

ESSB 5693 - H AMD TO H AMD (H-2871.1/22) **1162**

By Representative Corry

SCOPE AND OBJECT 02/26/2022

1 On page 766, after line 23 insert the following:

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3 **"Sec. 952.** RCW 43.79.285 and 2021 c 334 s 956 are each amended
4 to read as follows:

5 (1) There is hereby created a joint select committee to be known
6 as the joint legislative unanticipated revenue and emergency
7 oversight committee. The committee is established for the following
8 purposes:

9 (a) To provide oversight of the legislature's delegation of
10 state fiscal authority to the governor and to prevent infringement
11 on the legislature's constitutional power to appropriate state funds;

12 (b) To provide oversight of the legislature's delegation of
13 emergency powers to the governor and to prevent infringement of the
14 legislature's constitutional power to establish state policy through
15 the statutory lawmaking process; and

16 (c) To provide a forum for transparent and timely discussion of
17 these statutory delegations and their implementation by the
18 executive branch while the legislature is not in session.

19 (2) The committee consists of ((with)) the following sixteen
20 members:

21 (a) The majority and minority leaders of the senate;

22 (b) The speaker and the minority leader of the house of
23 representatives;

24 (c) Six additional members of the senate with three members from
25 each of the two largest caucuses of the senate appointed by their
26 respective leaders; and

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1 (d) Six additional members of the house of representatives with
2 three members from each of the two largest caucuses of the house of
3 representatives appointed by their respective leaders.

4 ~~((+2))~~ (3) The cochairs of the committee are the leaders of the
5 two largest caucuses of the senate in even-numbered years and the
6 leaders of the two largest caucuses of the house of representatives
7 in odd-numbered years.

8 ~~((+3))~~ (4) Staff support for the committee is provided by the
9 senate committee services and the house of representatives office of
10 program research.

11 ~~((+4))~~ (5) Members of the committee serve without additional
12 compensation, but must be reimbursed for travel expenses in
13 accordance with RCW 44.04.120. The expenses of the committee are
14 paid jointly by the senate and the house of representatives and
15 expenditures are subject to approval by the senate facilities and
16 operations committee and the house of representatives executive
17 rules committee, or their successor committees.

18 ~~((+5))~~ (6) The ~~((purpose))~~ duties of the committee ~~((is))~~ are to:
19 (a) review requests for proposed allotment amendments to spend
20 unanticipated and unbudgeted moneys from federal and nonstate
21 sources pursuant to RCW 43.79.270(3); and
22 (b) review gubernatorial orders issued during a proclaimed state
23 of emergency under RCW 43.06.220, particularly those that waive or
24 suspend statutory obligations under subsection (2) of that section.

25 ~~((The committee is necessary to provide oversight of the~~
26 ~~legislature's delegation of state fiscal authority to the governor~~
27 ~~while the legislature is not in session and to prevent infringement~~
28 ~~on the legislature's constitutional power to appropriate state funds.~~

29 ~~(6) The committee shall)~~ (c) meet as necessary to review
30 requests from the governor pursuant to RCW 43.79.270(3) and orders
31 pursuant to RCW 43.06.220 and to provide comment within 14 calendar
32 days. The committee may conduct its meetings and hold public
33 hearings by conference telephone call, videoconference, or using
34 similar technology equipment so that all persons participating in

1 the meeting can hear each other at the same time. The committee
2 shall adopt rules and procedures for its orderly operation. The
3 activities of the committee are suspended during regular or special
4 legislative sessions.

5 (7) If the committee chooses to conduct a public hearing on a
6 proposed allotment amendment or a gubernatorial order issued
7 pursuant to a proclamation of emergency, the committee must provide
8 the office of financial management with five calendar days notice of
9 the public hearing. The office of financial management, or its
10 designee, must appear before the committee to present the proposed
11 allotment amendment or issued emergency order and respond to
12 questions. The committee may also require the appropriate state
13 agency, department, board, or commission (~~(proposing the allotment~~
14 ~~amendment)~~) affected by the proposed allotment amendment or issued
15 emergency order to appear before the committee, submit additional
16 information, or engage in other activities necessary for the
17 committee to review and comment on proposed allotment amendments or
18 emergency order.

19 (8) Action of the committee is limited to the review and comment
20 on requests submitted by the governor under RCW 43.79.270(3) and
21 emergency orders issued under RCW 43.06.220. Action by the committee
22 requires the majority vote of members of the committee in attendance
23 at the meeting. Action may take the form of a recommendation
24 approving the proposed allotment amendment or emergency order,
25 rejecting the proposed allotment amendment or emergency order, or
26 proposing an alternative allotment amendment or emergency order for
27 the governor's consideration, prior to approval in the case of an
28 allotment amendment under RCW 43.79.280. The committee's action is
29 not binding on the governor."
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31 Renumber remaining sections consecutively and correct internal
32 references accordingly.

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34 Correct the title.

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EFFECT: Revises the duties of the Joint Unanticipated Revenue Oversight Committee, which consists of 16 legislators and was created in the 2021 biennial budget. Declares that an additional purpose of the Committee is reviewing gubernatorial orders issued under the emergency powers delegation of RCW 43.06.220. Adds to the Committee's duties the authority to review and request information on these emergency orders, and to take non-binding action to approve, reject or propose alternatives.

FISCAL IMPACT: No net change to appropriated levels.

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