

SENATE BILL REPORT

SSB 5951

As Passed Senate, March 15, 2005

Title: An act relating to exempting a horse racing license from public inspection.

Brief Description: Affording certain information held by the horse racing commission the same protection from public inspection as other regulated entities.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Rasmussen, Hewitt and Kohl-Welles).

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/25/05, 2/28/05 [DPS].
Passed Senate: 3/15/05, 46-0.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5951 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Parlette, Ranking Minority Member; Brown, Hewitt, Honeyford and Keiser.

Staff: John Dziedzic (786-7784)

Background: Advanced deposit wagering allows participants to pay for parimutuel wagers by telephone or other electronic means. Under an advanced deposit wagering system an entity contracts with the racing association to provide communication services, and operates as a third party intermediary between the person placing the parimutuel wager and the organization conducting the horse racing meet.

Chapter 274, Laws of 2004 (ESSB 6481) authorized the Horse Racing Commission to adopt rules relating to advance deposit wagering, including the licensing of one or more third party intermediaries. The licensing process requires applicants to be licensed in this capacity to provide certain information, which can include information relating to terms and conditions negotiated between the applicant and organization conducting horse racing meets.

The Public Disclosure Act, Chapter 42.17 RCW, requires that most information held by a public agency be open to public inspection. There are 58 narrowly construed types of records that are exempt from this requirement.

Summary of Bill: Financial information relating to an application to be licensed by the Horse Racing Commission is exempt from public inspection, in the same manner as is information submitted with an application for a liquor license, gambling license, or lottery retail license.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: A contract and application for licensing by the Horse Racing Commission under Chapter 274, Laws of 2004 contains significant financial information. This information should be treated the same as proprietary information submitted to similar regulatory agencies. The Commission and the class 1 racing association anticipate one or more entities will be seeking a license under this recently adopted statute in the near future, and thus an emergency clause may be warranted.

Testimony Against: None.

Who Testified: PRO: Senator Rasmussen, prime sponsor; Ron Crockett, Jim Halstrom, Northwest Racing Assn. (Emerald Downs); Bob Leichner, WA Horse Racing Commission.

House Amendment(s): The amendment clarifies that the exemption from public disclosure applies only to the financial information contained in an application submitted by a third-party vendor of advanced deposit wagering services.

Passed House: 90-1.