# **Multiple Agency Fiscal Note Summary**

Bill Number: 5550 SB Title: Contracting for services

## **Estimated Cash Receipts**

NONE

## **Estimated Expenditures**

Agency Name	ncy Name 2017-19			2019-21			2021-23		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of the Secretary of State	.0	141,195	141,195	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Office of Financial Management	.0	0	0	.0	0	0	.0	0	0
Department of Enterprise Services	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife									
Total	0.0	\$141,195	\$141,195	0.0	\$0	\$0	0.0	\$0	\$0

## **Estimated Capital Budget Impact**

NONE

This revised fiscal note package adds fiscal notes from the Office of the Secretary of State and the Office of the Attorney General.

Prepared by:	Regan Hesse, OFM	Phone:	Date Published:
		(360) 902-0650	Revised 3/7/2017

- \* See Office of the Administrator for the Courts judicial fiscal note
- \*\* See local government fiscal note FNPID: 48135

Bill Number: 5550 S	Age	ncy: 085-Office Secretary o				
Part I: Estimates						
No Fiscal Impact						
Estimated Cash Receipts	to:					
NONE						
Estimated Expenditures f	rom:					
		FY 2018	FY 2019	2017-19	2019-21	2021-23
Account General Fund-State	001-1	141,195	0	141,195	0	
General Fund State	Total \$	141,195	0	141,195	0	
<b>Estimated Capital Budge</b>	t Impact:					
NONE						
	penditure estimates on this pe		ely fiscal impact. Fac	tors impacting the prec	ision of these estimates,	
and alternate ranges (if a	ppropriate), are explained in	ı Part II.				
Check applicable boxes	and follow corresponding	g instructions:				
If fiscal impact is g form Parts I-V.	reater than \$50,000 per fi	scal year in the current	biennium or in subs	equent biennia, com	plete entire fiscal not	e
If fiscal impact is l	ess than \$50,000 per fisca	l year in the current bi	ennium or in subseq	uent biennia, comple	te this page only (Par	rt I).
Capital budget imp	oact, complete Part IV.					
Requires new rule	making, complete Part V.					
Legislative Contact:	Jarrett Sacks		P	hone: 360-786-7448	Date: 01/	/27/2017
Agency Preparation:	Temple Allen		P	hone: 360-704-5215	Date: 03.	/02/2017
Agency Approval:	Mark Neary		Р	hone: 360-902-4186	Date: 03	/02/2017
OFM Review:	Shane Hamlin			hone: (360) 902-054		

#### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This fiscal note reflects only those costs related to the submission of this measure to a vote of the people and not any general changes in revenue or expenditures by the state as a consequence of the substance of the measure. The costs identified in this fiscal note would be incurred regardless of whether or not the measure is approved by voters.

Section 11 of this act requires the Secretary of State's Office to submit the measure to the voters of the state and the Secretary of State's Office is required by RCW 29A.32.010 to print and distribute a voters' pamphlet whenever at least one statewide measure or office appears on the general election ballot. The Secretary's carry-forward budget includes funding for up to three state measures, two initiatives and one constitutional amendment. If the legislature's approval of this proposed referendum results in more than three measures appearing on the ballot, there will be an incremental increase in voter pamphlet costs as detailed below.

#### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

#### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Cost estimates for a 2017 General Election Voters' Pamphlet are based on the printing and translation costs from the 2015 General Election Voters' Pamphlet, which was \$4,625 per page.

To include all the elements required for a Referendum (ballot title, explanatory statement, pro/con arguments, and complete text), it is estimated to be 16 pages at a total cost of approximately \$74,000.

The state also pays for its share of county election costs when a measure is added to an odd year general election. The additional cost of adding one measure is \$67,195.

The 2017-19 operating budget is expected to include funding for the publication of a voters' pamphlet containing information on three state measures (two initiatives and one constitutional amendment) in each fiscal year of the biennium. If the passage of this measure results in more than three measures appearing on the 2017 General Election ballot, a supplemental appropriation for the voters' pamphlet may be required in fiscal year 2018.

The 2017-19 operating budget is expected to include funding for the publication of notices in every legal newspaper in the state four times prior to the general election. This fiscal note does not assume additional cost to publish this measure because the notices would be customized to remain within the authorized budget for legal advertising.

# **Part III: Expenditure Detail**

# III. A - Expenditures by Object Or Purpose

	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	74,000		74,000		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	67,195		67,195		
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total:	\$141,195	\$0	\$141,195	\$0	\$0

# Part IV: Capital Budget Impact

# Part V: New Rule Making Required

Bill Number:	5550 SB	Title:	Contracting for services	Agency:	100-Office of Attorney General

## **Part I: Estimates**

ı	Х	No	Fiscal	Impac

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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Cl	heck applicable boxes and follow corresponding instructions:
	If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
	If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
	Capital budget impact, complete Part IV.
	Requires new rule making, complete Part V.

Legislative Contact:	Jarrett Sacks	Phone: 360-786-7448	Date: 01/27/2017
Agency Preparation:	Pamela Anderson	Phone: 360 664-4963	Date: 03/06/2017
Agency Approval:	Brendan VanderVelde	Phone: 360 586-2104	Date: 03/06/2017
OFM Review:	Gwen Stamey	Phone: (360) 902-9810	Date: 03/07/2017

#### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

No fiscal impact. This legislation is not expected to generate any costs or savings for the Attorney General's Office (AGO). The AGO completed an analysis for legal services and fiscal impact from the most likely state agencies.

The AGO Corrections division has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Department of Corrections (DOC). This bill expands authorization for contracting out services customarily and historically provided by classified employees. However, the bill also exempts from this expanded authority all contracts entered into under DOC's Class II Industries program (RCW 79.09.100). Requests for legal advice concerning the application or implementation of this bill are nominal and costs are not included in this request.

