
**State Government & Tribal Affairs
Committee**

ESSB 6345

Brief Description: Creating a commission to restructure state government.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Kastama, Tom, Hatfield, Rolfes, Kilmer and Hill).

Brief Summary of Engrossed Substitute Bill

- Establishes the Agency Reallocation and Realignment of Washington Commission (Commission) on restructuring state government.
- Requires the Commission to review budgets and forecasts, examine tax subsidies, study the organization of state government, and find cost savings and efficiencies.
- Requires the Commission to submit an annual report to the Legislature beginning in 2013 and until 2016, and biennially thereafter.
- Requires that bills recommended by the Commission be introduced in the Legislature, follow a unique legislative process, and require a two-thirds vote for amendment purposes.
- Permits the Commission to consider recommendations on agency reallocation and realignment in executive sessions that exclude the public from the meeting place.
- Makes documents, materials, and information obtained or produced by the Commission not subject to disclosure under the Public Records Act unless such information is publicly cited in connection with an action taken by the Commission.

Hearing Date: 2/20/12

Staff: Marsha Reilly (786-7135).

Background:

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.

Special commissions have been established by legislation in Washington to examine government practices and structures.

In 1998 the Blue Ribbon Commission on Transportation (BRCT) was formed to analyze the state's transportation system and to make recommendations for reform and improvement. The BRCT found that in Washington more than 468 governmental entities had authority for transportation planning, funding, management and construction of the system. They recommended that a single point of accountability for the state system be designated. To accomplish this, the BRCT recommended that the Secretary of the Washington State Department of Transportation (DOT) be appointed directly by the Governor, to make the Governor accountable for the performance of the state transportation system. The BRCT also recommended that the mission of the state Transportation Commission (who previously appointed the Secretary of DOT) be modified to make the Transportation Commission responsible for benchmarking and performance measures for the state transportation system.

The Blue Ribbon Commission on Health Care Costs and Access (BRCHC) met from June to December 2006. It was created by the Legislature and charged with delivering a five-year plan for substantially improving access to affordable health care for all Washingtonians. The BRCHC was co-chaired by Governor Gregoire and Senator Thibaudeau, and included 12 other legislative and state agency leaders. The BRCHC met throughout the interim, and issued their recommendations in January 2007.

Commissions and similarly charged organizations or agencies are commonly required to submit proposals for legislation, which may be introduced by members of the House of Representatives or the Senate as bills.

The Washington Constitution contains a number of provisions related to making laws. In addition to requirements relating to bills being enacted by the Legislature, the Constitution also describes the Governor's Legislative role and Veto Power.

Summary of Bill:

The Agency Reallocation and Realignment of Washington Commission (Commission) on restructuring state government is established. The Commission will have eight members. Each caucus in both houses of the Legislature will appoint one former statewide official and nominate three individuals with executive management experience. The Governor will then select one of the nominees from each caucus to fill the four remaining positions.

The Commission must:

- review budget, revenue, and caseload forecasts and estimates over the next six years;
- examine current subsidies and tax breaks;
- examine current operations and organizations of state government;
- evaluate operational and organizational restructuring possibilities to find cost savings and efficiencies; and
- submit an initial report that includes recommendations for alignment of revenue and expenditures over the next six-year period.

The Commission may make proposals to:

- adopt methods and procedures for reducing expenditures;
- eliminate duplication and overlapping services, activities, and functions;
- consolidate services, activities, and functions of a similar nature;
- abolish services, activities, and functions not necessary to the efficient operation of government;
- eliminate unnecessary state departments and agencies, create necessary new state departments and agencies, reorganize existing state departments and agencies, and transfer functions and responsibilities among state departments and agencies;
- define or redefine the duties and responsibilities of state officers; and
- revise present provisions for continuing or permanent appropriations of state funds of whatever kind for whatever purpose, eliminate any such existing provisions, and adopt new provisions.

The Commission must submit an annual report to the Legislature beginning in 2013 and until 2016, and once per biennium thereafter. The report shall include the Commission's findings, recommendations and proposed legislation.

After being recommended by the Commission, the proposed legislation must be introduced in each house and referred to the appropriate committees of the Legislature. After a hearing in committee, the bill, as introduced, must be put before each chamber for a vote. The bills may only be amended by an affirmative vote of two-thirds in each house of the Legislature. If the Legislature rejects one or more of the bills, the Legislature must return them to the Commission detailing with specificity the reasons for rejection.

The Commission's consideration of recommendations on agency reallocation and realignment are exempted from the general requirements of the Open Public Meetings Act, and may be conducted in executive sessions that exclude the public from the meeting place.

Documents, materials, and information obtained or produced by the Commission are not subject to disclosure under the Public Records Act unless such information is publicly cited in connection with an action taken by the Commission.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.