

HOUSE BILL REPORT

E2SHB 2617

As Amended by the Senate

Title: An act relating to eliminating boards and commissions.

Brief Description: Eliminating certain boards and commissions.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Driscoll, Chase, Hunt, Wallace, Williams, Maxwell, White, Kelley, Carlyle, Simpson, Seaquist and Moeller; by request of Governor Gregoire).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/21/10, 1/26/10 [DPS];

Ways & Means: 2/3/10, 3/9/10 [DP2S(w/o sub SGTA)].

Floor Activity:

Passed House: 3/10/10, 96-1.

First Special Session

Floor Activity:

Passed House: 3/16/10, 91-2.

Senate Amended.

Passed Senate: 3/18/10, 40-1.

Brief Summary of Engrossed Second Substitute Bill

- Eliminates specified boards, committees, and commissions.
- Eliminates subsistence, lodging, and travel allowances for members of boards, commissions, councils, and committees identified as class 1, 2, 3, and 5 groups whose allowances are funded by the State General Fund.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst, Miloscia and Taylor.

Staff: Pam Madson (786-7111).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

HOUSE COMMITTEE ON WAYS & MEANS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on State Government & Tribal Affairs. Signed by 22 members: Representatives Linville, Chair; Ericks, Vice Chair; Sullivan, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler, Cody, Conway, Darneille, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest, Ross, Schmick and Seaquist.

Staff: Steve Smith (786-7178).

Background:

In 1977 the Legislature directed the Office of Financial Management (OFM) to compile and revise, within 90 days after the beginning of each biennium, a list of all permanent and temporary, statutory and non-statutory boards, commissions, councils, committees, and other groups established by the executive, legislative, or judicial branches of state government and whose members are eligible to receive travel expenses for their meetings. For each board and commission, the OFM list must provide information about the legal authorization for creation of the group; the number of members and the appointing authority; the number of meetings in the previous biennium; a summary of the group's primary responsibilities; and the source of funding for the group.

In 1994 the Legislature established new oversight roles for the Governor and the OFM. For existing boards and commissions, the Governor must review and submit to the Legislature every odd-numbered year a report recommending which boards and commissions should be terminated or consolidated. In making a recommendation, the Governor must consider the following:

- whether the entity completed its work and is no longer of critical significance to effective state government;
- whether the work of the group directly affects public safety, welfare, or health;
- whether the work can be done by another state agency;
- what impact termination will have on costs;
- whether the work can be done by a non-public entity;
- whether termination will result in significant loss of expertise to state government;
- whether termination will result in operational efficiencies other than fiscal; and
- whether the work can be done by an ad hoc committee.

In 2009 the Legislature eliminated 18 statutory boards, commissions, councils, and committees, and the Governor eliminated a number of non-statutory entities by executive order.

The Office of Financial Management sets allowances for subsistence, lodging, and travel expenses for persons who are appointed to serve on boards, commissions, or committees. Part-time boards, commissions, councils, and committees are identified as class 1 through class 5 for purposes of setting any additional compensation or allowances.

Summary of Engrossed Second Substitute Bill:

Forty-eight statutory boards, commissions, committees, or councils are eliminated. Where appropriate, duties are transferred to the agency that the board, commission, committee, or council advises.

All tangible property in the possession of a terminated entity is transferred to the custody of the entity assuming the responsibilities. If the responsibilities of a terminated entity are also terminated, documents and papers shall be delivered to the State Archivist, and equipment or other tangible property to the Department of General Administration. Any contractual rights and duties of the eliminated board, committee, or council are assigned to the entity assuming the responsibilities.

