

**SB 6045** - H COMM AMD

By Committee on Government Operations & Elections

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION.   **Sec. 1.** On December 30, 2013, the Washington state  
4 auditor's office issued a performance audit report, finding that state  
5 agencies could shorten the time it takes to submit, review, and make  
6 decisions on business permit applications through simple improvements.  
7 In response to the performance audit findings, the legislature intends  
8 to improve the predictability and efficiency of permit decisions by  
9 making information about permitting assistance and timelines more  
10 readily available to the public. The legislature finds that providing  
11 citizens and businesses with better information about permit decisions  
12 will assist their planning and decision making, promoting economic  
13 development. Making permit performance data readily accessible to  
14 citizens helps them hold government accountable to a high level of  
15 customer service and timeliness. Finally, requiring agencies to track  
16 the time it takes to issue permits equips agency leaders with key  
17 information that can assist them in improving overall project  
18 schedules, better allocating resources, and identifying additional  
19 opportunities to better serve the public.

20       NEW SECTION.   **Sec. 2.** The definitions in this section apply  
21 throughout this chapter unless the context clearly requires otherwise.

22       (1) "Agency" means the following executive branch agencies and  
23 offices of statewide elected officials:

- 24       (a) Department of agriculture;  
25       (b) Department of archaeology and historic preservation;  
26       (c) Department of ecology;  
27       (d) Department of fish and wildlife;  
28       (e) Gambling commission;  
29       (f) Department of health;

- 1 (g) Department of labor and industries;
- 2 (h) Department of licensing;
- 3 (i) Liquor control board;
- 4 (j) Department of natural resources;
- 5 (k) Parks and recreation commission;
- 6 (l) Department of revenue;
- 7 (m) Department of transportation; and
- 8 (n) Utilities and transportation commission.
- 9 (2) "Office" means the office of regulatory assistance.

10 NEW SECTION. **Sec. 3.** (1) By June 30, 2014, each agency shall  
11 prepare and submit to the office an inventory of all the business  
12 permits indicated in the December 30, 2013, performance audit report by  
13 the state auditor.

14 (2)(a) Each agency shall track and record the time it takes to make  
15 permitting decisions.

16 (b) Agencies are encouraged to track all relevant information that  
17 can assist Washington businesses in determining how long a permit  
18 process will take so that the businesses may successfully plan their  
19 activities and make sound investment choices, reduce permitting costs  
20 to the taxpayers in the form of unnecessary or duplicate staff work,  
21 and avoid permitting decision delays that can result in higher costs  
22 and lost revenue.

23 (c) At a minimum, each agency shall track and record the following  
24 information for each permit application it receives or decision it  
25 issues:

26 (i) The application completion time, which is the time elapsed from  
27 the initial submission of an application by an entity seeking a permit  
28 to the time at which the agency has determined that the application is  
29 complete; and

30 (ii) The permit decision time, which is the time elapsed from  
31 receipt of a complete application to the agency's issuance of a  
32 decision approving or denying the permit.

33 (3) Each agency shall calculate, for each permit it has identified  
34 in its inventory, the following performance data:

35 (a) The average application completion and permit decision times  
36 for each permit, as measured by the times tracked for ninety percent of

1 applications or permit decisions, excluding the five percent that took  
2 the shortest and the five percent that took the longest;

3 (b) The maximum application completion time, excluding applications  
4 that were withdrawn or never completed; and

5 (c) The maximum permit decision time.

6 (4) Each agency shall report to the office, as provided in this  
7 subsection (4).

8 (a) By March 1, 2016, each agency shall report the times calculated  
9 under subsection (3) of this section for the period from January 1,  
10 2015, to January 1, 2016.

11 (b) By March 1, 2018, and March 1, 2020, each agency shall report  
12 based on the times tracked and calculated since the previous reporting  
13 period.

14 (c) In each of the reports required under this section, each agency  
15 shall submit an updated inventory of permits. Each agency shall  
16 identify any permits listed in its inventory for which the agency has  
17 not yet posted permit processing times and other information as  
18 required under section 4 of this act and an estimated date for such  
19 posting prior to June 30, 2015.

