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OFFICE OF THE GOVERNOR

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June 26, 2009

TO: Agency Directors

FROM: Marty Brown, Legislative Director

SUBJECT: PROCEDURES FOR 2010 AGENCY REQUEST LEGISLATION

I sincerely thank you and your staff for your extraordinary work during the 2009 Legislative Session. This was, as we all know, one of the most difficult sessions in memory. The hard work of implementing the changes starts now. Your hard work and dedication is a great example of unselfish public service to the citizens of Washington State, and I know the Governor certainly appreciates it as do I.

Unfortunately we have barely had time to take a deep breath and here I am sending this information on the 2010 agency request legislation process. (I'm going to keep a list of those who ask for it before we are finished signing bills.) I know that some of your folks have already begun this work to coincide with your agency's supplemental budget submittal. You do need to know that the Governor expects a very limited agenda from agencies for the short 2010 Legislative Session.

This year, the deadline for submittal of agency request packages with statutory changes that do not have fiscal impacts is **September 28, 2009**. Agency request packages with a supplemental budget impact are due on **October 9, 2009**. **A separate decision package is required for each agency request legislation proposal with budget impact.**

The formal submittal of agency and executive request legislation will follow the process that has been in place for the last several years. As always, agencies are encouraged to focus on legislation that promotes the Governor's priorities and to keep the number of proposals to a minimum to allow us to focus on these priorities. This year we also expect some new legislation to implement the budget changes already begun. It is important that stakeholder work is complete prior to submittal.

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Packages requiring commission or advisory committee endorsement should be on their agendas well in advance to make sure we meet the deadlines.

Complete instructions for submittal of agency request legislation are attached. All packages should be delivered to Patsy Ellis, Governor's Executive Policy Office, Room 100, Insurance Building, MS 43113, 902-0641, patsy.ellis@gov.wa.gov.

Our goal is to have all gubernatorial decisions regarding agency request legislation by early December.

Please discuss your agency request proposal with your contacts in the Governor's Policy Office and OFM Budget Division before submittal. If you have questions concerning this process, please contact me at 902-0390, or Patsy Ellis at 902-0641.

Attachments
cc: Legislative Liaisons

Agency Request Legislation Requirements and Procedures

- Unless approved by Governor Gregoire through this review process, legislation may not be forwarded to the Legislature.
- Agency request bills should be limited to topics furthering agency and state goals.
- The agency director is responsible for reviewing and approving each bill proposal before it is submitted.
- The staff person responsible for each proposal and the assistant attorney general responsible for legal review should be thoroughly familiar with the proposed bill and be prepared to answer questions about it.
- Deadlines for submittal of agency request legislation proposals:
September 28, 2009 – legislation without fiscal impact as proposed by any state agency.
October 9, 2009 – legislation with fiscal impacts for agencies.
- If you find it necessary to submit bill proposals after the applicable deadline, you must obtain written approval before that date. These extension requests should be submitted in writing to Marty Brown, Legislative Director, Office of the Governor, P.O. Box 40002, Olympia, WA 98504-0002, as soon as you know that you will not be able to meet the deadline. The request should include a description of the proposal, the reason for the delay, fiscal impact noting the fund source, and the date by which a complete package will be submitted for review.
- A bill proposal will not be reviewed until a complete package is received, **including stakeholder collaboration.**
- Once approved, each agency is responsible for finding legislative sponsors for approved bill proposals. If a proposal has been disapproved or held in the course of this review process, do not solicit legislative support or seek support of other individuals or organizations.

Agency Request Legislation Checklist

Agency Name: _____

Agency Contact
& Phone Number: _____

Request Title: _____

Z-Draft Number: _____

Previously submitted?
If so, indicate year. _____

A complete package for bills includes **three** paper copies of the following nine items. Agencies should feel free to use the electronic fiscal note system to prepare fiscal notes, but should not submit them electronically to OFM.

Agency request legislation will not be reviewed until these items are received:

- A completed checklist for each proposal.
- A statement of need for the bill and/or the problem it is designed to correct in language that is understandable to non-technicians.
- A summary of the major provisions of the bill and their impact on current law.
- A thorough list of all other government agencies affected by the bill, a summary of their positions, and each agency's representative who may be contacted on the issue. If no other government agency is affected, please indicate.
- A thorough list of all stakeholders and stakeholder groups affected by the bill, a **summary of each stakeholder position**, and the name and phone number of each person contacted.
- Names, titles, and phone numbers of staff responsible for policy questions and the assistant attorney general responsible for legal questions.
- A Code Reviser's draft of the proposed bill (**Z-drafts only**).
- A fiscal note, even if there is no fiscal impact. When your proposed bill has a fiscal impact on **other agencies, including local government, those agencies' fiscal notes must be included in your package**. Please note that fiscal impacts associated with agency request legislation must also be included in a decision package in the agency's supplemental or biennial budget request.
- A copy of the agency's budget decision package must accompany the corresponding agency request legislation package.