
Community & Economic Development & Trade Committee

HB 2658

Brief Description: Refocusing the department of commerce, including transferring programs.

Sponsors: Representatives Kenney, Maxwell, McCoy and Morrell; by request of Washington State Department of Commerce.

Brief Summary of Bill

- Directs the transfer of Department of Commerce (Department) powers, duties and functions pertaining to certain programs and activities to other state agencies.
- Provides findings, goals and policies related to energy, the economy and the environment, and requires the Department to develop an updated state energy strategy and implementation report by December 1, 2010.

Hearing Date: 1/20/10

Staff: Meg VanSchoorl (786-7105).

Background:

The Department of Community, Trade and Economic Development

The Department of Community, Trade and Economic Development (DCTED) was created in 1994 through the consolidation of the Department of Community Development and the Department of Trade and Economic Development. The DCTED was responsible for promoting community and economic development statewide by assisting communities to increase their economic vitality and the quality of their citizen's lives, and assisting the state's businesses to maintain and increase their economic competitiveness while maintaining a healthy environment.

The Department of Commerce

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 2009, legislation was enacted to create a state Department of Commerce (Department) as a successor agency to the DCTED. While the legislation did include sections changing the department's name in many statutes, it did not contain policy decisions regarding the future of programs within the department. Instead, the legislation directed the Department to consult with a broad range of stakeholders statewide and develop, by November 1, 2009, a report for the Governor and legislative committees.

That report was to include analysis and recommendations for statutory changes that would ensure that the Department would feature, among other elements: a concise core mission, accountability, leveraged resources, maximized partnerships, and increased local capacity building. The report was also to include recommendations for creating or consolidating programs important to meeting the Department's core mission, and for terminating or transferring programs that were inconsistent with the core mission. The Department produced the required report, and after further consultations, submitted this agency request bill.

Summary of Bill:

Parts I through VIII, and Part X: All powers, duties and functions of the Department pertaining to the following programs are transferred from the Department of Commerce to other state agencies:

To the Department of Health (DOH)

- County Public Health Assistance (sections 101-102).
- Developmental Disabilities Endowment (sections 301-304).

To the Department of Social and Health Services (DSHS)

- Community Mobilization program (sections 201-204).
- Housing Assistance for Persons with Mental Illness and its fund source (sections 401-402).
- Independent Youth Housing program (sections 403-408), while requiring integration, alignment, data reporting, and collaboration with related Commerce programs.
- Office of Crime Victims Advocacy, sexual assault services, treatment services for sexually-abused children and their families, the Prostitution Prevention and Intervention Services grant program, and the Treatment for Victims of Sexual Offenders grant program (sections 501-514).

To the Washington Utilities and Transportation Commission (UTC)

- Energy Facility Site Evaluation Council (sections 601-602).

To the Office of Financial Management (OFM)

- Office of the Long-Term Care Ombudsman (sections 701-703).

To the Department of Labor and Industries (L&I)

- State Building Code Council (sections 801-807), except that, if funded, the Department must develop and implement a strategic plan for enhancing energy efficiency in and reducing greenhouse gas emissions from homes, buildings, districts, and neighborhoods (section 805).

To the Criminal Justice Training Commission (CJTC)

- Drug Prosecution Assistance program (sections 1001-1002).

Each transfer section includes common language regarding transfer of personnel, appropriations, apportionment of budgeted funds, documents, files, office equipment and other tangible property from the Department to the receiving agency. All Department employees performing the duties being transferred are themselves transferred to the receiving agency's jurisdiction. Employees classified under the state civil service law are assigned to perform their usual duties on the same terms as previously without any loss of rights. Classified employees whose positions are within an existing bargaining unit description within the Department must become part of the existing bargaining unit at the receiving agency in accordance with the state collective bargaining statutes. All rules and pending business must be acted on, and all existing contracts and obligations continued in full force, by the receiving agency.

Part IX: Findings and goals related to energy, the economy and the environment are provided. Twelve state policies related to energy are provided including: pursuit of energy efficiency and conservation; ensuring that the energy system meets the needs of its citizens, particularly low-income and vulnerable populations; reducing dependence on fossil fuel energy sources; improving transportation energy; meeting the state's statutory climate change goals and targets; supporting clean energy technology innovation; building on the state's clean regional electrical grid; making state government a model for energy efficiency; prioritizing the health, safety and welfare of citizens and industry during energy shortage emergencies; developing and disseminating objective energy information; maximizing federal and other non-state resources; and establishing a state energy strategy. The Department must produce an updated state energy strategy and implementation report by December 1, 2010 and every five years thereafter. Required strategy components, process, consultations, and directions for seeking financial support are included. Statutes related to state energy policy and Department intervention in regulatory proceedings are repealed.

Part XI: The Municipal Research Council is abolished and its powers, duties, and functions are transferred to the Department (sections 1101-1109).

Part XII: The 1967 statute abolishing the State Census Board is decodified (section 1201).

Appropriation: None.

Fiscal Note: Requested on 1/14/2010.

Effective Date: The bill takes effect July 1, 2010.