Those boards, commission, councils, or committees eliminated as of June 30, 2010 include:

Airport Impact Mitigation Advisory Board;
Athletic Training Advisory Committee;
Basic Health Advisory Committee;
Boards of Law Enforcement and Correctional Training Standards (2);
Citizen's Advisory Council on Alcoholism and Drug Addiction;
Combined Fund Drive Committee;
Committee on Agency Official's Salaries;
Community Transition Coordination Networks Advisory Committee;
Department of Information Services Customer Advisory Board;
Driver Instructor Advisory Committee (Driver Training School Advisory Committee);
Emergency Medical Services Licensing and Certification Advisory Committee;
Employee Retirement Benefits Board;
Environmental Land Use Hearings Board;
Family Practice Education Advisory Board;
Fire Protection Policy Board;
Forest Fire Advisory Board;
Hazardous Substance Mixed Waste Advisory Board;
Health and Welfare Advisory Board and Property and Liability Advisory Board;
HECB Advisory Council;
HECB Research Advisory Group;
Industry Cluster Advisory Committee;
Integrated Justice Information Board;
Interagency Integrated Pest Management Coordinating Committee;
Juvenile Justice Advisory Committee;
K-20 Educational Network Board;
K-20 Network Technical Steering Committee;
Land Bank Technical Advisory Committee;
Migratory Waterfowl Art Committee;
Mortgage Broker Commission;
Oil Spill Advisory Committee;
Olympic Natural Resources Center Policy Advisory Board;
On-site Sewage Disposal Systems Alternative Systems Technical Review Committee;
On-site Wastewater Technical Advisory Committee;

Orthotics and Prosthetics Advisory Committee;
Pesticide Advisory Board;
Regional Fisheries Enhancement Group Advisory Board;
Revenue-Simplified Sales and Use Tax Administrative Advisory Group;
Solid Waste Advisory Committee;
Special License Plate Review Board;
State Board on Geographic Names;
Strategic Health Care Planning Office Technical Advisory Committee;
Veteran's Innovation Program Board; and
Washington Main Street Advisory Committee.

The Vehicle Equipment Safety Commission and the Western States School Bus Safety Commission are eliminated as of June 30, 2011. The Women's History Consortium Board of Advisors is eliminated as of November 15, 2010. The Water Supply Advisory Committee is eliminated as of the effective date of this act.

Beginning July 1, 2010, through June 30, 2011, members of boards, commissions, councils, or committees identified as class 1 through class 3 and class 5 groups may not receive allowances for subsistence, lodging, and travel if these costs are funded by the State General Fund. All classes are directed to use methods of conducting meetings that do not require members to travel and to use state facilities for meetings that require member to physically be present. Those boards, commissions, councils, or committees funded by sources other than the State General Fund are encouraged to reduce travel, lodging, and other costs.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendments make the following changes to the House bill: (1) The Athletic Training Advisory Committee, the Migratory Waterfowl Art Committee, and the Orthotics and Prosthetics Advisory committee are maintained as statutory committees; (2) the Title and Registration Advisory Committee is terminated; and (3) the Women's History Consortium Board of Advisors is maintained as a statutory committee but is limited to two meetings per year, and if money is not available, they may meet voluntarily. The Board of Advisors is appointed by the director of the State Historical Society rather than the Governor.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect June 30, 2010, except for section 127 relating to the Vehicle Equipment Safety Commission and section 131 relating to the Western States School Bus Safety Commission, which take effect June 30, 2011; sections 132 and 148 relating to the Women's History Consortium, which take effect November 15, 2010; and sections 128-130, relating to the Water Supply Advisory Committee which take effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (State Government & Tribal Affairs):

(In support) This is an ongoing effort by the Governor to strategically eliminate redundant government activities. Some were formed many years ago and have fulfilled their purpose. Boards and commissions are a useful tool for citizens to use to communicate with government. Today we have multiple ways to communicate with citizens and obtain input. Those proposed for elimination don't interfere with the underlying goal.

(With concerns) The Capital Campus Design Advisory Committee asks that it, and the Capital Projects Advisory Review Board, be preserved.

(Opposed) The Mental Health Counselors, Marriage and Family Therapists, and Social Workers Advisory Committee is self-supporting and funded from fees charged to licensees. The committee provides consulting information on disciplinary actions. This is an inexpensive way to get advice on issues. Members provide expertise to the Department. Washington is one of two states without professional boards for these professions.

