencies and institutions of state government, under  
25 appropriate standards, the authority to purchase, lease, rent, or  
26 otherwise acquire, dispose of, and maintain equipment, proprietary  
27 software, and purchased services:   PROVIDED, That, agencies and  
28 institutions of state government are expressly prohibited from  
29 acquiring or disposing of equipment, proprietary software, and  
30 purchased services without such delegation of authority. The  
31 acquisition and disposition of equipment, proprietary software, and  
32 purchased services is exempt from RCW 43.19.1919 and, as provided in  
33 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200.  
34 This subsection does not apply to the legislative branch;

35       (3) To develop recommendations to the legislature on a program to  
36 implement, by January 1, 1996, public electronic access to publicly  
37 available documents produced by state agencies. The recommendations

1 shall be reported to the energy and utilities committees of the senate  
2 and the house of representatives by January 1, 1995;

3 (4) To study and report on recommendations for developing a program  
4 for public electronic access to publicly available documents produced  
5 by all political subdivisions of the state, including recommendations  
6 on standards for information technology compatibility. The board shall  
7 report to the energy and utilities committees of the senate and the  
8 house of representatives by January 1, 1996;

9 (5) To develop state-wide or interagency technical policies,  
10 standards, and procedures;

11 ((+4)) (6) To assure the cost-effective development and  
12 incremental implementation of a state-wide video telecommunications  
13 system to serve: Public schools; educational service districts;  
14 vocational-technical institutes; community colleges; colleges and  
15 universities; state and local government; and the general public  
16 through public affairs programming;

17 ((+5)) (7) To provide direction concerning strategic planning  
18 goals and objectives for the state. The board shall seek input from  
19 the legislature and the judiciary;

20 ((+6)) (8) To develop and implement a process for the resolution  
21 of appeals by:

22 (a) Vendors concerning the conduct of an acquisition process by an  
23 agency or the department; or

24 (b) A customer agency concerning the provision of services by the  
25 department or by other state agency providers;

26 ((+7)) (9) To establish policies for the periodic review by the  
27 department of agency performance which may include but are not limited  
28 to analysis of:

29 (a) Planning, management, control, and use of information services;

30 (b) Training and education; and

31 (c) Project management;

32 ((+8)) (10) To set its meeting schedules and convene at scheduled  
33 times, or meet at the request of a majority of its members, the chair,  
34 or the director; and

35 ((+9)) (11) To review and approve that portion of the department's  
36 budget requests that provides for support to the board.

37 NEW SECTION. Sec. 5. A new section is added to chapter 43.17 RCW  
38 to read as follows:

1       The chief executive officer of each department shall cooperate with  
2 the information services board in providing necessary information and  
3 assistance in the creation and implementation of a program to provide  
4 public electronic access to publicly available documents for each  
5 agency as authorized in RCW 43.105.041(3).

6       NEW SECTION. **Sec. 6.** A new section is added to chapter 42.17 RCW  
7 to read as follows:

8       By January 1, 1995, the public disclosure commission shall design  
9 and implement a program for electronic access to public documents filed  
10 with the commission. The program may include an electronic bulletin  
11 board, providing information for the internet system, fax-request  
12 service, automated telephone service, electronic filing of reports, and  
13 other service delivery options. Documents available in the program  
14 shall include, but are not limited to, commission meeting schedules,  
15 financial affairs reports, contribution reports, expenditure reports,  
16 and gift reports.

17       NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.300  
18 RCW to read as follows:

19       By January 1, 1995, the superintendent of public instruction shall  
20 develop recommendations and report to the legislature on a program, to  
21 be implemented by January 1, 1996, for public electronic access to  
22 local school districts. The report shall examine, but is not limited  
23 to, the benefit and feasibility of electronic mail systems, automated  
24 telephone services, and public access to the internet system, and the  
25 need for state standards regarding school district information  
26 technology compatibility.

27       NEW SECTION. **Sec. 8.** A new section is added to chapter 27.04 RCW  
28 to read as follows:

29       By January 1, 1995, the state library commission shall develop  
30 recommendations and report to the legislature on a program, to be  
31 implemented by January 1, 1996, for public electronic access at public  
32 libraries to documents produced by state agencies. The report shall  
33 examine, but is not limited to, the feasibility of providing public  
34 access terminals at public library facilities, associated costs  
35 including hardware and toll charges, and funding sources for the  
36 program.

1        NEW SECTION.    **Sec. 9.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

5        NEW SECTION.    **Sec. 10.**    This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of the  
7 state government and its existing public institutions, and shall take  
8 effect immediately.

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