20 (5) The office shall make available to the legislature, upon  
21 request, the individual agency reports submitted under subsection (4)  
22 of this section.

23 NEW SECTION. **Sec. 4.** (1) To provide meaningful customer service  
24 that informs project planning and decision making by the citizens and  
25 businesses served, each agency must make available to permit applicants  
26 the following information through a link from the agency's web site to  
27 the office's web site, as provided in subsection (4) of this section:

28 (a) A list of the types of permit assistance available and how such  
29 assistance may be accessed;

30 (b) An estimate of the time required by the agency to process a  
31 permit application and issue a decision;

32 (c) Other tools to help applicants successfully complete a thorough  
33 application, such as:

34 (i) Examples of model completed applications;

35 (ii) Examples of approved applications, appropriately redacted to  
36 remove sensitive information; and

37 (iii) Checklists for ensuring a complete application.

1 (2) Each agency shall update at reasonable intervals the  
2 information it posts pursuant to this section.

3 (3)(a) Agencies must post the information required under subsection  
4 (1) of this section for all permits as soon as practicable, and no  
5 later than the deadlines established in this section.

6 (b) The agency shall post the permit inventory for that agency and  
7 the information required under subsection (1)(a) and (c) of this  
8 section no later than June 30, 2014.

9 (c) The agency shall post the estimates of application completion  
10 and permit decision times required under subsection (1)(b) of this  
11 section based on actual data for calendar year 2015 by March 1, 2016,  
12 and update this information for the previous calendar year, by March  
13 1st of each year thereafter.

14 (d) Agencies must consider the customer experience in ensuring all  
15 permit assistance information is simple to use, easy to access, and  
16 designed in a customer-friendly manner.

17 (4) To ensure agencies can post the required information online  
18 with minimal expenditure of agency resources, the office of the chief  
19 information officer shall, in consultation with the office of  
20 regulatory assistance, establish a central repository of this  
21 information, hosted on the office of regulatory assistance's web site.  
22 Each agency shall include at least one link to the central repository  
23 from the agency's web site. Agencies shall place the link or links in  
24 such locations as the agency deems will be most customer-friendly and  
25 maximize accessibility of the information to users of the web site.

26 (5) The office shall ensure the searchability of the information  
27 posted on the central repository, applying industry best practices such  
28 as search engine optimization, to ensure that the permit performance  
29 and assistance information is readily findable and accessible by  
30 members of the public.

31 NEW SECTION. **Sec. 5.** (1) By September 30th of 2016 and each even-  
32 numbered year thereafter up to and including 2020, the office shall  
33 publish a comprehensive progress report to the economic development  
34 committees of the house of representatives and the senate and to the  
35 governor on the performance of agencies in tracking permit timelines  
36 and other efforts to improve clarity and predictability of regulatory

1 permitting. The report must include at a minimum for each agency a  
2 summary of the data reported by the agency to the office under section  
3 3(4) of this act.

4 (2) The office shall post the comprehensive progress report on its  
5 web site. The report must be easily accessible and designed in a  
6 customer-friendly format.

7 (3) Beginning with the 2016 report, the office must identify  
8 permits with processing and decision times that are most improved and  
9 processing and decision times that are most in need of improvement, as  
10 indicated by the performance data collected under section 3 of this  
11 act. Each agency may include a statement describing any process  
12 improvements the agency has identified for implementation in order to  
13 improve processing and decision times.

14 **Sec. 6.** RCW 43.17.385 and 2005 c 384 s 3 are each amended to read  
15 as follows:

16 (1) Each state agency shall, within available funds, develop and  
17 implement a quality management, accountability, and performance system  
18 to improve the public services it provides.

19 (2) Each agency shall ensure that managers and staff at all levels,  
20 including those who directly deliver services, are engaged in the  
21 system and shall provide managers and staff with the training necessary  
22 for successful implementation.

