

HOUSE BILL REPORT

HB 1107

As Reported By House Committee On:

Government Operations
Appropriations

Title: An act relating to the elimination and consolidation of boards and commissions.

Brief Description: Eliminating and consolidating boards and commissions.

Sponsors: Representatives Reams, Rust, Goldsmith, Kremen, Wolfe, R. Fisher and Chopp; by request of Governor Lowry.

Brief History:

Committee Activity:

Government Operations: 2/1/95, 2/3/95 [DPS];

Appropriations: 3/1/95, 3/4/95 [DPS(GOVT)].

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Reams, Chairman; Goldsmith, Vice Chairman; L. Thomas, Vice Chairman; Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Chopp; R. Fisher; Hargrove; Honeyford; Hymes; Mulliken; D. Schmidt; Sommers; Van Luven and Wolfe.

Staff: Bonnie Austin (786-7135).

Background: In 1993, the Office of Financial Management (OFM) conducted a survey and found that 569 state boards and commissions operated in the 1991-93 biennium. In 1994, the Legislature passed ESHB 2676. The bill abolished or consolidated 49 boards and commissions, established a process to eliminate redundant and obsolete boards and commissions, and restricted the establishment of new boards and commissions.

Unless a new board or commission is established or required by statute, new boards and commissions not may not be established without the express approval of the director of OFM. Prioritized approval criteria are detailed in statute. The director of OFM is required to submit to the Legislature by January 8 of each year a list of boards and commissions for which approval was requested and of those that were approved during the preceding calendar year.

The Governor is required to review boards and commissions based on statutory criteria, and by January 8 of each odd-numbered year, submit a report and legislation to the Legislature recommending which boards and commissions should be terminated or consolidated. The Governor has submitted the 1995 report, recommending the termination of 34 boards and commissions and the consolidation of 16 boards and commissions into five merged boards.

Summary of Substitute Bill: The following boards, councils, committees, and commissions are abolished: The Law Revision Commission; Judicial Council; Juvenile Disposition Standards Commission; Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board; Shorthand Reporter Advisory Board; Maritime Bicentennial Advisory Committee; Centennial Commission; Student Financial Aid Policy Advisory Committee; Advisory Committee on Access to Education for Students with Disabilities; Timber Advisory Committee; Advisory Committee on Minority and Women's Business Enterprises; Supply Management Advisory Board; Prescription Drug Program Advisory Committee; Telecommunications Relay Service Program Advisory Committee; Laboratory Accreditation Advisory Committee; Metals Mining Advisory Group; Hydraulics Appeals Board; Economic Recovery Coordination Board; Joint Operating Agency Executive Committee; Office of Crime Victims Advocacy Committee; Health Care Access and Cost Control Council; Council on Volunteerism and Citizen Service; Commission for Efficiency and Accountability in Government; Technical Advisory Committee on Pupil Transportation; Oversight Committee on Longshoreman's and Harbor Worker's Compensation Coverage; Board of Advisors for Solid Waste Incinerator and Landfill Operator Certification; Waste and Wastewater Operator Certification Board of Examiners; Twin Rivers Corrections Center Volunteer Advisory Group; Advisory Board for Purchase of Fishing Vessels and Licenses; Rail Development Commission; Marine Oversight Board; and Interagency Coordinating Committee for Puget Sound Ambient Monitoring Program.

The following boards, councils, committees and commissions are consolidated: (1) the Emergency Management Council, the State Emergency Response Commission, the Disaster Assistance Council, the Emergency Management Communications Coordinating Committee, the Hazardous Materials Advisory Committee, the Hazardous Materials Transportation Act Grant Review Committee, the Flood Damage Reduction Committee, and the Hazard Mitigation Grant Review Committee; (2) the Fire Protection Policy Board and the State Fire Defense Board; (3) the Transportation Improvement Board and the Multimodal Transportation Programs and Projects Selection Committee; and (4) the Sea Urchin Endorsement Board of Review and the Sea Cucumber Endorsement Board of Review.

If an abolished board or commission is supported by fees on a regulated profession, those fees must be reduced proportionate to the costs saved.

