

State of Washington

Joint Legislative Audit and Review Committee (JLARC)

Status Report: Implementation of State Auditor I-900 Recommendations to the Legislature

As required by Initiative 900

July 2016

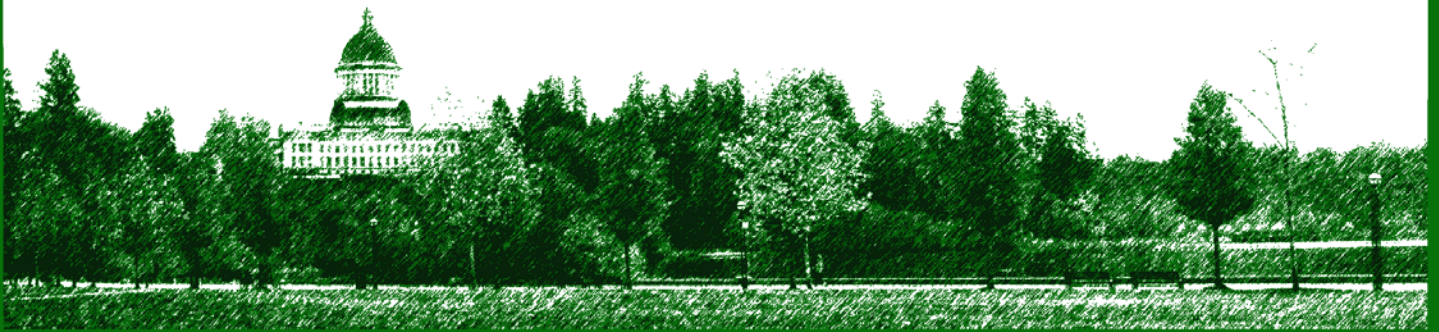


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Initiative 900 Requires JLARC Report

In November 2005, the people of the State of Washington approved Initiative 900. The initiative directs the State Auditor’s Office (SAO) to conduct performance audits of state and local government agencies.

The initiative also includes the following direction with regard to performance audits of state government: “An annual report will be submitted by the Joint Legislative Audit and Review Committee by July 1st of each year detailing the status of the legislative implementation of the State Auditor’s recommendations.” This report represents JLARC’s compliance with this requirement for 2016.

Three 2015 I-900 Audits with Recommendations to the Legislature

This is the 10th annual report that JLARC staff have released on the status of recommendations to the Legislature made by the State Auditor’s performance audits. During Calendar Year 2015, the State Auditor released five new performance audit reports: three with recommendations to the Legislature, and two that did not include recommendations to the Legislature. JLARC held public hearings on all of the State Auditor’s performance audits and reviews issued during that time period. Many of the recommendations in the SAO performance audits are directed to state or local government agencies rather than to the Legislature. This report does not provide information on implementation of those recommendations. For local governments, Initiative 900 directs that “an annual report will be submitted by the legislative body by July 1st of each year detailing the status of the legislative implementation of the State Auditor’s recommendations.”

This JLARC staff report provides information on the implementation status of nine specific recommendations to the Legislature included in the 2015 performance audits. In addition, JLARC staff track previous years’ recommendations for four years. For example, for an SAO recommendation to the Legislature issued in Calendar Year 2012, JLARC staff reviewed legislative activity in the 2013, 2014, 2015, and 2016 legislative sessions. This report includes updated information on the status of 10 unresolved recommendations to the Legislature in performance audits issued by the SAO between Calendar Years 2013 and 2014.

