

# SENATE BILL REPORT

## SB 5483

---

As Reported By Senate Committee On:  
Energy, Telecommunications & Utilities, February 16, 1995

**Title:** An act relating to public telecommunication access.

**Brief Description:** Enhancing public telecommunication access.

**Sponsors:** Senators Sutherland, Long, Smith, Winsley and Fairley.

**Brief History:**

**Committee Activity:** Energy, Telecommunications & Utilities: 1/31/95, 2/7/95, 2/16/95  
[DPS, DNPS].

---

### SENATE COMMITTEE ON ENERGY, TELECOMMUNICATIONS & UTILITIES

**Majority Report:** That Substitute Senate Bill No. 5483 be substituted therefor, and the substitute bill do pass.

Signed by Senators Sutherland, Chair; Loveland, Vice Chair; and Owen.

**Minority Report:** Do not pass substitute.

Signed by Senators Finkbeiner and Hochstatter.

**Staff:** David Danner (786-7784)

**Background:** The Public Information Access Policy Task Force was created by the Legislature in 1994 to identify specific means to encourage and establish widespread public, electronic access to public records held by state and local governments. The task force submitted its initial recommendations to the Legislature in December 1994, and must submit its final recommendations by December 31, 1995.

The task force recommended that public electronic access be considered in all future information systems created by and for state government. It found that state and local government efforts at providing information to the public would be facilitated by the establishment of electronic and other technologies.

It further recommended that the state undertake initial steps to implement public access programs, including making information available on the Internet, creating a fax-back pilot project, improving access to government bulletin board systems, expanding the deployment of electronic kiosks and public access computer terminals, and encouraging the use of community networks and community information services.

**Summary of Substitute Bill:** State agencies must implement strategies for providing public access to agency records in electronic form, in conformance with principles of government openness. Agencies must provide the public with notice and opportunity to comment on

proposed strategies. Agencies are encouraged to seek federal and private grants for projects to increase and improve services relating to public access.

The Department of Information Services (DIS) must, as part of its strategic information technology plan, assess the progress made by state agencies, local governments, educational institutions, libraries, and other public and private entities toward improving citizens' access to state government information.

DIS shall provide a variety of technologies to ensure broad electronic access. Such technologies may include Internet links, toll-free telephone numbers to directories of public information resources, gateway systems to agency bulletin boards, and electronic kiosks.

DIS and the state librarian must work in consultation with the task force to design a government locator service demonstration project ensuring ease of electronic access to public records.

DIS works with federal, state and local agencies to maximize public awareness of electronic access services. It must make available for inclusion in private and public telephone directories lists of telephone numbers that provide public access to government information.

Departments of Labor and Industries, Licensing and Revenue coordinates with DIS to create a fa-back demonstration project to provide information of high demand to the public via facsimile machine.

The Division of Purchasing must, before selling or exchanging state-owned equipment, make the equipment available at cost or for free to local governments or nonprofit organizations whose primary purpose is to widely distribute government and community information in electronic form, provided that no state agency requires the equipment.

State agencies are required to coordinate with state institutions of higher learning to maximize employee education in the design, maintenance and use of electronic information systems.

**Substitute Bill Compared to Original Bill:** The substitute clarifies that guiding principles contained in the bill are preliminary until the task force submits final recommendations. The language mandating particular technologies to be used by agencies in developing public access plans is removed.

The provision that DIS and the state librarian develop a government locator service is changed by substituting the requirement that DIS and the librarian work in consultation with the task force to create a locator demonstration project.

Terms are modified or removed to ensure consistency with definitions contained in the Open Records Act. The definition of "personal privacy" is deleted. The qualifier "unrestricted" is added to the terms "public access" and "public information."

Charges made by agencies for information must conform to fee provisions of the Open Records Act.

The bill provides that locator and fax-back demonstration projects are contingent upon funding by the Legislature.

**Appropriation:** \$42,000 from general fund to DIS and State Librarian for continued staffing of task force.

**Fiscal Note:** Requested.

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

**Testimony For:** The bill will promote public access to unrestricted government documents by encouraging and coordinating development of information systems by state government. Agencies will delay plans for providing on-line access unless they have legislative directive.

**Testimony Against:** The bill may interfere with unfinished work of the Public Information Access Policy Task Force. DIS is given undue powers to control dissemination of government information. Government agencies are allowed to make key decisions about software and equipment without meaningful input from public.

**Testified:** Michael Killeen; Davis Wright Tremaine; PRO: Rowland Thompson, Allied Daily Newspapers; Sam Hunt, DIS; Don Whiting, Office of Secretary of State; Nancy Zussy, State Librarian; Jim Castrolang; CON: Jeff Michka, Coalition of WA Communities; John Servais; Janeane Dubuar, Computer Professionals for Social Responsibility; Jerry Sheehan, ACLU.