The Chemical Dependency Professional Certification Advisory Committee oversees licensure and discipline, and rates and regulation of chemical dependency providers. The committee is supported by fees paid by licensees. It is very active and provides expertise for issues such as new rules for the Department of Health for a new licensure category established last year.

The Well Drilling Technical Advisory Group is a 12-member committee and costs about \$2,000 a year. It provides important communication and a broad scope of expertise to the Department of Ecology and the Department of Health. Members are willing to reduce or cover the cost of this group.

The Title and Registration Advisory Committee provides a forum to get parties together to work out differences and works on contract issues and fees before presenting issues to the Legislature. It involves county auditors and licensing agents who are private businesses. It has no fiscal impact.

There will be a shortage of nurses and others in the health care industry and there is a need to increase training. The Advisory Council on Adult Education, and the Workforce Training Customer Advisory Committee advise on training needs for higher education in industries where workers are needed. It provides visibility for the health care industry.

The Migratory Waterfowl Art Committee provides a valuable function including oversight and accountability for money raised from the sale of duck stamp artwork and the duck stamps themselves. The money goes to improve waterfowl habitat. The committee chooses the artwork that goes on the stamp. Even though the stamp is no longer a required purchase when obtaining a hunting license, people choose to purchase it anyway.

The Problem Gambling Advisory Committee includes representation from the industry. It allows oversight for the money provided by the industry for grants. It helps to insure that money is spent appropriately and efficiently.

Staff Summary of Public Testimony (Ways & Means):

(In support) This bill is part of the Governor's government reform agenda. Government can reach out to the public through the use of technology. The boards, commissions, and committees eliminated in the bill are not those that deal with governance, are regulatory, or are required for federal funds.

(In support with concerns) This is a good step because the proliferation of boards and commissions is a problem. The Public Records Exemptions Accountability Committee should stay in existence and performs a useful function. Other boards that could be eliminated are the Forest Practices Board, the Pollution Control Hearings Board, and the Shorelines Management Hearings Board.

(Opposed) The Citizen's Advisory Council on Alcoholism and Drug Addiction is a board of dedicated volunteers who advise the Department of Social and Health Services. The council provides a peer review of grant moneys that come from the federal government. The Chemical Dependency Professional Certification Advisory Committee is supported by fees from the providers. This committee does work that wouldn't be done because of limited agency staff.

The State Noxious Weed Board (Board) supports weed boards in 38 of 39 counties. Noxious weed control is critical to the state's forage crops. The Board will work with less funding.

The Public Records Exemption Accountability Committee is doing very important work; it is reviewing over 300 exemptions with stakeholders. The committee's existence is important and it should be allowed to continue but take away the budget.

This is the centennial year for women gaining the right to vote. Exhibits will open soon and many activities are planned. It is important to keep the Women's History Consortium Board of Advisors as a voluntary board at least through the biennium.

Persons Testifying (State Government & Tribal Affairs): (In support) Representative Driscoll, prime sponsor.

(With concerns) Stan Bowman, American Institute of Architects, Washington Council.

(Opposed) Melanie Stuart, Licensed Mental Health Counselors Association; Melissa Johnson, Association of Alcoholism and Addiction Programs; Glen Smith and Chris Gresham, Washington State Ground Water Association; George Cohee and Jan Novak, Washington Association of Vehicle Subagents; Robb Menaul, Washington State Hospital Association; John Arrabito, Washington Waterfowl Association; Bob Cooper, National Association of Social Workers; and Dolores Chiechi, Recreational Gaming Association.

Persons Testifying (Ways & Means): (In support) Kathleen Drew, Governor's Policy Office.

(In support with concerns) Arthur West.

(Opposed) Philip Gonzales, Citizens Advisory Council for Drug and Alcohol Abuse; Melissa Johnson, Association of Alcoholism and Addiction Programs; Ray Fann and Alison Halpern,

Washington State Noxious Weed Control Board; Tim Ford, Office of the Attorney General; and Sue Lean, Women's History Consortium.

Persons Signed In To Testify But Not Testifying (State Government & Tribal Affairs):
None.

Persons Signed In To Testify But Not Testifying (Ways & Means): None.