

SENATE BILL REPORT

SB 6191

As Reported by Senate Committee On:
Government Operations & Elections, January 26, 2010

Title: An act relating to updating and removing obsolete references from the statutes governing the joint legislative audit and review committee.

Brief Description: Concerning the joint legislative audit and review committee.

Sponsors: Senators Parlette, Rockefeller and Kohl-Welles.

Brief History:

Committee Activity: Government Operations & Elections: 1/18/10, 1/26/10 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; McDermott, Pridemore and Swecker.

Staff: Karen Epps (786-7424)

Background: The Joint Legislative Audit and Review Committee (JLARC) has 16 members; eight senators and eight representatives, with four from each caucus of each chamber. During odd-year regular legislative sessions, JLARC develops a 16- to 24-month performance audit work plan and conducts performance audits and other reviews as required by the work plan and legislative mandates. Various factors must be considered when developing the work plan, including whether a program warrants continued oversight, whether implementation of an existing program has failed to meet its goals, and whether a follow-up audit would help ensure that prior recommendations are being implemented. As necessary, JLARC may consult or contract with private or other public experts to conduct the performance audits, and involve front-line employees and internal auditors as much as possible.

Upon completion of the audit, JLARC must publish a final performance audit report and distribute it to the agency, the Office of Financial Management, the appropriate standing committees of the Legislature, and the public. Subsequently, JLARC can produce a preliminary compliance report detailing the agency's compliance with the committee's

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recommendations, hold hearings and receive public testimony, and issue a final compliance report.

Summary of Bill: Members of JLARC serve for two years, ending two years from the date of appointment or when a member is no longer a member of the house from which that member was appointed, in which case the member continues to serve until a successor is appointed. Vacancies on JLARC are filled from the same political party and the same house as the member whose seat was vacated. The President of the Senate appoints members in the case of a Senate vacancy and the Speaker of the House appoints members in the case of a House vacancy.

At the conclusion of the regular legislative session of odd-numbered years, JLARC develops and approves a performance audit work plan for the ensuing biennium. The biennial work plan may be modified at the conclusion of other legislative sessions to reflect actions taken by the Legislature and JLARC. The work plan includes a description of each performance audit. Approved work plans are transmitted to the Legislature by July 1 following conclusion of each regular session of an odd-numbered year and as soon as practical following other legislative sessions. Work plans must also consider whether an assignment for JLARC to conduct a performance audit has been mandated in legislation.

JLARC is granted authority to access any confidential records needed to discharge the joint committee's performance audit duties. However, access to confidential records does not change their confidential nature, and any existing confidentiality requirements remain in force and must be respected by the joint committee and its staff.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: OTHER: This bill makes changes to the appointment of members. This bill fixes the timing of the JLARC work plan by aligning the work plan with assignments from the Legislature. This bill confirms access to confidential records for JLARC staff. Additionally, the bill removes outdated reference to the Transportation Performance Audit Board which was repealed in 2006. The language about access to confidential records raises some issues and causes some concern for cities. Cities would like the opportunity to discuss these provisions with JLARC in the next few days.

Persons Testifying: OTHER: Ruta Fanning, JLARC; Victoria Lincoln, Association of Washington Cities.