Substitute Bill Compared to Original Bill: The merger of the Board of Funeral Directors and Embalmers and the Cemetery Board is deleted from the bill. The Escrow Commission and the Collection Agency Board will not be abolished. The director of the Office of Minority and Women's Business Enterprises is authorized to appoint ad hoc advisory committees. The Department of Transportation, rather than the Transportation Improvement Board, will allocate funds from the High Capacity Transportation Account. The Department of Transportation will establish a committee consisting of eligible recipients to review fund applications. If abolished boards and commissions are supported by fees on a regulated profession, those fees must be reduced to reflect the costs saved.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Section 301 (Juvenile Disposition Standards Commission) takes effect June 30, 1997; and the remainder of the bill contains an emergency clause and takes effect July 1, 1995.

Testimony For: The boards and commissions eliminated or consolidated in the bill were proposed by the agencies and reviewed by OFM. Selection criteria included inactivity, completion of duties, overlapping functions, and the advisability of using ad hoc advisory committees instead of permanent committees. This proposal will result in \$760,000 savings from 1993 biennial levels. The growth of boards and commissions has continued and the Legislature needs to take responsibility for eliminating those that are not needed and consolidating those that have overlapping functions. The Department of Transportation should be responsible for allocating funds from the High Capacity Transportation Account.

Testimony Against: The Collection Agency Board should not be abolished because it is self-supported by license fees, would result in less than \$5,000 in savings, and is needed to help the department deal with the complex web of federal and state regulations and to police the profession.

The Escrow Commission should not be abolished because it is self-supported by license fees, it serves an important consumer protection function, the regulation of the profession is being transferred from the Department of Licensing to the Department of Financial Institutions, and the testing of escrow officers would cost the agency far more than it does the Commission. If the Commission is eliminated, license fees should be lowered.

The Cemetery and Funeral boards should not be merged. One is an institutional industry and one is a professional licensing industry. We want to be regulated by our

own boards. These functions are only combined about 15 percent of the time. The boards are not funded from the general fund but from dedicated license fees.

Testified: Pro: Fred Hellberg, Office of Financial Management; Chuck Sauvage, Common Cause; Bob Williams, Evergreen Freedom Federation; Mike Collins, Dept. of Licensing; Stan Finkelstein, Association of Washington Cities; Bob Jensen, Environmental Hearings Office; Steve Lindstrom, Washington Student Lobby; and Lois Anderson, Washington State Department of Transportation (with concerns).

Con: Frank Lamb, Mark Gjurasic and Bill Pratt, Washington Collectors Association; Paul Elvig, Washington State Cemetery Association; James H. Noel, Washington State Funeral Directors Association; Tamara Warnke, Ted Arimes, Dennis Daug, Escrow Association of Washington; and Gary Lowe, Washington State Association of Counties.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Government Operations be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Silver, Chairman; Clements, Vice Chairman; Huff, Vice Chairman; Pelesky, Vice Chairman; Sommers, Ranking Minority Member; Valle, Assistant Ranking Minority Member; Beeksma; Brumsickle; Carlson; Chappell; Cooke; Crouse; G. Fisher; Foreman; Grant; Hargrove; Hickel; Jacobsen; Lambert; Lisk; McMorris; Poulsen; Reams; Rust; Sehlin; Sheahan; Talcott; Thibaudeau and Wolfe.

Staff: Kristen Reiber (786-7148).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Government Operations: No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Section 301 (Juvenile Disposition Standards Commission) takes effect June 30, 1997; and the remainder of the bill contains an emergency clause and takes effect July 1, 1995.

Testimony For: The bill results from studies performed by OFM and proposes the elimination or consolidation of overlapping or redundant boards. In many cases, it is

better to use ad hoc boards than to allow existing boards to continue indefinitely. Abolishment and consolidation will save money.

Testimony Against: The Law Revision Commission, which recommends improvements to obsolete or imprecise statutes, performs important services for the Legislature and the legal community. It should not be abolished.

Testified: (In favor) Fred Hellberg, Office of Financial Management; Leon Curtis and Kathy Davis, DSHS; Gary Lowe, Washington State Association of Counties; Bob Jensen, Environmental Hearings Office; Bob Williams, Evergreen Freedom Foundation; and Jerry Jay, TIB. (Against section 1) Marjorie Rombauer, Washington Law Revision Commission.