
State Government & Tribal Relations Committee

2SSB 5793

Brief Description: Allowing compensation for lived experience on boards, commissions, councils, committees, and other similar groups.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Wilson, C., Trudeau, Das, Dhingra, Hasegawa, Lovelett, Nguyen, Nobles and Saldaña; by request of Attorney General).

Brief Summary of Second Substitute Bill

- Authorizes stipends and reimbursement of other expenses for eligible members of class one groups.
- Requires agencies issuing stipends to eligible members of class one groups to report to the Office of Equity by August 30, 2023.
- Requires the Office of Equity to analyze information in the agency reports and report to the Governor and Legislature by August 30, 2024.

Hearing Date: 2/17/22

Staff: Desiree Omli (786-7105).

Background:

Compensation and Reimbursements.

Certain members of part-time government boards, commissions, committees, or similar groups may receive compensation for each day the member attends an official meeting of the group or performs statutorily prescribed duties. In addition to compensation, the Office of Financial Management (OFM) sets allowances for subsistence, lodging, and travel expenses for elective

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and appointive officials and state employees. For the purpose of setting compensation or allowances, part-time groups are identified as class one through class five.

Class one includes groups which are established by the executive, legislative, or judicial branch to participate in state government and which functions primarily in an advisory, coordinating, or planning capacity. Absent any other provision of law, no money beyond customary reimbursement or allowances for expenses may be paid to members of class one groups for attendance at meetings.

Class two groups include agricultural commodity boards or commissions. With certain conditions, each member of a class two group is eligible to receive compensation not to exceed \$100 for each day that a member attends an official meeting or performs a duty approved by the chairperson of the group.

Class three includes groups which have rulemaking authority, perform quasi-judicial functions, have responsibility for the administration or policy direction of a state agency or program, or perform regulatory or licensing functions with respect to a specific profession, occupation, business, or industry. With certain conditions, each member of a class three group is eligible to receive compensation not to exceed \$50 for each day that a member attends an official meeting or performs a duty approved by the chairperson of the group.

Class four includes groups that have rulemaking authority, perform quasi-judicial functions, or have responsibility for the administration or policy direction of a state agency or program; have duties deemed by the Legislature to be of overriding sensitivity and importance to the public welfare and operation of state government; and requires service from its members representing significant demand of their time that is normally in excess of 100 hours of meeting time per year. With certain conditions, each member of a class four group is eligible to receive compensation not to exceed \$100 for each day that a member attends an official meeting or performs a duty approved by the chairperson of the group.

Class five groups include commissions that have rulemaking authority, perform quasi-judicial functions, have responsibility for the policy direction of a health profession credentialing program, and perform regulatory and licensing functions with respect to a licensed health care profession. With certain conditions, each member of a class five group is eligible to receive compensation not to exceed \$250 for each day that a member attends an official meeting or performs a duty approved by the chairperson of the group.

No person designated as a member of a class one through three group or class five group may receive an allowance for subsistence, lodging, or travel expenses if the cost is funded by the State General Fund. Exceptions may be granted for the critically necessary work of an agency if approved by the head of the executive branch agency, the Chief Justice of the Supreme Court, the House Chief Clerk or the Secretary of Senate, as appropriate.

Office of Equity.

The Office of Equity (Office) was established in 2020 for the purpose of promoting access to equity opportunities and resources that reduce disparities and improve outcomes statewide across state government. The work of the Office must be guided by the following principles of equity:

1. Equity requires developing, strengthening, and supporting policies and procedures that distribute and prioritize resources to those who have been historically and currently marginalized, including tribes.
2. Equity requires the elimination of systemic barriers that have been deeply entrenched in systems of inequality and oppression.
3. Equity achieves procedural and outcome fairness, promoting dignity, honor, and respect for all people.

Summary of Bill:

Compensation and Reimbursements.

Unless otherwise specified, all newly formed and existing groups are a class one group.

Subject to available funding, an agency may provide a stipend to members of a class one group who are low-income or have lived experience to support their participation in the group when the agency determines that such participation is desirable to implement the principles of equity. A person qualifies as low-income if their income is not more than 400 percent of the federal poverty level, adjusted for family size. The stipend may not be more than \$200 for each day that the member attends an official meeting or performs statutorily prescribed duties. An individual may not receive a stipend if they are otherwise compensated for their attendance at meetings.

The prohibition on reimbursements for class one groups is removed. Members of a class one group may receive reasonable allowances for child and adult care reimbursement, lodging, and travel expenses in addition to the stipend. The OFM must prescribe reasonable allowances for such expenses incurred by members of a class one group while attending an official meeting or performing statutorily prescribed duties.

Agencies must, to the greatest extent possible, minimize the impact of stipends and reimbursements on public assistance eligibility and benefit amounts. The provision of stipends and reimbursements alone does not create an employment relationship and any membership or qualification in any publicly supported retirement system where such a relationship did not already exist.

Office of Equity.

Each agency that provides a stipend to eligible members of a class one group must provide to the Office by August 30, 2023:

- a brief description of the groups for which stipends were made available;
- an accounting of the stipends provided; and
- an analysis of whether and how the availability of stipends has reduced barriers to participation and increased diversity of group participants.

By August 30, 2024, the Office must compile and analyze the information received from agencies, consult with stakeholders, and prepare a report to the Governor and the Legislature that includes:

- an overall evaluation of the stipend process;
- recommendations to improve the process; and
- recommendations to further decrease barriers to participation and increase the diversity of group applicants.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 11, 2022.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.