

SENATE BILL REPORT

ESHB 1362

As Reported by Senate Committee On:
State Government & Elections, March 24, 2023

Title: An act relating to improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports.

Brief Description: Improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports.

Sponsors: House Committee on State Government & Tribal Relations (originally sponsored by Representatives Stearns, Reeves, Abbarno, Gregerson, Lekanoff and Tharinger; by request of Office of Financial Management).

Brief History: Passed House: 3/7/23, 95-0.

Committee Activity: State Government & Elections: 3/21/23, 3/24/23 [DPA, w/oRec].

Brief Summary of Amended Bill

- Repeals the requirement for state agencies to submit certain reports to the Legislature, or Governor, or both.
- Modifies the frequency of certain reports from state agencies to the Legislature, or Governor, or both.
- Permits state agencies to place certain information online rather than submit a report to the Legislature.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Wilson, J., Ranking Member; Dozier, Fortunato and Kuderer.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: That it be referred without recommendation.

Signed by Senator Hasegawa.

Staff: Danielle Creech (786-7412)

Background: Agency Report Requirements. Many state agencies are statutorily required to submit reports on a variety of topics to the Legislature, the Governor, or both. These reports may be required one-time, such as a one-time report due December 15, 2021, by the Department of Veterans Affairs (DVA) to the Legislature and the Governor about the implementation and status of the LGBTQ coordinator position. Other reports may be required regularly, such as the following:

- a semiannual report by the Washington State Patrol to the Legislature about the statewide sexual assault tracking kit system;
- an annual report by the Department of Revenue (DOR) to the Legislature about the progress of its efforts to partner with all cities that impose a general business license requirement;
- a biennial report by the Department of Commerce (Commerce) to the Legislature about the status and costs of the state program for worker training and certification related to lead-based paint; and
- reports no less than every ten days by the Director of the Department of Fish and Wildlife to the Governor about the effect of measures taken in response to aquatic invasive species emergency.

State agencies may also be required by law to provide certain information to the Legislature or other agencies in an unspecified format. For example:

- the Department of Children, Youth, and Families must make certain data available to the Legislature annually regarding the use of family reconciliation services; and
- agencies required to participate in the implementation of the Business License Center Act must provide DOR with certain information about business licenses issued by the agency.

State agencies are also often statutorily required to post certain information publicly on their websites. Examples include:

- the Department of Ecology must list online the interagency agreements to which the department is a party or participant;
- the Office of the Insurance Commissioner must post online a report about geographic access to gender-affirming treatment across the state, to be updated biannually.

Summary of Amended Bill: Repealed Reporting Requirements. Several reporting requirements are repealed, including:

- four annual reports from DOR to the Legislature:
 1. regarding the progress of its efforts to partner with all cities that impose a general business license requirement;
 2. regarding payments made by Public Utility Districts in lieu of paying property

- taxes on property that has broadband infrastructure;
- 3. regarding public improvements undertaken by local governments financed by hospital benefit zone financing; and
- 4. a summary of information DOR receives from local governments about local revitalization projects;
- three reports from the DVA:
 1. a one-time report due December 15, 2021, to the Legislature and the Governor, about the implementation and status of the LGBTQ coordinator position;
 2. a one-time report due December 31, 2018, to the Legislature regarding the veteran peer-to-peer training and support program; and
 3. an annual report to the Governor, about DVA's activities;
- two reports from Commerce:
 1. a report to the Legislature aggregating data from consumer- and investor-owned utility plans, and assessing the overall adequacy of Washington's electricity supply; and
 2. an annual report to the Legislature about the impact of a fee deferral process for single-family residential construction; and
- seven reports from other agencies and committees:
 1. an annual letter by the Department of Health and the University of Washington, to the Legislature, about the status of their expenditures of moneys collected from a surcharge on recreational shellfish licenses to fund biotoxin testing for monitoring beaches;
 2. a quarterly report by the Office of Transit Mobility, to the Legislature and the Secretary of Transportation, about the office's progress in fulfilling its duties;
 3. an annual report by the Department of Licensing, to the Governor, on the operation of the filing office, that is, a place designated to file a financing statement to perfect a security interest or agricultural lien;
 4. a biennial update by the Children of Incarcerated Parents Advisory Committee, to the Legislature and the Governor, about their activities;
 5. an annual report by the Department of Corrections, to the Legislature and the Governor, about contracts for telecommunication services and electronic media services to inmates;
 6. a report at least every four years by the Office of Privacy and Data Protection, to the Legislature, about telecommunications inequality in tribal, rural, or economically distressed areas; and
 7. a biennial report by the Washington Student Achievement Council, to the Legislature, about the development of transfer associate degrees that satisfy lower division requirements at public four-year colleges.

