

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1066

Chapter 96, Laws of 1997

55th Legislature
1997 Regular Session

STATE FACILITY MAINTENANCE--REFORMS

EFFECTIVE DATE: 7/27/97

Passed by the House February 28, 1997
Yeas 96 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 9, 1997
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved April 21, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1066** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 21, 1997 - 4:13 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1066

Passed Legislature - 1997 Regular Session

State of Washington 55th Legislature 1997 Regular Session

By Representatives Pennington, Chopp, Mason, Costa, Skinner, Hankins,
Ogden and L. Thomas

Read first time 01/13/97. Referred to Committee on Capital Budget.

1 AN ACT Relating to the maintenance of state facilities; amending
2 RCW 43.82.150, 43.88.032, and 43.88.110; reenacting and amending RCW
3 43.88.030; adding a new section to chapter 43.82 RCW; and creating a
4 new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the capital stock
7 of facilities owned by state agencies represents a significant
8 financial investment by the citizens of the state of Washington, and
9 that providing agencies with the tools and incentives needed to
10 adequately maintain state facilities is critically important to
11 realizing the full value of this investment. The legislature also
12 finds that ongoing reporting of facility inventory, condition, and
13 maintenance information by agencies will improve accountability and
14 assist in the evaluation of budget requests and facility management by
15 the legislature and governor. The purpose of this act is to ensure
16 that recent enhancements to facility and maintenance reporting systems
17 implemented by the office of financial management, and a new program
18 created by the department of general administration to provide

1 maintenance information and technical assistance to state and local
2 agencies, are sustained into the future.

3 **Sec. 2.** RCW 43.82.150 and 1993 c 325 s 1 are each amended to read
4 as follows:

5 (1) The office of financial management shall develop and maintain
6 an inventory system to account for all owned or leased facilities
7 utilized by state government. At a minimum, the inventory system must
8 include the location, type, condition, and size of each facility. In
9 addition, for owned facilities, the inventory system must include the
10 date and cost of original construction and the cost of any major
11 remodelling or renovation. (~~The system must be developed by January~~
12 ~~1, 1994, and the initial inventory must be completed by June 30,~~
13 ~~1994.~~) The inventory must be updated by June 30 of each
14 (~~subsequent~~) year. The office of financial management shall publish
15 a report summarizing information contained in the inventory system for
16 each agency by October 1 of each year, beginning in 1997.

17 (2) All agencies, departments, boards, commissions, and
18 institutions of the state of Washington shall provide to the office of
19 financial management a complete inventory of owned and leased
20 facilities by May 30, 1994. The inventory must be updated and
21 submitted to the office of financial management by May 30 of each
22 subsequent year. The inventories required under this subsection must
23 be submitted in a standard format prescribed by the office of financial
24 management.

25 (3) For the purposes of this section, "facilities" means buildings
26 and other structures with walls and a roof. "Facilities" does not mean
27 roads, bridges, parking areas, utility systems, and other similar
28 improvements to real property.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.82 RCW
30 to read as follows:

31 The department of general administration shall provide information,
32 technical assistance, and consultation on physical plant operation and
33 maintenance issues to state and local governments through the operation
34 of a plant operation and support program. The program shall be funded
35 by voluntary subscription charges and service fees.

1 **Sec. 4.** RCW 43.88.030 and 1994 c 247 s 7 and 1994 c 219 s 2 are
2 each reenacted and amended to read as follows:

