

FINAL BILL REPORT

E2SSB 5356

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Synopsis as Enacted

Brief Description: Establishing the Washington state LGBTQ commission.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Wilson, C., Randall, Das, Saldaña, Darneille, Pedersen, Lias, Nguyen, Cleveland, Dhingra and Hunt).

Senate Committee on State Government, Tribal Relations & Elections

Senate Committee on Ways & Means

House Committee on State Government & Tribal Relations

House Committee on Appropriations

Background: State law establishes a variety of commissions under the office of the Governor, including:

- the Commission on Hispanic Affairs (CHA), originally established in statute in 1971 as the Washington State Commission on Mexican-American Affairs; the title was amended in 1987 to be the CHA;
- the Commission on Asian Pacific American Affairs (CAPAA), originally established in 1974 as the Washington State Commission on Asian-American Affairs; the title was amended in 1995 to be the CAPAA;
- the Commission on African-American Affairs, created in 1992; and
- the Women's Commission, created in 2018.

Summary: Subject to the availability of amounts appropriated for this specific purpose, the LGBTQ Commission (Commission) is established in the Office of the Governor. LGBTQ includes lesbian, gay, bisexual, transgender, and queer communities. The Governor will appoint an executive director to administer the Commission. The director must:

- employ staff for the Commission;
- monitor state legislation affecting LGBTQ people;
- work with state agencies to assess programs and policies affecting LGBTQ people;
- coordinate with the minority commissions, the Women's Commission, and Human Rights Commission to address issues of mutual concern; and
- work as a liaison between the public and private sector to eliminate barriers to economic and health equity for LGBTQ people.

Membership. The Commission consists of 15 voting members who are appointed and serve at the pleasure of the Governor and four non-voting legislative members. The Governor must consider nominations for membership based on maintaining a balanced and diverse

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distribution of race and ethnic, geographic, gender identity, sexual orientation, age, socioeconomic status, and occupational representation, where practicable. Legislative members must support the legislative intent of the Commission and represent the two major political parties of the House of Representatives and Senate.

The initial Governor-appointed members serve for staggered terms. Subsequently, Governor-appointed members serve for a three-year term unless reappointed by the Governor. Legislative members will serve a two-year term. Members are reimbursed for expenses incurred in the performance of their duties in accordance with statutory provisions for subsistence, lodging, per diem, and mileage allowance. A simple majority of members constitutes a quorum.

Duties. The Commission must:

- recruit and maintain a list of qualified LGBTQ people to fill vacancies on various boards and commissions;
- provide information regarding state and federal legislation as it relates to the Commission's purpose;
- identify and define specific needs of certain LGBTQ people and LGBTQ economic and small business development;
- consult state agencies regarding the effect of agency policies, rules, and practices on the unique problems of LGBTQ people, and provide any data, input, or recommendations to state agencies on proposed agency rules and development of comprehensive and coordinated policies to address them;
- provide resource and referral information to agencies and the public;
- consult with nonprofit organizations;
- hold public hearings to gather input on issues related to the unique problems and needs of LGBTQ people;
- advocate for the removal of barriers for LGBTQ people; and
- review best practices for discrimination and sexual harassment policies and training.

The Commission must also submit a biennial report to the Legislature and the Governor detailing the Commission's activities. The report must, at minimum:

- provide recommendations on the specific needs of LGBTQ people of color;
- include input received during public hearings and recommendations for addressing the problems and needs discussed; and
- recommend ways to preserve the memory and contributions of LGBTQ members lost to HIV/AIDS in Washington State.

State agencies must provide appropriate and reasonable assistance to the Commission as needed, including gathering data and information to assist the Commission in carrying out its purpose.

Powers. The Commission may:

- receive gifts, grants, and endowments from public or private sources which must be reported by the director to the Office of Financial Management;
- establish relationships with public and private institutions, local governments, private industry, community organizations, and other segments of the public as needed to promote equal opportunity for LGBTQ people; and

- adopt rules as necessary.

Other. June of each year is designated as LGBTQ month with the fourth week in June designated as a time to celebrate the contributions LGBTQ people have made to the state. Educational institutions, public entities, and private organizations are encouraged to designate time for appropriate activities in commemoration of the lives, history, achievements, and contributions of LGBTQ people.

Votes on Final Passage:

Senate	34	14	
House	67	28	(House amended)
Senate	30	16	(Senate concurred)

Effective: July 28, 2019