

# HOUSE BILL REPORT

## HB 2617

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**As Reported by House Committee On:**  
State Government & Tribal Affairs  
Ways & Means

**Title:** An act relating to eliminating boards and commissions.

**Brief Description:** Eliminating certain boards and commissions.

**Sponsors:** Representatives Driscoll, Chase, Hunt, Wallace, Williams, Maxwell, White, Kelley, Carlyle, Simpson, Seaquist and Moeller; by request of Governor Gregoire.

**Brief History:**

**Committee Activity:**

State Government & Tribal Affairs: 1/21/10, 1/26/10 [DPS];  
Ways & Means: 2/3/10, 3/9/10 [DP2S(w/o sub SGTA)].

**Brief Summary of Second Substitute Bill**

- Eliminates specified boards, committees, and commissions.

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### HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass.  
Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst, Miloscia and Taylor.

**Staff:** Pam Madson (786-7111).

**Background:**

In 1977 the Legislature directed the Office of Financial Management (OFM) to compile and revise, within 90 days after the beginning of each biennium, a list of all permanent and temporary, statutory and non-statutory boards, commissions, councils, committees, and other groups established by the executive, legislative, or judicial branches of state government and whose members are eligible to receive travel expenses for their meetings. For each board and commission, the OFM list must provide information about the legal authorization for creation of the group; the number of members and the appointing authority; the number of

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meetings in the previous biennium; a summary of the group's primary responsibilities; and the source of funding for the group.

In 1994 the Legislature established new oversight roles for the Governor and the OFM. For existing boards and commissions, the Governor must review and submit to the Legislature every odd-numbered year a report recommending which boards and commissions should be terminated or consolidated. In making a recommendation, the Governor must consider the following:

- whether the entity completed its work and is no longer of critical significance to effective state government;
- whether the work of the group directly affects public safety, welfare, or health;
- whether the work can be done by another state agency;
- what impact termination will have on costs;
- whether the work can be done by a non-public entity;
- whether termination will result in significant loss of expertise to state government;
- whether termination will result in operational efficiencies other than fiscal; and
- whether the work can be done by an ad hoc committee.

In 2009 the Legislature eliminated 18 statutory boards, commissions, councils, and committees, and the Governor eliminated a number of non-statutory entities by executive order.

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### **Summary of Substitute Bill:**

Fifty statutory boards, commissions, committees, or councils are eliminated. Where appropriate, duties are transferred to the agency that the board, commission, committee, or council advises.

All tangible property in the possession of a terminated entity is transferred to the custody of the entity assuming the responsibilities. If the responsibilities of a terminated entity are also terminated, documents and papers shall be delivered to the State Archivist, and equipment or other tangible property to the Department of General Administration. Any contractual rights and duties of the eliminated board, committee, or council are assigned to the entity assuming the responsibilities.

### **Substitute Bill Compared to Original Bill:**

The substitute bill removes 31 of the original 78 boards, commissions, or committees eliminated in the original bill. These boards, commissions, committees, and councils will remain in existence:

- Advisory Council on Adult Education;
- Agricultural Burning Practices and Research Task Force;
- Capital Campus Design Advisory Committee;
- Capital Projects Advisory Review Board;
- Children and Families with Incarcerated Parents Advisory Committee;
- Children's Services Advisory Committee;

- Citizen's Committee on Pipeline Safety;
- Council for Children and Families;
- Emergency Medical Services and Trauma Care Steering Committee;
- Escrow Commission;
- Eastern State Hospital Advisory Board and Western State Hospital Advisory Board;
- Fairs Commission;
- Family Policy Council;
- Firearms and Archery Range Recreation Advisory Committee;
- Home Inspector Licensing Advisory Board;
- Livestock Identification Advisory Board;
- Mental Health Counselors, Marriage and Family Therapists and Social Workers Advisory Committee;
- Midwifery Advisory Committee;
- Migratory Waterfowl Art Committee;
- Motorcycle Safety Education Advisory Board;
- Naturopathic Advisory Committee;
- Nonhighway and Off-Road Vehicle Activities Advisory Board;
- Performance Audit Citizen Advisory Board;
- Pesticide Advisory Board;
- Pesticide Incident Reporting and Tracking Review panel;
- Problem Gambling Advisory Committee;
- Real Estate Appraiser Commission;
- Title and Registration Advisory Committee;
- Well Drilling Technical Advisory Group; and
- Workforce Training Customer Advisory Committee.

Three additional committees are eliminated:

- Forest Fire Advisory Board;
- Land Bank Technical Advisory Committee; and
- State Board on Geographic Names.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect June 30, 2010, except for section 153 relating to the Vehicle Equipment Safety Commission, which takes effect June 30, 2011; and section 157 relating to the Western States School Bus Safety Commission, which takes effect June 30, 2011.

**Staff Summary of Public Testimony:**

(In support) This is an ongoing effort by the Governor to strategically eliminate redundant government activities. Some were formed many years ago and have fulfilled their purpose. Boards and commissions are a useful tool for citizens to use to communicate with

government. Today we have multiple ways to communicate with citizens and obtain input. Those proposed for elimination don't interfere with the underlying goal.

(With concerns) The Capital Campus Design Advisory Committee asks that it, and the Capital Projects Advisory Review Board, be preserved.

(Opposed) The Mental Health Counselors, Marriage and Family Therapists, and Social Workers Advisory Committee is self-supporting and funded from fees charged to licensees. The committee provides consulting information on disciplinary actions. This is an inexpensive way to get advice on issues. Members provide expertise to the Department. Washington is one of two states without professional boards for these professions.

