

Capital Projects Advisory Review Board  
**Legislation Writing/Drafting Committee**  
Minutes 2/23/2023

**Meeting Location:** via Teams

[Click here to join the meeting](#)

Meeting ID: 217 914 066 926

Passcode: 3FyntW

**Members:** (10 members, 1-2 alternates; 6 = quorum)

<input checked="" type="checkbox"/> Nancy Deakins, DES	<input checked="" type="checkbox"/> Scott Middleton, MCAWW
<input checked="" type="checkbox"/> Bill Dobyns, General Contractors	<input type="checkbox"/> Mark Nakagawara, Cities
<input checked="" type="checkbox"/> Lekha Fernandes, OMWBE	<input checked="" type="checkbox"/> Irene Reyes, Private Industry/DBEs
<input type="checkbox"/> Erin Frasier, Construction Trades Labor	<input type="checkbox"/> Jerry Vanderwood, AGC
<input type="checkbox"/> Andrew Greene, Perkins Coie (Co-chair)	<input checked="" type="checkbox"/> Olivia Yang, Higher Education (Co-chair)

**Alternates:**

<input checked="" type="checkbox"/> Maja Huff, Washington State University	<input checked="" type="checkbox"/> Sharon Harvey, OMWBE
<input type="checkbox"/> Sarah Erdmann, OMWBE	<input type="checkbox"/>

**Guests:**

<input checked="" type="checkbox"/> Santosh Kuruvilla	<input checked="" type="checkbox"/> Charles Wilson
<input checked="" type="checkbox"/> Janice Zahn	<input type="checkbox"/> Talia Baker

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## Agenda

2:00 pm Members Gather/Confirm Quorum  
2:09 pm Welcome Members and Review the Agenda  
2:10 pm Committee Clarity and Meeting Topics  
3:00 pm Adjourn

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### Item 1: **Members gather**

- Call to Order
- Quorum confirmed

Action by: Committee

Status: Approved and complete

**Item 2: Committee Clarity and Meeting Topics**

- Janice Zahn updated the group on the status of the small works & BE/DBI bills CPARB brought to the legislature this session, which this committee helped draft.
  - Both the House and Senate bills have passed unanimously through their original committees of origin and the fiscal committee prior to the House of Origin cutoff.
  - Technical corrections were made to the small works components of both bills, including addressing a missing comma in “small, minority, women, and veteran-owned business,” to clarify that businesses do not need to be both small and minority, women, or veteran-owned to qualify, and aligning the bills’ effective date for ports with the referenced section of the statute.
  - The House version of the bill has a clause that renders the bill null and void if funding is not provided through the fiscal note, but members agreed that funding is necessary to implement either bill, regardless of this clause.
  - Except for the funding clause in the House bill, the language in both versions is the same.
  - Nancy Deakins will check in with Ann Larsen on the appropriate measures to take to advocate for funding for the bills. Janice Zahn and other members will support the bills through signing in and providing testimony, as needed.
- Members discussed priority focus areas for supporting diverse, small businesses, based on remaining gaps as identified in the BE/DBI report.
  - There was discussion around which topics would be the most important to address to support small businesses in staying in business and improving themselves, so there is a robust caliber of contractors available for work.
  - Within the 19 topics covered in the BE/DBI report, members highlighted the broad topics of access to capital (including prompt payment) and access to education.
  - One member urged that access to capital be carefully unpacked, noting that the more a business needs banking support, the more difficult and complicated the process to secure it becomes. Supporting small businesses that are just starting out or might have poor credit would have significant impacts.
  - Another member flagged that disparity between large and small firms has increased in recent years, partially due to large private equity firms acquiring and expanding mid-sized businesses following the Great Recession, further broadening the gap between them and small businesses. This makes access to capital an urgent focus area to support small businesses.
  - Members flagged that while similarly important, issues and stakeholders around the topics of bonding and insurance are often separate from those surrounding issues of payment and access to capital.
  - Members agreed that access to capital is likely the most pressing issue to address in support of small businesses, and focusing first on that and access to education would provide a subcommittee with ample work prior to the 2025 Legislative Session.
- Members discussed whether to disband the Legislative Writing/Drafting Committee, put it on hiatus, or shift its focus to BE/DBI policy change and revisit any outstanding needs from the BE/DBI report that were not addressed in the bills CPARB brought to the legislature this session.

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- Members discussed the difference in charter between the Legislative Writing/Drafting Committee, which helps draft legislation at the direction of CPARB, and policy making committees like the BE/DBI Committee (now disbanded) which bring proposed policy changes to CPARB to consider.
- Members discussed the typical cycle of policy change and legislative drafting, in which committees discuss and bring suggested policy changes to CPARB in the first year, then, if CPARB wants to bring those proposed changes to the legislature, the Legislative Writing/Drafting Committee spends the second year drafting the language and making sure the desires of CPARB are accurately represented to the legislature during legislative session.
- Most members agreed that a policy-making subcommittee is what is needed to carry this work forward this year, rather than a legislative drafting committee, although one member flagged that it's helpful to have a legislative drafting committee in place to ensure that as ideas are brought forward, they are written in a consistent and thoughtful way.
- A motion was raised to put the Legislative Writing/Drafting Committee on hiatus until it is needed. Motion (Olivia Yang), Second (Bill Dobyns), all were in favor.
  - Because the Legislative Writing/Drafting Committee was put on hiatus, there was no discussion or vote to choose a new chair/co-chair.
  - Setting up a new BE/DBI subcommittee will require official CPARB action, so this topic will be introduced in the next CPARB meeting.

Action by: Committee

Status: Approved and complete

Item 3: **Next Steps and action items**

- Janice Zahn will introduce the topic of standing up a new subcommittee(s) on BE/DBI and/or small business at the next CPARB meeting.

Adjourn at 3:00 pm