3 (1) The director of financial management shall provide all agencies
4 with a complete set of instructions for submitting biennial budget
5 requests to the director at least three months before agency budget
6 documents are due into the office of financial management. The
7 director shall provide agencies that are required under RCW 44.40.070
8 to develop comprehensive six-year program and financial plans with a
9 complete set of instructions for submitting these program and financial
10 plans at the same time that instructions for submitting other budget
11 requests are provided. The budget document or documents shall consist
12 of the governor's budget message which shall be explanatory of the
13 budget and shall contain an outline of the proposed financial policies
14 of the state for the ensuing fiscal period, as well as an outline of
15 the proposed six-year financial policies where applicable, and shall
16 describe in connection therewith the important features of the budget.
17 The message shall set forth the reasons for salient changes from the
18 previous fiscal period in expenditure and revenue items and shall
19 explain any major changes in financial policy. Attached to the budget
20 message shall be such supporting schedules, exhibits and other
21 explanatory material in respect to both current operations and capital
22 improvements as the governor shall deem to be useful to the
23 legislature. The budget document or documents shall set forth a
24 proposal for expenditures in the ensuing fiscal period, or six-year
25 period where applicable, based upon the estimated revenues as approved
26 by the economic and revenue forecast council or upon the estimated
27 revenues of the office of financial management for those funds,
28 accounts, and sources for which the office of the economic and revenue
29 forecast council does not prepare an official forecast, including those
30 revenues anticipated to support the six-year programs and financial
31 plans under RCW 44.40.070. In estimating revenues to support financial
32 plans under RCW 44.40.070, the office of financial management shall
33 rely on information and advice from the interagency revenue task force.
34 Revenues shall be estimated for such fiscal period from the source and
35 at the rates existing by law at the time of submission of the budget
36 document, including the supplemental budgets submitted in the even-
37 numbered years of a biennium. However, the estimated revenues for use
38 in the governor's budget document may be adjusted to reflect budgetary
39 revenue transfers and revenue estimates dependent upon budgetary

1 assumptions of enrollments, workloads, and caseloads. All adjustments
2 to the approved estimated revenues must be set forth in the budget
3 document. The governor may additionally submit, as an appendix to each
4 supplemental, biennial, or six-year agency budget or to the budget
5 document or documents, a proposal for expenditures in the ensuing
6 fiscal period from revenue sources derived from proposed changes in
7 existing statutes.

8 Supplemental and biennial documents shall reflect a six-year
9 expenditure plan consistent with estimated revenues from existing
10 sources and at existing rates for those agencies required to submit
11 six-year program and financial plans under RCW 44.40.070. Any
12 additional revenue resulting from proposed changes to existing statutes
13 shall be separately identified within the document as well as related
14 expenditures for the six-year period.

15 The budget document or documents shall also contain:

16 (a) Revenues classified by fund and source for the immediately past
17 fiscal period, those received or anticipated for the current fiscal
18 period, those anticipated for the ensuing biennium, and those
19 anticipated for the ensuing six-year period to support the six-year
20 programs and financial plans required under RCW 44.40.070;

21 (b) The undesignated fund balance or deficit, by fund;

22 (c) Such additional information dealing with expenditures,
23 revenues, workload, performance, and personnel as the legislature may
24 direct by law or concurrent resolution;

25 (d) Such additional information dealing with revenues and
26 expenditures as the governor shall deem pertinent and useful to the
27 legislature;

28 (e) Tabulations showing expenditures classified by fund, function,
29 activity and object;

30 (f) A delineation of each agency's activities, including those
31 activities funded from nonbudgeted, nonappropriated sources, including
32 funds maintained outside the state treasury;

33 (g) Identification of all proposed direct expenditures to implement
34 the Puget Sound water quality plan under chapter 90.70 RCW, shown by
35 agency and in total; and

36 (h) Tabulations showing each postretirement adjustment by
37 retirement system established after fiscal year 1991, to include, but
38 not be limited to, estimated total payments made to the end of the

1 previous biennial period, estimated payments for the present biennium,
2 and estimated payments for the ensuing biennium.