Relatedly, the following information-sharing provisions are repealed:

- the requirement for the Department of Children, Youth, and Families to make certain data available to the Legislature annually about the use of family reconciliation services;
- the requirement for agencies required to participate in the implementation of the

Business License Center Act to provide DOR with certain information about business licenses issued by the agency; and

- the requirement for the Department of Ecology to list online the interagency agreements to which the department is a party or participant.

Reporting Frequency Modified. The reporting frequency is modified for the following reports:

- the semiannual report by the Washington State Patrol, to the Legislature, about the statewide sexual assault kit tracking system, is now required annually;
- the reports by the Director of the Department of Fish and Wildlife to the Governor evaluating the effect of measures taken in response to an aquatic invasive species emergency, required at least every ten days, are now required at least monthly if the report relates to the green crab infestation emergency; and
- the online report by the Office of the Insurance Commissioner about geographic access to gender-affirming treatment across the state is now required to be updated biennially, rather than biannually.

Certain Reports to Be Posted Online Rather Than Submitted to the Legislature. The following reports or information are now required to be posted to the agency's website, rather than submitted to the Legislature:

- annual recommendations by Commerce about the best use of under-utilized, state-owned land and property suitable for the development of affordable housing;
- an annual report by Commerce about the amount of revenue collected by local jurisdictions for additional conviction fees for crimes related to commercial sexual abuse of a minor, indecent exposure, and prostitution, and for fees from vehicle impoundment for prostitution-related offenses;
- an annual report by Commerce about the performance of the foreclosure mediation program and related information;
- a biennial report by Commerce about the status and costs of the state program for worker training and certification related to lead-based paint; and
- an annual report by the Department of Corrections about various statistics related to extraordinary medical placement for offenders.

EFFECT OF STATE GOVERNMENT & ELECTIONS COMMITTEE AMENDMENT(S):

- Adjusts due dates for certain reports from the superintendent of public instruction.
- Eliminates a requirement for a report from the State Board of Education and the Professional Educator Standards Board to the Legislature.
- Eliminates reports for certain projects which have ended, or information is already collected and reported elsewhere.
- Restores RCW 43.60A.101 to provide parity with SSB 5358.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Engrossed Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This is a bill to help clean up the volume of required reports. This will make the agencies more efficient and work better for the people by eliminating unnecessary and outdated reports. The Office of Financial Management (OFM) brought this clean-up bill forward on behalf of executive branch agencies with the recognition of the need to occasionally review and update RCWs for statutory reports required of state agencies. Each year the Legislature creates numerous new legislative reports required of the agencies. Many of these reports are worthwhile and provide useful information to the Legislature and the executive branch. However, many reports can stay in RCW long after their legislative interest or their relevance or utilization has faded. There is workload associated with compiling and updating reports on a regular basis. We believe there are cases where reports are no longer utilized and the information can be readily shared through other means. It is in the best interest for efficient and good government to revisit these reports and see if they should be eliminated or updated. OFM solicited recommendations from executive branch agencies last fall, and agencies identified a number of reports, though not all were included in this bill.

Persons Testifying: PRO: Representative Chris Stearns, Prime Sponsor; K.D. Chapman-See, Office of Financial Management, Legislative Liaison.

Persons Signed In To Testify But Not Testifying: No one.