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ENGROSSED SUBSTITUTE SENATE BILL 6303

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State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Quigley, Haugen, Snyder, McAuliffe, Roach, Franklin, McDonald, Hargrove, Pelz, Bauer, Wojahn, Williams, Prentice, Sheldon, Loveland, Skratek, Owen, Ludwig, Sutherland, A. Smith, Winsley, Spanel, West, Moyer, Vognild, M. Rasmussen, Oke, Anderson and Drew)

Read first time 02/04/94.

1 AN ACT Relating to the termination of state boards and commissions;  
2 adding new sections to chapter 43.88 RCW; creating new sections;  
3 providing effective dates; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature declares there has been an  
6 excessive proliferation of boards and commissions within state  
7 government. These boards and commissions are often created without  
8 legislative review or input and without an assessment of whether there  
9 is a resulting duplication of purpose or process. Once created, they  
10 frequently duplicate the duties of existing governmental entities,  
11 create additional expense, and obscure responsibility. It has been  
12 difficult to control the growth of boards and commissions because of  
13 the many special interests involved. Accordingly, the legislature  
14 establishes the process in this chapter to eliminate redundant and  
15 obsolete boards and commissions and to restrict the establishment of  
16 new boards and commissions.

17 NEW SECTION. **Sec. 2.** (1) The governor shall conduct a review of  
18 all of the boards and commissions identified under section 4 of this

1 act and, by January 1, 1995, submit to the legislature a report  
2 recommending which boards and commissions should be terminated or  
3 consolidated based upon the criteria set forth in subsection (3) of  
4 this section. The report must state which of the criteria were relied  
5 upon with respect to each recommendation. The governor shall submit an  
6 executive request bill by January 10, 1995, to implement the  
7 recommendations by expressly terminating the appropriate boards and  
8 commissions and by providing for the transfer of duties and obligations  
9 under this section. The governor shall accept and review with special  
10 attention recommendations made, not later than June 1, 1994, by the  
11 standing committees of the legislature.

12 (2) In addition to terminations and consolidations under subsection  
13 (1) of this section, the governor may recommend the transfer of duties  
14 and obligations from a board or commission to another existing state  
15 entity.

16 (3) In preparing his or her report and legislation, the governor  
17 shall make an evaluation based upon answers to the questions set forth  
18 in this subsection. The governor shall give these criteria priority in  
19 the order listed.

20 (a) Has the mission of the board or commission been completed or  
21 ceased to be critical to effective state government?

22 (b) Does the work of the board or commission directly affect public  
23 safety, welfare, or health?

24 (c) Can the work of the board or commission be effectively done by  
25 another state agency without adverse impact on public safety, welfare,  
26 or health?

27 (d) Will termination of the board or commission have a significant  
28 adverse impact on state revenue because of loss of federal funds?

29 (e) Will termination of the board or commission save revenues, be  
30 cost neutral, or result in greater expenditures?

31 (f) Is the work of the board or commission being done by another  
32 board, commission, or state agency?

33 (g) Could the work of the board or commission be effectively done  
34 by a nonpublic entity?

35 (h) Will termination of the board or commission result in a  
36 significant loss of expertise to state government?

37 (i) Will termination of the board or commission result in  
38 operational efficiencies that are other than fiscal in nature?

1 (j) Could the work of the board or commission be done by an ad hoc  
2 committee?

3 NEW SECTION. **Sec. 3.** The legislature shall consider and enact or  
4 not enact the legislation requested by the governor under section 2 of  
5 this act in accordance with the rules of each house, except that either  
6 house of the legislature may not add to or delete from the list of  
7 boards and commissions as requested by the governor unless done so by  
8 a unanimous vote of the members voting. The legislature may adopt such  
9 technical amendments as are necessary by a majority vote.

10 NEW SECTION. **Sec. 4.** The boards and commissions to be reviewed by  
11 the governor must be all entities that are required to be included in  
12 the list prepared by the office of financial management under RCW  
13 43.88.505, other than entities established under: (1) Constitutional  
14 mandate; (2) court order or rule; (3) requirement of federal law; or  
15 (4) requirement as a condition of the state or a local government  
16 receiving federal financial assistance if, in the judgment of the  
17 governor, no other state agency, board, or commission would satisfy the  
18 requirement.

19 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.88 RCW  
20 to read as follows:

21 (1) A new board or commission not established or required in  
22 statute that must be included in the report required by RCW 43.88.505  
23 may not be established between the effective date of this section and  
24 December 31, 1997, without the express approval of the director of  
25 financial management. The director shall, before the first Monday of  
26 January each year, submit to the legislature a list of those boards and  
27 commissions that were requested for approval and those that were  
28 approved during the preceding calendar year.

29 (2) Effective July 1, 1995, the total number of boards and  
30 commissions approved by the director of financial management may not  
31 exceed the difference between the number of boards and commissions  
32 terminated under section 2 of this act and any boards and commissions  
33 created by the legislature.

34 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.88 RCW  
35 to read as follows:

1       When acting on a request to establish a new board or commission  
2 under section 5 of this act, the director of the office of financial  
3 management shall consider the following criteria giving priority in the  
4 order listed:

5       (1) If approval is critical to public safety, health, or welfare or  
6 to the effectiveness of state government;

7       (2) If approval will not result in duplication of the work or  
8 responsibilities of another governmental agency;

9       (3) If approval will not have a significant impact on state  
10 revenues;

11       (4) If approval is for a limited duration or on an ad hoc basis;

12       (5) If the work of the board or commission could be effectively  
13 done by a nonpublic entity;

14       (6) If approval will result in significant enhancement of expertise  
15 in state government; and

16       (7) If approval will result in operational efficiencies other than  
17 fiscal savings.

18       NEW SECTION. **Sec. 7.** The following acts or parts of acts are each  
19 repealed:

20       (1) Section 2 of this act;

21       (2) Section 3 of this act; and

22       (3) Section 4 of this act.

23       NEW SECTION. **Sec. 8.** The following acts or parts of acts are each  
24 repealed:

25       (1) Section 1 of this act;

26       (2) Section 5 of this act; and

27       (3) Section 6 of this act.

28       NEW SECTION. **Sec. 9.** (1) Sections 1 through 6 of this act are  
29 necessary for the immediate preservation of the public peace, health,  
30 or safety, or support of the state government and its existing public  
31 institutions, and shall take effect immediately.

32       (2) Section 7 of this act shall take effect December 31, 1995.

33       (3) Section 8 of this act shall take effect January 1, 1997.

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