3 (2) The budget document or documents shall include detailed
4 estimates of all anticipated revenues applicable to proposed operating
5 or capital expenditures and shall also include all proposed operating
6 or capital expenditures. The total of beginning undesignated fund
7 balance and estimated revenues less working capital and other reserves
8 shall equal or exceed the total of proposed applicable expenditures.
9 The budget document or documents shall further include:

10 (a) Interest, amortization and redemption charges on the state
11 debt;

12 (b) Payments of all reliefs, judgments and claims;

13 (c) Other statutory expenditures;

14 (d) Expenditures incident to the operation for each agency;

15 (e) Revenues derived from agency operations;

16 (f) Expenditures and revenues shall be given in comparative form
17 showing those incurred or received for the immediately past fiscal
18 period and those anticipated for the current biennium and next ensuing
19 biennium, as well as those required to support the six-year programs
20 and financial plans required under RCW 44.40.070;

21 (g) A showing and explanation of amounts of general fund and other
22 funds obligations for debt service and any transfers of moneys that
23 otherwise would have been available for appropriation;

24 (h) Common school expenditures on a fiscal-year basis;

25 (i) A showing, by agency, of the value and purpose of financing
26 contracts for the lease/purchase or acquisition of personal or real
27 property for the current and ensuing fiscal periods; and

28 (j) A showing and explanation of anticipated amounts of general
29 fund and other funds required to amortize the unfunded actuarial
30 accrued liability of the retirement system specified under chapter
31 41.45 RCW, and the contributions to meet such amortization, stated in
32 total dollars and as a level percentage of total compensation.

33 (3) A separate capital budget document or schedule shall be
34 submitted that will contain the following:

35 (a) A statement setting forth a long-range facilities plan for the
36 state that identifies and includes the highest priority needs within
37 affordable spending levels;

38 (b) A capital program consisting of proposed capital projects for
39 the next biennium and the two biennia succeeding the next biennium

1 consistent with the long-range facilities plan. Inasmuch as is
2 practical, and recognizing emergent needs, the capital program shall
3 reflect the priorities, projects, and spending levels proposed in
4 previously submitted capital budget documents in order to provide a
5 reliable long-range planning tool for the legislature and state
6 agencies;

7 (c) A capital plan consisting of proposed capital spending for at
8 least four biennia succeeding the next biennium;

9 (d) A strategic plan for reducing backlogs of maintenance and
10 repair projects. The plan shall include a prioritized list of specific
11 facility deficiencies and capital projects to address the deficiencies
12 for each agency, cost estimates for each project, a schedule for
13 completing projects over a reasonable period of time, and
14 identification of normal maintenance activities to reduce future
15 backlogs;

16 (e) A statement of the reason or purpose for a project;

17 ~~((e))~~ (f) Verification that a project is consistent with the
18 provisions set forth in chapter 36.70A RCW;

19 ~~((f))~~ (g) A statement about the proposed site, size, and
20 estimated life of the project, if applicable;

21 ~~((g))~~ (h) Estimated total project cost;

22 ~~((h))~~ (i) For major projects valued over five million dollars,
23 estimated costs for the following project components: Acquisition,
24 consultant services, construction, equipment, project management, and
25 other costs included as part of the project. Project component costs
26 shall be displayed in a standard format defined by the office of
27 financial management to allow comparisons between projects;

28 ~~((i))~~ (j) Estimated total project cost for each phase of the
29 project as defined by the office of financial management;

30 ~~((j))~~ (k) Estimated ensuing biennium costs;

31 ~~((k))~~ (l) Estimated costs beyond the ensuing biennium;

32 ~~((l))~~ (m) Estimated construction start and completion dates;

33 ~~((m))~~ (n) Source and type of funds proposed;

34 ~~((n))~~ (o) Estimated ongoing operating budget costs or savings
35 resulting from the project, including staffing and maintenance costs;

36 ~~((o))~~ (p) For any capital appropriation requested for a state
37 agency for the acquisition of land or the capital improvement of land
38 in which the primary purpose of the acquisition or improvement is
39 recreation or wildlife habitat conservation, the capital budget

1 document, or an omnibus list of recreation and habitat acquisitions
2 provided with the governor's budget document, shall identify the
3 projected costs of operation and maintenance for at least the two
4 biennia succeeding the next biennium. Omnibus lists of habitat and
5 recreation land acquisitions shall include individual project cost
6 estimates for operation and maintenance as well as a total for all
7 state projects included in the list. The document shall identify the
8 source of funds from which the operation and maintenance costs are
9 proposed to be funded;

10 (~~(p)~~) (q) Such other information bearing upon capital projects as
11 the governor deems to be useful;

12 (~~(q)~~) (r) Standard terms, including a standard and uniform
13 definition of normal maintenance, for all capital projects;

14 (~~(r)~~) (s) Such other information as the legislature may direct by
15 law or concurrent resolution.