The Chemical Dependency Professional Certification Advisory Committee oversees licensure and discipline, and rates and regulation of chemical dependency providers. The committee is supported by fees paid by licensees. It is very active and provides expertise for issues such as new rules for the Department of Health for a new licensure category established last year.

The Well Drilling Technical Advisory Group is a 12-member committee and costs about \$2,000 a year. It provides important communication and a broad scope of expertise to the Department of Ecology and the Department of Health. Members are willing to reduce or cover the cost of this group.

The Title and Registration Advisory Committee provides a forum to get parties together to work out differences and works on contract issues and fees before presenting issues to the Legislature. It involves county auditors and licensing agents who are private businesses. It has no fiscal impact.

There will be a shortage of nurses and others in the health care industry and there is a need to increase training. The Advisory Council on Adult Education, and the Workforce Training Customer Advisory Committee advise on training needs for higher education in industries where workers are needed. It provides visibility for the health care industry.

The Migratory Waterfowl Art Committee provides a valuable function including oversight and accountability for money raised from the sale of duck stamp artwork and the duck stamps themselves. The money goes to improve waterfowl habitat. The committee chooses the artwork that goes on the stamp. Even though the stamp is no longer a required purchase when obtaining a hunting license, people choose to purchase it anyway.

The Problem Gambling Advisory Committee includes representation from the industry. It allows oversight for the money provided by the industry for grants. It helps to insure that money is spent appropriately and efficiently.

**Persons Testifying:** (In support) Representative Driscoll, prime sponsor.

(With concerns) Stan Bowman, American Institute of Architects, Washington Council.

(Opposed) Melanie Stuart, Licensed Mental Health Counselors Association; Melissa Johnson, Association of Alcoholism and Addiction Programs; Glen Smith and Chris Gresham, Washington State Ground Water Association; George Cohee and Jan Novak, Washington Association of Vehicle Subagents; Robb Menaul, Washington State Hospital Association; John Arrabito, Washington Waterfowl Association; Bob Cooper, National Association of Social Workers; and Dolores Chiechi, Recreational Gaming Association.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on State Government & Tribal Affairs. Signed by 22 members: Representatives Linville, Chair; Ericks, Vice Chair; Sullivan, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler, Cody, Conway, Darneille, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest, Ross, Schmick and Seaquist.

**Staff:** Steve Smith (786-7178).

### **Summary of Recommendation of Committee On Ways & Means Compared to Recommendation of Committee On State Government & Tribal Affairs:**

The second substitute bill eliminates the following additional boards, commissions, councils, or committees as of June 30, 2010: Migratory Waterfowl Art Committee; Performance Audit Citizen Advisory Board; and the Pesticide Advisory Board. The following boards, commissions, councils, or committees are removed from the bill and will remain in existence: Public Records Exemptions Accountability Committee; Chemical Dependency Professional Certification Advisory Committee; and the State Noxious Weed Control Board. The Women's History Consortium Board is eliminated as of November 15, 2010, rather than June 30, 2010.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Second Substitute Bill:** The bill takes effect June 30, 2010, except for section 127 relating to the Vehicle Equipment Safety Commission and section 131 relating to the Western States School Bus Safety Commission, which take effect June 30, 2011; sections 132 and 149 relating to the Women's History Consortium, which take effect November 15, 2010; and sections 128-130, relating to the Water Supply Advisory Committee which take effect 90 days after adjournment of session in which bill is passed.

### **Staff Summary of Public Testimony:**

(In support) This bill is part of the Governor's government reform agenda. Government can reach out to the public through the use of technology. The boards, commissions, and

committees eliminated in the bill are not those that deal with governance, are regulatory, or are required for federal funds.

(In support with concerns) This is a good step because the proliferation of boards and commissions is a problem. The Public Records Exemptions Accountability Committee should stay in existence and performs a useful function. Other boards that could be eliminated are the Forest Practices Board, the Pollution Control Hearings Board, and the Shorelines Management Hearings Board.

(Opposed) The Citizen's Advisory Council on Alcoholism and Drug Addiction is a board of dedicated volunteers who advise the Department of Social and Health Services. The council provides a peer review of grant moneys that come from the federal government. The Chemical Dependency Professional Certification Advisory Committee is supported by fees from the providers. This committee does work that wouldn't be done because of limited agency staff.

The State Noxious Weed Board (Board) supports weed boards in 38 of 39 counties. Noxious weed control is critical to the state's forage crops. The Board will work with less funding.

The Public Records Exemption Accountability Committee is doing very important work; it is reviewing over 300 exemptions with stakeholders. The committee's existence is important and it should be allowed to continue but take away the budget.

This is the centennial year for women gaining the right to vote. Exhibits will open soon and many activities are planned. It is important to keep the Women's History Consortium Board of Advisors as a voluntary board at least through the biennium.

**Persons Testifying:** (In support) Kathleen Drew, Governor's Policy Office.

(In support with concerns) Arthur West.

(Opposed) Philip Gonzales, Citizens Advisory Council for Drug and Alcohol Abuse; Melissa Johnson, Association of Alcoholism and Addiction Programs; Ray Fann and Alison Halpern, Washington State Noxious Weed Control Board; Tim Ford, Office of the Attorney General; and Sue Lean, Women's History Consortium.

**Persons Signed In To Testify But Not Testifying:** None.