

SENATE BILL REPORT

SB 5004

As of January 25, 2013

Title: An act relating to restricting gubernatorial appointment of legislators to boards, commissions, and councils.

Brief Description: Restricting gubernatorial appointment of legislators to boards, commissions, and councils.

Sponsors: Senator Ericksen.

Brief History:

Committee Activity: Governmental Operations: 1/22/13.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Sam Thompson (786-7413)

Background: The Governor makes appointments to more than 150 boards, commissions, and councils. Appointments to many entities must be confirmed by the state Senate. Terms vary, but are commonly four years. Members of boards, commissions, and councils are commonly compensated for travel and other expenses but do not receive salaries. However, members of a few entities receive salaries.

Governors have, on occasion, appointed legislators to serve on boards, commissions, or councils. Some legislators have resigned from legislative office after receiving such appointments. When a legislator resigns from office, the legislative position is filled by an appointee affiliated with the political party of the legislator who has resigned. If appointed in the last year of a legislator's term of office, the appointee serves the remainder of the term.

The period for filing declarations of candidacy for legislative offices begins on the Monday two weeks before Memorial Day and ends the following Friday. The Monday after the last day for filing declarations of candidacy is the last day that a candidate may withdraw their declaration of candidacy, thus preventing the candidate's name from being printed on the ballot.

Summary of Bill: The Governor is prohibited from appointing a legislator to certain boards, commissions, and councils during a limited period in the final year of a legislator's term of office, including appointment of a legislator who resigns from office during that limited

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period. The limited period in which the prohibition applies begins on the 30th day before the first day for filing declarations of candidacy and ends at the end of the Monday after the last day for filing.

The prohibition applies only to gubernatorial appointments to the following entities, all of which are salaried:

- Indeterminate Sentence Review Board;
- Growth Management Hearings Board;
- Pollution Control Hearings Board;
- Executive board of directors of Energy Northwest, a joint operating agency;
- Board of Industrial Insurance Appeals;
- Liquor Control Board;
- Utilities and Transportation Commission;
- Energy Facility Site Evaluation Council; and
- Board of Tax Appeals.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: None.

Persons Testifying: No one.