

SENATE BILL REPORT

SB 6310

As Reported By Senate Committee On:
State & Local Government, January 24, 2000

Title: An act relating to government accountability through the state sunset review process.

Brief Description: Increasing government accountability through the state sunset review process.

Sponsors: Senators Gardner, Horn, Oke, Loveland, Stevens, Wojahn, Bauer, Rasmussen, McAuliffe and Costa; by request of Joint Legislative Audit & Review Committee.

Brief History:

Committee Activity: State & Local Government: 1/20/2000, 1/24/2000 [DPS].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: That Substitute Senate Bill No. 6310 be substituted therefor, and the substitute bill do pass.

Signed by Senators Patterson, Chair; Gardner, Vice Chair; Hale, Haugen, Horn and McCaslin.

Staff: Diane Smith (786-7410)

Background: The Legislature first enacted a sunset law in 1977 in order to provide better accountability in state government and to eliminate outmoded or duplicative activities.

A sunset review is completed on all programs and agencies scheduled by the Legislature for termination by the sunset process. This sunset review is done by the Joint Legislative Audit and Review Committee (JLARC) before June 30 of the year prior to the date established for termination of an agency or program. The Office of Financial Management (OFM) may then complete its own review by September 30 of the same year. A final report is prepared by JLARC and transmitted to the Legislature, Governor, the affected agency and the State Library.

Once an agency is terminated, it continues its existence until June 30 of the next succeeding year in order to wind up its affairs.

The sunset act will expire on June 30, 2000. Programs scheduled for elimination after that date will automatically expire without a review unless the Legislature provides otherwise.

Summary of Substitute Bill: Any part of the Revised Code of Washington scheduled for repeal, expiration or program termination may be subjected to sunset review by the Legislature. Within one year of being scheduled for sunset termination, the affected entity must establish performance measures subject to JLARC's approval. The entity has the burden of proving compliance with the performance measures.

Unless provided otherwise, the sunset termination cannot be any sooner than seven years after the enactment of the termination statute.

The timing of the JLARC review is permitted to be any time within the calendar year prior to the date of termination. If OFM issues a response to the JLARC review, that response and the affected entity's response are included in the final report.

The review criteria used by JLARC are simplified and reference the entity's meeting the performance measures previously developed.

Substitute Bill Compared to Original Bill: The substitute bill removes the emergency clause from the original bill.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is a very important bill because the public wants more efficiency and accountability and JLARC itself seeks to become more efficient and accountable. It strengthens the front end of the review process by modifying an already excellent tool. Sunsetting is a healthy, often-used tool for legislators.

Testimony Against: None.

Testified: Tom Sykes, Legislative Auditor, JLARC; Chuck Sauvage, Common Cause WA State; Senator Gardner (pro).