

2 ESHB 2676 - S AMD - 000314

3 By Senator Quigley

4 ADOPTED 3/8/94

5 On page 177, after line 36, insert the following:

6 NEW SECTION. **Sec. 872.** The legislature declares there has been
7 an excessive proliferation of boards and commissions within state
8 government. These boards and commissions are often created without
9 legislative review or input and without an assessment of whether there
10 is a resulting duplication of purpose or process. Once created, they
11 frequently duplicate the duties of existing governmental entities,
12 create additional expense, and obscure responsibility. It has been
13 difficult to control the growth of boards and commissions because of
14 the many special interests involved. Accordingly, the legislature
15 establishes the process in this chapter to eliminate redundant and
16 obsolete boards and commissions and to restrict the establishment of
17 new boards and commissions.

18 NEW SECTION. **Sec. 873.** (1) The governor shall conduct a review of
19 all of the boards and commissions identified under section 4 of this
20 act and, by January 1, 1995, submit to the legislature a report
21 recommending which boards and commissions should be terminated or
22 consolidated based upon the criteria set forth in subsection (3) of
23 this section. The report must state which of the criteria were relied
24 upon with respect to each recommendation. The governor shall submit an
25 executive request bill by January 10, 1995, to implement the
26 recommendations by expressly terminating the appropriate boards and
27 commissions and by providing for the transfer of duties and obligations
28 under this section. The governor shall accept and review with special
29 attention recommendations made, not later than June 1, 1994, by the
30 standing committees of the legislature.

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

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

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

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

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

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

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

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

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

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

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

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

26 NEW SECTION. **Sec. 874.** The legislature shall consider and enact
27 or not enact the legislation requested by the governor under section 2
28 of this act in accordance with the rules of each house, except that
29 either house of the legislature may not add to or delete from the list
30 of boards and commissions as requested by the governor unless done so
31 by a unanimous vote of the members voting. The legislature may adopt
32 such technical amendments as are necessary by a majority vote.

33 NEW SECTION. **Sec. 875.** The boards and commissions to be reviewed
34 by the governor must be all entities that are required to be included
35 in the list prepared by the office of financial management under RCW
36 43.88.505, other than entities established under: (1) Constitutional
37 mandate; (2) court order or rule; (3) requirement of federal law; or

1 (4) requirement as a condition of the state or a local government
2 receiving federal financial assistance if, in the judgment of the
3 governor, no other state agency, board, or commission would satisfy the
4 requirement.

5 NEW SECTION. **Sec. 876.** A new section is added to chapter 43.88
6 RCW to read as follows:

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

15 (2) Effective July 1, 1995, the total number of boards and
16 commissions approved by the director of financial management may not
17 exceed the difference between the number of boards and commissions
18 terminated under section 873 of this act and any boards and commissions
19 created by the legislature.

20 NEW SECTION. **Sec. 877.** A new section is added to chapter 43.88
21 RCW to read as follows:

22 When acting on a request to establish a new board or commission
23 under section 876 of this act, the director of the office of financial
24 management shall consider the following criteria giving priority in the
25 order listed:

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

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

30 (3) If approval will not have a significant impact on state
31 revenues;

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

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

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

1 (7) If approval will result in operational efficiencies other than
2 fiscal savings.

3 NEW SECTION. **Sec. 878.** The following acts or parts of acts are
4 each repealed:

- 5 (1) Section 873 of this act;
- 6 (2) Section 874 of this act; and
- 7 (3) Section 875 of this act.

8 NEW SECTION. **Sec. 879.** The following acts or parts of acts are
9 each repealed:

- 10 (1) Section 872 of this act;
- 11 (2) Section 876 of this act; and
- 12 (3) Section 877 of this act.

13 NEW SECTION. **Sec. 880.** (1) Sections 872 through 877 of this act
14 are necessary for the immediate preservation of the public peace,
15 health, or safety, or support of the state government and its existing
16 public institutions, and shall take effect immediately.

17 (2) Section 878 of this act shall take effect December 31, 1995.

18 (3) Section 879 of this act shall take effect January 1, 1997."

19 Renumber remaining sections consecutively.

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22 On page 3, line 8 of the title, after "date" insert "adding new
23 sections to chapter 43.88 RCW; and declaring an emergency".

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