16 For purposes of this subsection (3), the term "capital project"
17 shall be defined subsequent to the analysis, findings, and
18 recommendations of a joint committee comprised of representatives from
19 the house capital appropriations committee, senate ways and means
20 committee, legislative transportation committee, legislative evaluation
21 and accountability program committee, and office of financial
22 management.

23 (4) No change affecting the comparability of agency or program
24 information relating to expenditures, revenues, workload, performance
25 and personnel shall be made in the format of any budget document or
26 report presented to the legislature under this section or RCW
27 43.88.160(1) relative to the format of the budget document or report
28 which was presented to the previous regular session of the legislature
29 during an odd-numbered year without prior legislative concurrence.
30 Prior legislative concurrence shall consist of (a) a favorable majority
31 vote on the proposal by the standing committees on ways and means of
32 both houses if the legislature is in session or (b) a favorable
33 majority vote on the proposal by members of the legislative evaluation
34 and accountability program committee if the legislature is not in
35 session.

36 **Sec. 5.** RCW 43.88.032 and 1994 c 219 s 4 are each amended to read
37 as follows:

1 (1) (~~Annual ongoing or routine~~) Normal maintenance costs shall be
2 programmed in the operating budget rather than in the capital budget.

3 (2) All debt-financed pass-through money to local governments shall
4 be programmed and separately identified in the budget document.

5 **Sec. 6.** RCW 43.88.110 and 1994 c 219 s 5 are each amended to read
6 as follows:

7 This section sets forth the expenditure programs and the allotment
8 and reserve procedures to be followed by the executive branch for
9 public funds.

10 (1) Allotments of an appropriation for any fiscal period shall
11 conform to the terms, limits, or conditions of the appropriation.

12 (2) The director of financial management shall provide all agencies
13 with a complete set of operating and capital instructions for preparing
14 a statement of proposed expenditures at least thirty days before the
15 beginning of a fiscal period. The set of instructions need not include
16 specific appropriation amounts for the agency.

17 (3) Within forty-five days after the beginning of the fiscal period
18 or within forty-five days after the governor signs the omnibus biennial
19 appropriations act, whichever is later, all agencies shall submit to
20 the governor a statement of proposed expenditures at such times and in
21 such form as may be required by the governor.

22 (4) The office of financial management shall develop a method for
23 monitoring capital appropriations and expenditures that will capture at
24 least the following elements:

25 (a) Appropriations made for capital projects including
26 transportation projects;

27 (b) Estimates of total project costs including past, current,
28 ensuing, and future biennial costs;

29 (c) Comparisons of actual costs to estimated costs;

30 (d) Comparisons of estimated construction start and completion
31 dates with actual dates;

32 (e) Documentation of fund shifts between projects.

33 This data may be incorporated into the existing accounting system
34 or into a separate project management system, as deemed appropriate by
35 the office of financial management.

36 (5) The office of financial management shall publish agency annual
37 maintenance summary reports beginning in October 1997. State agencies
38 shall submit a separate report for each major campus or site, as

1 defined by the office of financial management. Reports shall be
2 prepared in a format prescribed by the office of financial management
3 and shall include, but not be limited to: Information describing the
4 number, size, and condition of state-owned facilities; facility
5 maintenance, repair, and operating expenses paid from the state
6 operating and capital budgets, including maintenance staffing levels;
7 the condition of major infrastructure systems; and maintenance
8 management initiatives undertaken by the agency over the prior year.
9 Agencies shall submit their annual maintenance summary reports to the
10 office of financial management by September 1 each year.