23 (3) Each agency shall, within available funds, ensure that its  
24 quality management, accountability, and performance system:

25 (a) Uses strategic business planning to establish goals,  
26 objectives, and activities consistent with the priorities of  
27 government, as provided in statute;

28 (b) Engages stakeholders and customers in establishing service  
29 requirements and improving service delivery systems;

30 (c) Includes clear, relevant, and easy-to-understand measures for  
31 each activity;

32 (d) Gathers, monitors, and analyzes activity data;

33 (e) Uses the data to evaluate the effectiveness of programs to  
34 manage process performance, improve efficiency, and reduce costs;

35 (f) Establishes performance goals and expectations for employees  
36 that reflect the organization's objectives; and provides for regular  
37 assessments of employee performance;

1 (g) Uses activity measures to report progress toward agency  
2 objectives to the agency director at least quarterly;

3 (h) Where performance is not meeting intended objectives, holds  
4 regular problem-solving sessions to develop and implement a plan for  
5 addressing gaps; and

6 (i) Allocates resources based on strategies to improve performance.

7 (4) Each agency shall conduct a yearly assessment of its quality  
8 management, accountability, and performance system.

9 (5) State agencies whose chief executives are appointed by the  
10 governor shall report to the governor on agency performance at least  
11 quarterly. The reports shall be included on the agencies', the  
12 governor's, and the office of financial management's web sites.

13 (6) The governor shall report annually to citizens on the  
14 performance of state agency programs. The governor's report shall  
15 include:

16 (a) Progress made toward the priorities of government as a result  
17 of agency activities; and

18 (b) Improvements in agency quality management systems, fiscal  
19 efficiency, process efficiency, asset management, personnel management,  
20 statutory and regulatory compliance, and management of technology  
21 systems.

22 (7) Each state agency shall integrate efforts made under this  
23 section with other management, accountability, and performance systems,  
24 including procedures implemented under chapter 43.--- RCW (the new  
25 chapter created in section 7 of this act), undertaken under executive  
26 order or other authority.

27 NEW SECTION. Sec. 7. Sections 1 through 5 of this act constitute  
28 a new chapter in Title 43 RCW.

29 NEW SECTION. Sec. 8. If specific funding for the purposes of this  
30 act, referencing this act by bill or chapter number, is not provided by  
31 June 30, 2014, in the omnibus appropriations act, this act is null and  
32 void."

33 Correct the title.

EFFECT: The striking amendment makes the following changes to SB

6045.

Reporting.

Requires each agency to prepare and submit an inventory of all the business permits the agency issues that were included in the State Auditor's Office's December 30, 2013, Performance Audit to the Office of Regulatory Assistance (ORA) by June 30, 2014.

Requires agencies to report performance data to ORA instead of to the Legislature, but requires ORA to make individual agency reports available, upon request.

Requires all agencies to report biennially, instead of identifying four agencies for biennial reporting and ten agencies for reporting every four years.

Changes reporting dates for agencies from every January 31, 2015, and each year thereafter, to by March 1, 2016, and each even year thereafter until 2020.

Requires ORA to publish a comprehensive progress report to the economic development committees of the Legislature and to the Governor by September 30, 2016, and every two years thereafter through 2020.

Online information.

Reduces the kinds of performance data that agencies must post online.

Requires agencies to post estimates of application completion and permit decision times based on the performance data collected. This information must be updated annually for the previous calendar year by March 1st.

Requires the Office of the Chief Information Officer, in consultation with ORA, to establish a central repository for permit performance and assistance information, hosted on ORA's web site.

Provides for agencies to post permit performance and assistance information online through a link to the central repository.

Requires ORA to ensure the searchability of the permit performance and permit assistance information, applying industry best practices to ensure that the information is readily findable and accessible.

Performance data.

Clarifies that each agency shall track and record, for each application it receives or decision it issues, the application completion time, which is the time elapsed from receipt of application to the time at which the agency has determined the application complete, and the permit decision time, which is the time elapsed from receipt of complete application to the time of issuance of a decision about the permit.

Requires ORA to identify permits with most-improved and most-in-need-of improvement processing and decision times, based on the performance data.

Provides that, in the comprehensive progress report, each agency may include a statement describing progress improvements the agency has identified for implementation in order to improve processing and decision times.

Null and void clause.

Adds a null and void clause that states if specific funding for the purposes for this bill is not provided by June 30, 2014, in the omnibus appropriations act, the bill becomes null and void.

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