

SB 5944 - S AMD 115
By Senator Hill

ADOPTED 3/5/2015

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

3 NEW SECTION. **Sec. 1.** (1)(a) Except as otherwise provided in
4 this section, every new statutory state spending program shall
5 include an expiration date that is no more than ten years from the
6 effective date of the spending program.

7 (b) A future amendment that modifies or expands a statutory state
8 spending program does not extend the statutory state spending program
9 beyond the period provided in this subsection unless an extension is
10 expressly and unambiguously stated in the amendment.

11 (2) For the purposes of this chapter, "new statutory state
12 spending program" means a state statute that:

13 (a) After January 1, 2016, establishes a new state expenditure
14 program, establishes a new state agency or department, expands a
15 state entitlement program, or establishes a new or expanded
16 distribution of state revenues to political subdivisions of the state
17 or other entities; and

18 (b) Is projected to result in increased state expenditures in
19 excess of one million dollars in state funds in the program's first
20 full fiscal biennium of implementation, and is not self-supported by
21 fees.

22 NEW SECTION. **Sec. 2.** (1) As provided in this section, every
23 bill enacting a new statutory state spending program must include a
24 state spending performance statement.

25 (2) A state spending performance statement must state the
26 legislative purpose for the new state spending program. In addition
27 to identifying the general legislative purpose of the state spending,
28 the state spending performance statement must provide additional
29 detailed information regarding the legislative purpose of the new
30 state spending.

31 (3) A state spending performance statement must specify clear,
32 relevant, and ascertainable metrics and data requirements that allow

1 the joint legislative audit and review committee and the legislature
2 to measure the effectiveness of the new state spending program in
3 achieving the purpose designated under subsection (2) of this
4 section.

5 NEW SECTION. **Sec. 3.** (1) The joint legislative audit and review
6 committee must review new statutory state spending programs according
7 to a schedule developed by the committee. The committee must
8 consider, but not be limited to, the following factors in the review
9 as relevant to each particular new statutory state spending program:

10 (a) Public policy objectives that might provide a justification
11 for the new statutory state spending program, including but not
12 limited to the state spending performance statement under section 2
13 of this act, the legislative history, and any legislative intent;

14 (b) Evidence that the existence of the new statutory state
15 spending program has contributed to the achievement of any of the
16 public policy objectives;

17 (c) The extent to which continuation of the new statutory state
18 spending program might contribute to any of the public policy
19 objectives;

20 (d) The extent to which the new statutory state spending program
21 may provide unintended benefits to an individual, organization, or
22 industry other than those the legislature intended;

23 (e) The feasibility of modifying the new statutory state spending
24 program to better achieve the intended objectives; and

25 (f) Fiscal impacts of the new statutory state spending program,
26 including past impacts and expected future impacts if it is
27 continued.

28 (2) For each new statutory state spending program, the committee
29 must provide a recommendation to the fiscal committees of the
30 legislature as to whether the new statutory state spending program
31 should be continued without modification, modified, scheduled for
32 sunset review at a future date, or terminated immediately. If the
33 committee determines that the new statutory state spending program
34 does not achieve the ascertainable metrics specified in the state
35 spending performance statement under section 2 of this act, the
36 committee shall recommend termination of the program. The committee
37 may recommend accountability standards for the future review of a new
38 statutory state spending program.

1 (3) If a new statutory state spending program does not include
2 the information required under section 2 of this act, the joint
3 legislative audit and review committee is not required to perform a
4 review under this section, and it is legislatively presumed that it
5 is the intent of the legislature to allow the new statutory state
6 spending program to expire on its scheduled expiration date.

7 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act
8 constitute a new chapter in Title 43 RCW.

9 NEW SECTION. **Sec. 5.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected."

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13 On page 1, line 1 of the title, after "programs;" strike the
14 remainder of the title and insert "and adding a new chapter to Title
15 43 RCW."

EFFECT: New statutory state spending programs are exempt from the
bill if the program is self-supported by fees.

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