Implementation Status of the SAO Recommendations to the Legislature

Table 1 summarizes implementation of the recommendations to the Legislature in the SAO’s performance audits issued in Calendar Years 2012 through 2015. The table uses the following reporting categories:

- **Implemented – Adopted As Presented** – Legislative action implementing an SAO recommendation in the manner that it was presented in the audit;
- **Implemented – Addressed with Different Approach** – Legislative action where the Legislature addressed the issue raised in the recommendation, but via a different approach;
- **Legislature Made Different Policy Choice** – Legislative action where the Legislature was aware of the recommendation and made a different policy choice than what the SAO recommended;
- **Bills Introduced on Topic But Not Adopted** – Situation where individual legislators introduced bills on the topic covered in the recommendation, but the Legislature did not adopt the recommendation;
- **Other Circumstances** – This category denotes recommendations where other relevant circumstances apply; and
- **Related or No Information** – Related information is provided when available.

Table 1 – Implementation of SAO I-900 Recommendations to the Legislature:
Status Following the 2016 Legislative Sessions

| Current Implementation Status | Recommendations | | |
|---|-----------------|-----------|-----------|
| | 2015 | 2012-14 | Total |
| Implemented: | | | |
| Adopted as Presented | - | 6 | 6 |
| Addressed with Different Approach | - | 2 | 2 |
| Legislature Made Different Policy Choice | - | - | - |
| Bills Introduced on Topic But Not Adopted | 7 | 1 | 8 |
| Other Circumstances | - | - | - |
| Related or No Information | 2 | 7 | 9 |
| Total | 9 | 16 | 25 |

Detail on Specific SAO Recommendations to the Legislature

What follows are details on the nine specific recommendations to the Legislature from the three SAO performance audits issued in Calendar Year 2015. The details also include an update on the status of 10 unresolved recommendations to the Legislature in SAO performance audits issued in Calendar Years 2013 and 2014. For each of these performance audits, this JLARC staff report provides:

- A brief summary of the subject of the performance audit;
- The text of each recommendation to the Legislature;
- The current implementation status for each recommendation;
- Identification of related legislation; and
- Where appropriate, a comment section to provide additional explanation/context about the Legislature’s actions or the categorization of implementation status.

Each section ends with reporting on any additional legislative activity since last year’s report such as public hearings, work sessions, and related budget activity. The audit reports are grouped by year and listed in the order in which the State Auditor released them.

Initiative 900 also states that “justification must be provided for recommendations not implemented.” Since no individual or entity can singularly speak to the reason for legislative action or inaction, JLARC’s auditors could not identify sufficient and appropriate evidence to make definitive conclusions about why recommendations have not been implemented to date. However, the information provided in the comment sections does, in some cases, provide a context for the Legislature’s actions.

Newly Issued 2015 Recommendations

Improving the Completeness of Washington's Criminal History Records Database

Released June 15, 2015

About the Audit

This audit examined whether Washington criminal history records are complete, and if not, why. The Washington State Patrol is statutorily responsible for maintaining Washington's criminal history records database and for ensuring it is complete - containing arrest and disposition information for all felonies and gross misdemeanors committed in the state.

The audit included two recommendations that sought changes to state laws.

SAO Recommendation to the Legislature

The Washington State Patrol seek changes to state laws and/or administrative rules to require all persons arrested for gross misdemeanors be fingerprinted.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6198 | ✓ | | | | |

Comments

SB 6198 would have required a law enforcement agency to require every adult or juvenile to be photographed and fingerprinted when the person is arrested for driving under the influence (DUI) or being in physical control of a motor vehicle while under the influence (PC); vehicular homicide and vehicular assault if either was committed while under the influence; negligent driving after having consumed alcohol, and reckless endangerment, if the original charge was DUI, PC, vehicular homicide, or vehicular assault; or an equivalent local DUI or PC ordinance.

SAO Recommendation to the Legislature

The Washington State Patrol seek changes to state laws and/or administrative rules to require law enforcement agencies, courts and county clerks include Process Control Numbers when entering disposition information.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|------------------------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| No Related Legislation | | | | | |

Additional Legislative Action

JLARC held an I-900 hearing on July 29, 2015.