11 (6) The office of financial management, prior to approving
12 allotments for major capital construction projects valued over five
13 million dollars, shall institute procedures for reviewing such projects
14 at the predesign stage that will reduce long-term costs and increase
15 facility efficiency. The procedures shall include, but not be limited
16 to, the following elements:

17 (a) Evaluation of facility program requirements and consistency
18 with long-range plans;

19 (b) Utilization of a system of cost, quality, and performance
20 standards to compare major capital construction projects; and

21 (c) A requirement to incorporate value-engineering analysis and
22 constructability review into the project schedule.

23 ~~((6))~~ (7) No expenditure may be incurred or obligation entered
24 into for such major capital construction projects including, without
25 exception, land acquisition, site development, predesign, design,
26 construction, and equipment acquisition and installation, until the
27 allotment of the funds to be expended has been approved by the office
28 of financial management. This limitation does not prohibit the
29 continuation of expenditures and obligations into the succeeding
30 biennium for projects for which allotments have been approved in the
31 immediate prior biennium.

32 ~~((7))~~ (8) If at any time during the fiscal period the governor
33 projects a cash deficit in a particular fund or account as defined by
34 RCW 43.88.050, the governor shall make across-the-board reductions in
35 allotments for that particular fund or account so as to prevent a cash
36 deficit, unless the legislature has directed the liquidation of the
37 cash deficit over one or more fiscal periods. Except for the
38 legislative and judicial branches and other agencies headed by elective
39 officials, the governor shall review the statement of proposed

1 operating expenditures for reasonableness and conformance with
2 legislative intent. Once the governor approves the statements of
3 proposed operating expenditures, further revisions shall be made only
4 at the beginning of the second fiscal year and must be initiated by the
5 governor. However, changes in appropriation level authorized by the
6 legislature, changes required by across-the-board reductions mandated
7 by the governor, changes caused by executive increases to spending
8 authority, and changes caused by executive decreases to spending
9 authority for failure to comply with the provisions of chapter 36.70A
10 RCW may require additional revisions. Revisions shall not be made
11 retroactively. Revisions caused by executive increases to spending
12 authority shall not be made after June 30, 1987. However, the governor
13 may assign to a reserve status any portion of an agency appropriation
14 withheld as part of across-the-board reductions made by the governor
15 and any portion of an agency appropriation conditioned on a contingent
16 event by the appropriations act. The governor may remove these amounts
17 from reserve status if the across-the-board reductions are subsequently
18 modified or if the contingent event occurs. The director of financial
19 management shall enter approved statements of proposed expenditures
20 into the state budgeting, accounting, and reporting system within
21 forty-five days after receipt of the proposed statements from the
22 agencies. If an agency or the director of financial management is
23 unable to meet these requirements, the director of financial management
24 shall provide a timely explanation in writing to the legislative fiscal
25 committees.

26 ~~((+8))~~ (9) It is expressly provided that all agencies shall be
27 required to maintain accounting records and to report thereon in the
28 manner prescribed in this chapter and under the regulations issued
29 pursuant to this chapter. Within ninety days of the end of the fiscal
30 year, all agencies shall submit to the director of financial management
31 their final adjustments to close their books for the fiscal year.
32 Prior to submitting fiscal data, written or oral, to committees of the
33 legislature, it is the responsibility of the agency submitting the data
34 to reconcile it with the budget and accounting data reported by the
35 agency to the director of financial management.

36 ~~((+9))~~ (10) The director of financial management shall monitor
37 agency operating expenditures against the approved statement of
38 proposed expenditures and shall provide the legislature with quarterly
39 explanations of major variances.

1 (~~(10)~~) (11) The director of financial management may exempt
2 certain public funds from the allotment controls established under this
3 chapter if it is not practical or necessary to allot the funds.
4 Allotment control exemptions expire at the end of the fiscal biennium
5 for which they are granted. The director of financial management shall
6 report any exemptions granted under this subsection to the legislative
7 fiscal committees.

Passed the House February 28, 1997.

Passed the Senate April 9, 1997.

Approved by the Governor April 21, 1997.

Filed in Office of Secretary of State April 21, 1997.