

SENATE BILL REPORT

SB 5322

As of February 23, 2011

Title: An act relating to restructuring state government.

Brief Description: Creating a commission to restructure state government.

Sponsors: Senators Kastama, Chase and Hatfield.

Brief History:

Committee Activity: Economic Development, Trade & Innovation: 2/16/11, 2/17/11 [DP-WM, w/oRec].
Ways & Means: 2/22/11.

SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE & INNOVATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Kastama, Chair; Chase, Vice Chair; Baumgartner, Ranking Minority Member; Hatfield, Kilmer and Shin.

Minority Report: That it be referred without recommendation.

Signed by Senators Ericksen, Holmquist Newbry and Zarelli.

Staff: Jack Brummel (786-7428)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Steve Jones (786-7440)

Background: In Article III, section 1 of the Washington State Constitution, the Executive Department is created. The Constitution provides that the Executive Department must consist of a governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendant of public education, and a commissioner of Public Lands.

All other aspects of state government have been created through statute.

Summary of Bill: The Agency Reallocation and Realignment of Washington Commission (Commission) on restructuring state government is established.

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.

The following individuals are appointed to the Commission:

- Booth Gardner;
- John Spellman;
- Sid Snyder;
- Slade Gorton;
- Dan Evans; and
- Ruth Walsh McIntyre.

The President of the Senate and the Speaker of the House of Representatives must jointly appoint a member to the Commission to replace any member that resigns from or declines initial appointment.

The Commission must:

- review budget, revenue, and caseload forecasts and estimates over the next six years;
- examine current subsidies and tax breaks;
- examine current operations and organizations of state government; and
- evaluate operational and organizational restructuring possibilities to find cost savings and efficiencies.

The Commission may make proposals to:

- adopt methods and procedures for reducing expenditures;
- eliminate duplication and overlapping services, activities, and functions;
- consolidate services, activities, and functions of a similar nature;
- abolish services, activities, and functions not necessary to the efficient operation of government;
- eliminate unnecessary state departments and agencies, create necessary new state departments and agencies, reorganize existing state departments and agencies, and transfer functions and responsibilities among state departments and agencies;
- define or redefine the duties and responsibilities of state officers; and
- revise present provisions for continuing or permanent appropriations of state funds of whatever kind for whatever purpose, eliminate any such existing provisions, and adopt new provisions.

The Commission must report its findings and recommendations in the form of proposed legislation to the 2012 Legislature. The Commission may not issue minority or majority reports.

Any legislation proposed by the Commission must be introduced as a bill in each house of the Legislature and immediately placed on third reading. Each bill must be either approved on final passage or rejected without change or amendment before the full membership of the body.

Documents, materials, and information obtained or produced by the Agency Reallocation and Realignment of Washington Commission are not subject to disclosure under the Public Records Act.

Appropriation: \$1 million from the state general fund.

Fiscal Note: Requested on February 15, 2011.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Economic Development, Trade & Innovation):

PRO: This is based on the federal Defense Base Closure and Realignment Commission which resulted in the very successful closing of 350 military bases. Under the bill, the Commission results would come before the Legislature with recommendations on how to re-structure government.

Persons Testifying (Economic Development, Trade & Innovation): PRO: Senator Kastama, prime sponsor.

Staff Summary of Public Testimony (Ways & Means): PRO: There is a need for a comprehensive evaluation and review of state government. We need a structure designed for the 21st Century. This legislation is modeled after the very successful federal commission (BRAC) that consolidated or closed 350 military facilities. Legislation proposed by the ARROW Commission will not be subject to the typical committee process and will not be subject to amendment, thereby removing politics from the process.

OTHER: The proposed ARROW Commission is expensive, unorthodox, and unconstitutional. The federal BRAC commission was not successful and should not be used as a model. This proposal violates the constitutional separation of powers. The state Constitution is also violated by the provision that prevents the Legislature from amending the recommendations of the commission.

Persons Testifying (Ways & Means): PRO: Senator Kastama, prime sponsor.

OTHER: Arthur West, citizen.