Regulatory Reform: Enhancing Regulatory Agency Coordination

Released July 20, 2015

About the Audit

This audit examined whether state agencies are currently coordinating their processes to minimize resources needed for business' regulatory approvals and whether opportunities exist for expanded coordination among Washington's regulatory agencies.

The audit included six recommendations to the Legislature.

SAO Recommendation to the Legislature

Legislature assign a lead agency to:
Develop a long-term strategy for identifying and prioritizing multi-agency regulatory processes that can be streamlined through better coordination, based on such things as:

- Industry needs determined in collaboration with businesses;
- Importance to the state;
- Potential for savings to businesses and agencies.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6033 | ✓ | ✓ | | | |
| SB 6221 | ✓ | ✓ | | | |
| SB 6223 | ✓ | | | | |
| SB 6669 | ✓ | ✓ | | | |

Comments

- SB 6223 would have changed the name of the Office of Regulatory Assistance (ORA) to the Office of Regulatory Innovation and Assistance (ORIA) and require the office to develop a long-term strategy for identifying and prioritizing multiagency regulatory processes that can be streamlined through better coordination.
- SB 6669 would have created the ORIA in the Department of Commerce by abolishing the ORA and transferring its powers, duties, and functions to the ORIA and would have required the ORIA to develop a long-term strategy for identifying and prioritizing multiagency regulatory processes that can be streamlined through better coordination.
- SB 6033 would have created a legislative task force on state and local regulation and require it to identify and analyze state and local regulatory schemes affecting small businesses for opportunities for streamlining or consolidation.
- SB 6221 would have required the ORA to develop business assistance materials to maintain and grow businesses in Washington and collaborate with businesses in key economic sectors.
- 2ESHB2376: \$150,000 of the general fund-state appropriation for fiscal year 2017 was provided to the Department of Commerce for the regulatory roadmap program for the construction industry.

Regulatory Reform: Enhancing Regulatory Agency Coordination

Released July 20, 2015

SAO Recommendation to the Legislature

Legislature assign a lead agency to:

- Develop a timetable for prioritized regulatory processes to be streamlined through coordination

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6223 | ✓ | | | | |

Comments

- SB 6223 would have changed the name of the Office of Regulatory Assistance (ORA) to the Office of Regulatory Innovation and Assistance (ORIA) and require the Office to develop a timetable by Jan 1, 2017 for the prioritized regulatory processes to be streamlined.
- 2ESHB2376: \$150,000 of the general fund-state appropriation for fiscal year 2017 was provided to the Department of Commerce for the regulatory roadmap program for the construction industry.

SAO Recommendation to the Legislature

Legislature assign a lead agency to:

- Identify agencies involved in each regulatory process to be streamlined through coordination

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6033 | ✓ | ✓ | | | |
| SB 6221 | ✓ | ✓ | | | |
| SB 6223 | ✓ | | | | |

Comments

- SB 6223 would have changed the name of the Office of Regulatory Assistance (ORA) to the Office of Regulatory Innovation and Assistance (ORIA) and require the office to identify agencies involved in each regulatory process to be streamlined through coordination.
- SB 6033 would have created a legislative task force on state and local regulation and require it to identify and analyze state and local regulatory schemes affecting small businesses for opportunities for streamlining or consolidation.
- SB 6221 would have required the Office of Regulatory Assistance to develop business assistance materials to maintain and grow businesses in Washington and collaborate with businesses in key economic sectors.
- 2ESHB2376: \$150,000 of the general fund-state appropriation for fiscal year 2017 was provided to the Department of Commerce for the regulatory roadmap program for the construction industry.

Regulatory Reform: Enhancing Regulatory Agency Coordination

Released July 20, 2015

SAO Recommendation to the Legislature

Legislature assign a lead agency to:

- Convene agencies involved in those regulatory processes and facilitate ongoing coordination

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6221 | ✓ | ✓ | | | |
| SB 6223 | ✓ | ✓ | | | |

Comments

- SB 6223 would have changed the name of the Office of Regulatory Assistance (ORA) to the Office of Regulatory Innovation and Assistance (ORIA) and require the office to convene agencies involved in those regulatory processes and facilitate ongoing coordination.
- SB 6221 would have required the ORA to develop business assistance materials to maintain and grow businesses in Washington and collaborate with businesses in key economic sectors.
- 2ESHB2376: \$150,000 of the general fund-state appropriation for fiscal year 2017 was provided to the Department of Commerce for the regulatory roadmap program for the construction industry.

SAO Recommendation to the Legislature

Legislature assign a lead agency to:

- Work with identified agencies on prioritized processes to:
 - a. Scope and understand the problem
 - b. Establish written policies and protocols for coordinating
 - c. Identify structured communication channels between agencies
 - d. Develop methods for sharing of applicant information between agencies to reduce duplication of what businesses need to submit, where possible
 - e. Promote concurrent reviews of applicant materials or comment periods
 - f. Ensure compatible regulatory requirements
 - g. Develop and track performance measures

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6223 | ✓ | | | | |

Comments

- SB 6223 would have changed the name of the Office of Regulatory Assistance to the Office of Regulatory Innovation and Assistance and require the office to work with identified agencies.
- 2ESHB2376: \$150,000 of the general fund-state appropriation for fiscal year 2017 was provided to the Department of Commerce for the regulatory roadmap program for the construction industry.

Regulatory Reform: Enhancing Regulatory Agency Coordination

Released July 20, 2015

SAO Recommendation to the Legislature

Legislature assign a lead agency to:

- Report to the Governor and Legislature annually on:
 - a. Progress of prioritized regulatory processes being streamlined through coordination
 - b. Performance measures for each process

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6033 | ✓ | ✓ | | | |
| SB 6223 | ✓ | | | | |
| SB 6669 | ✓ | ✓ | | | |

Comments

- SB 6223 would have changed the name of the Office of Regulatory Assistance (ORA) to the Office of Regulatory Innovation and Assistance (ORIA) and require the office to report to the governor and the economic development committees of the legislature annually on the progress of prioritized regulatory processes.
- SB 6669 would have created the ORIA in the Department of Commerce by abolishing the ORA and transferring its powers, duties, and functions to the ORIA and would have required the ORIA to report to the governor and the economic development committees of the legislature annually on the progress of prioritized regulatory processes being streamlined through coordination.
- SB 6033 would have required the legislative task force to provide recommendations to the Senate and House committees.
- 2ESHB2376: \$150,000 of the general fund-state appropriation for fiscal year 2017 was provided to the Department of Commerce for the regulatory roadmap program for the construction industry.

Additional Legislative Action

JLARC held an I-900 hearing on July 29, 2015.

Complaint Resolution Unit at Department of Social and Health Services

Released November 16, 2015

About the Audit

This audit examined whether the Complaint Resolution Unit (CRU) processes intakes in a timely manner and whether it prioritizes them accurately and consistently. It also identifies improvements the Department of Social and Health Services (DSHS) could make in these areas.

The audit included one recommendation to the Legislature.

SAO Recommendation to the Legislature

To ensure that the CRU is reasonably interpreting compliance with state law, we recommend that DSHS work with the Legislature to provide clarity on the definitions of when "knowledge" and "initiate a response" occur

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2017 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

Additional Legislative Action

JLARC held an I-900 hearing on December 16, 2015.

Previously Unresolved 2014 Recommendations

Performance Measures in Economic Development Programs: Opportunity to enhance transparency and improve processes

Released October 2, 2014

About the Audit

The audit assessed the Associate Development Organization (ADO) program, which provides economic development services tailored to meet local needs. Through this program, the Department of Commerce manages \$3 million in annual grant support to 34 county-designated ADOs. The main questions the audit sought to answer was whether it is technically feasible to isolate the ADOs' impact on economic outcomes and whether the performance measurement practices used by Commerce to manage ADO contacts is aligned with statutory intent and leading practices. The audit found that the Legislature should establish clear goals for the ADO program and that the ADOs develop a more robust performance measurement system.

The audit included two recommendations to the Legislature.

SAO Recommendation to the Legislature

The Legislature establish clear goals for the program in consultation with Commerce and ADOs.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|------------------------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| No Related Legislation | | | | | |

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|------------------------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| No Related Legislation | | | | | |

Performance Measures in Economic Development Programs: Opportunity to enhance transparency and improve processes

Released October 2, 2014

SAO Recommendation to the Legislature

The Legislature reform reporting requirements for both Commerce and the ADO program.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

Debt-Offset Programs: A tool to help Washington collect delinquent debt

Released December 4, 2014

About the Audit

This audit examined whether implementing a state debt-offset program and participating in the U.S. Treasury's State Reciprocal Program can help Washington collect delinquent business debt. The audit also identified leading practices other states recommend for developing and implementing effective debt-offset programs, and the changes Washington needs to make to put the programs into action.

The audit included four recommendations to the Legislature.

SAO Recommendation to the Legislature

The Legislature should authorize state agencies to require federal taxpayer identification numbers (TINs) and share payment and debt data for the purposes of conducting state and federal debt offsets, allowing individual agencies to immediately enhance existing collection efforts.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

Debt-Offset Programs: A tool to help Washington collect delinquent debt

Released December 4, 2014

SAO Recommendation to the Legislature

The Legislature should authorize state agencies to participate in the U.S. Treasury's State Reciprocal Program.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
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|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

Debt-Offset Programs: A tool to help Washington collect delinquent debt

Released December 4, 2014

SAO Recommendation to the Legislature

The Legislature should establish a workgroup with a directive to develop a proposal for the design and implementation of a state and the federal reciprocal debt-offset programs. To efficiently and effectively implement and administer the programs, the workgroup should:

- Design the programs using the leading practices recommended by other states and the U.S. Treasury's State Reciprocal Program requirements;
- Identify ways for agencies to obtain accurate federal TINs;
- Identify necessary process changes and system upgrades;
- Estimate necessary resources;
- Identify statutory changes; and
- Report its progress to the Legislature and the Governor's Office by June 30, 2016.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

Debt-Offset Programs: A tool to help Washington collect delinquent debt

Released December 4, 2014

SAO Recommendation to the Legislature

Taking into account the workgroup's June 2016 report, the Legislature should authorize a single comprehensive statute to offset debts owed by businesses with payments to those businesses.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

Previously Unresolved 2013 Recommendations

Washington State Ferries: Vessel Construction Costs

Released January 3, 2013

About the Audit

This audit assessed three questions: (1) how the construction costs of ferries built by Washington State Ferries (WSF) compare with comparable ferries built elsewhere, (2) what factors affect the cost of constructing ferries and to what extent those factors affect total construction spending, and (3) does WSF use leading practices to develop, manage, and monitor its ferry construction contracts. The audit found that it costs more to construct a ferry when WSF is the purchaser compared to other ferry purchasers, and that certain regulatory requirements such as the Build-in-Washington laws and the Apprenticeship Act contribute to these higher costs.

The audit included two recommendations to the Legislature.

SAO Recommendation to the Legislature

The Legislature should address the regulatory barriers currently in place that limit competition on WSF vessel procurements by:

- Allowing WSF to use alternative strategies to encourage competition for its ferry procurements when insufficient interest exists or higher-than-expected bids are received from Washington shipyards. One possible strategy to ensure an adequate level of competition could be to allow WSF to invite out-of-state shipyards to bid on new vessel construction contracts in these situations.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

Washington State Ferries: Vessel Construction Costs

Released January 3, 2013

2013 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| HB 1990 | ✓ | | | | |
| SB 5858 | ✓ | | | | |

2014 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|-----------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| ESHB 2759 | ✓ | ✓ | ✓ | | |
| ESSB 6001 | ✓ | ✓ | ✓ | ✓ | ✓ |

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|-----------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| HB 2240 | ✓ | | | | |
| ESSB 5992 | ✓ | ✓ | ✓ | | |

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|-----------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| HB 2240 | ✓ | | | | |
| ESSB 5992 | ✓ | ✓ | ✓ | ✓ | ✓ |

Comments

ESSB 5992 requires the Washington State Department of Transportation to use design-build procurement in acquiring new ferry vessels; required the Washington State Ferries (WSF) to employ an independent representative, in certain circumstances, to serve the WSF's interests during the procurement process; required contracts to be fixed-price and allow for a contingency to accommodate change orders; and altered a requirement that ferry vessels be constructed within the State of Washington, allowing out-of-state construction in certain circumstances.

Washington State Ferries: Vessel Construction Costs

Released January 3, 2013

SAO Recommendation to the Legislature

The Legislature should address the regulatory barriers currently in place that limit competition on WSF vessel procurements by:

- Undertaking a study of the Apprenticeship Act to identify and resolve potential barriers for prospective applicants, in particular shipyards with established apprenticeship training programs.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2013 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 5858 | ✓ | | | | |

2014 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| SB 6186 | ✓ | ✓ | | | |

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|------------------------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| No Related Legislation | | | | | |

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|-----------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| 2ESB 5993 | ✓ | ✓ | ✓ | ✓ | ✓ |

Comments

2ESB 5993 provides that the apprentice utilization requirement for Department of Transportation public works applies to projects estimated to cost \$3 million or more, rather than \$2 million or more, for five years beginning July 1, 2015.

Enhancing Background Checks in Washington

Released May 7, 2013

About the Audit

The audit assessed whether automatic notification of new criminal events, commonly referred to as a rap back service, could enhance Washington's current background check process, and if so, what are potential barriers to its implementation. The audit found that Washington's background check process is falling behind other states because it does not provide an automatic notification if a person commits a criminal offense after passing a background check.

This audit included two recommendations to the Legislature.

SAO Recommendation to the Legislature

The Legislature should revise state law to expressly allow the Washington State Patrol and Federal Bureau of Investigation to retain civil fingerprints.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2014 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| HB 2080 | ✓ | | | | |
| SB 5720 | ✓ | | | | |

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|---------|-----------------|-------------------------|------------------------|--------------------|--------------------|
| HB 2080 | ✓ | | | | |
| SB 5720 | ✓ | | | | |

Comments

HB 2080 and SB 5720 would have authorized the Washington State Patrol (WSP) and the Department of Health (DOH) to participate in the new Rap Back service offered by the Federal Bureau of Investigation; authorized the WSP to retain fingerprints submitted by a statutorily authorized agency for noncriminal justice purposes; required applicants to be notified that their fingerprints will be searched against arrests and unsolved crime files and that their criminal history will be periodically checked and reported back to the statutorily authorized agencies; and authorized disciplining authorities under the DOH to adopt rules authorizing fingerprint checks for applicants and licensees in the professions it regulates.

Enhancing Background Checks in Washington

Released May 7, 2013

SAO Recommendation to the Legislature

The Legislature should authorize and appropriate funding for the Washington State Patrol to implement a state and federal rap back service as part of background check processes.

Implementation Status :

- Adopted as presented
- Addressed with different approach
- Made different policy choice
- Bills introduced on topic but not adopted
- Other circumstances
- Related or no information

2014 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|

No Related Legislation

2015 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
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No Related Legislation

2016 Related Legislation

| Bill # | Bill Introduced | Out of Fiscal Committee | Out of House of Origin | Passed Legislature | Signed by Governor |
|--------|-----------------|-------------------------|------------------------|--------------------|--------------------|
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No Related Legislation