The AGO Fish and Wildlife (FWP) division has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Department of Fish & Wildlife. Hatchery management partnership agreements under RCW 77.95.320 (which Section 9 of the bill will amend) are not common occurences, and this bill will not substantively change the nature or extent of our legal advice regarding any such agreements. Legal services are nominal and costs are not included in this request.

The AGO Social & Health Services (SHO) division has reviewed this bill and determined it will not increase or decrease the division's workload in representing either the Department of Social & health Services or the Health Care Authority. The SHO division does not provide legal advice to our clients on the subject matters raised by this bill. Furthermore, the clients do not perceive there will be an increase in the need for legal services as a result of the bill. No costs are included in this request.

The AGO Transportation & Public Construction (TPC) division has reviewed this bill and determined it will not significantly increase the division's workload in representing either the Department of Enterprise Services or Washington Technology Solutions. TPC has consulted with both agencies and potential impact is nominal. Legal services will be provided within existing resources. Costs are not included in this request.

The AGO's Washington State University (WSU) division has reviewed this bill and determined it will not increase or decrease the division's workload in representing Washington State University. Unanticipated advice, if any, will be handled within existing resources. Costs are not included in this request.

#### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

#### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

None.

# Part III: Expenditure Detail

Part IV: Capital Budget Impact

# Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Bill Number:	5550 SB	Title:	Contracting for services	Agency:	105-Office of Financial Management

## **Part I: Estimates**

Х	No	Fiscal	Impact
^	110	riscai	impaci

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Chack applicable boxes and fallow corresponding instructions:

C	Check applicable boxes and follow corresponding instructions:
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	Capital budget impact, complete Part IV.
Γ	Requires new rule making, complete Part V.

Legislative Contact:	Jarrett Sacks	Phone: 360-786-7448	Date: 01/27/2017
Agency Preparation:	Jim Jenkins	Phone: 360-902-0403	Date: 02/01/2017
Agency Approval:	Jim Cahill	Phone: 360-902-0569	Date: 02/01/2017
OFM Review:	Regan Hesse	Phone: (360) 902-0650	Date: 02/06/2017

#### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1 of this bill authorizes state agencies and institutions of higher education to contract for services that have historically been done by employees in classified services.

Section 2 require the Office of Financial Management (OFM) to establish a process for identifying the savings achieved by state agencies and institutions of higher education as a result of contracting for services under the authority granted in section 1. OFM shall provide a report to the Governor and the legislature biannually outlining the savings achieved by state agencies and institutions of higher education as a result of contracting for services under the authority granted in section 1. The first report is due December 1, 2018.

Requirements would be added in both the Budget Instructions and Allotment Instructions to capture savings and reporting requirements. We assume state agencies and institutions of higher education would use expenditures from the 2015-17 fiscal biennium to use as a baseline for purposes of calculating savings to report as part of the budget allotment process.

There is a minimal amount of work to update the instructions and prepare the report, but the costs can be absorbed within existing resources.

#### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

#### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

### Part III: Expenditure Detail

### Part IV: Capital Budget Impact

### Part V: New Rule Making Required

Bill Number:	5550 SB	Title:	Contracting for services	Agency:	179-Department of
					Enterprise Services

## **Part I: Estimates**

ı	Х	No	Fiscal	Impac

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	Capital budget impact, complete Part IV.
П	Requires new rule making, complete Part V.

Legislative Contact:	Jarrett Sacks	Phone: 360-786-7448	Date: 01/27/2017
Agency Preparation:	Keith Williams	Phone: (360) 407-9247	Date: 02/01/2017
Agency Approval:	Becky Guyer	Phone: (360) 407-9254	Date: 02/01/2017
OFM Review:	Regan Hesse	Phone: (360) 902-0650	Date: 02/06/2017

#### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill would repeal RCW 41.06.142 and allow agencies to contract for services that have been historically provided by classified employees. There is no fiscal impact to the department of enterprise services (DES).

Section 1 (1) is a new section that would allow agencies to contract for services that have been historically provided by classified employees. It is assumed the services would be purchased through Master Contracts or an agency's delegated authority; this has no fiscal impact to DES.

Section 2 is a new section requiring OFM to report savings that have resulted from section 1 to the governor and legislature, biannually. This has no fiscal impact to DES.

Section 10 is a new section repealing RCW 41.06.142. WAC chapter 236.51 (Competitive Contracting) would need to be repealed as it supports RCW 41.06.142. The assumed workload is not significant; this has no fiscal impact to DES.

Section 11 is a new section requiring the Secretary of State to place this act on the ballot for voting. This has no fiscal impact to DES.

#### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

#### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

### Part III: Expenditure Detail

## Part IV: Capital Budget Impact

### Part V: New Rule Making Required

Bill Number:	5550 SB	Title:	Contracting for services	Agency:	300-Department of Social and Health Services

## **Part I: Estimates**

Х	No 1	Fiscal	Impac

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Check applicable boxes and follow corresponding instructions:

CII	eck applicable boxes and follow corresponding instructions.
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	If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
	Capital budget impact, complete Part IV.
	Requires new rule making, complete Part V.

Legislative Contact:	Jarrett Sacks	Phone: 360-786-7448	Date: 01/27/2017
Agency Preparation:	Don Petrich	Phone: 360-902-7831	Date: 02/01/2017
Agency Approval:	Mickie Coates	Phone: 360-902-8077	Date: 02/01/2017
OFM Review:	Rayanna Williams	Phone: (360) 902-0553	Date: 02/01/2017

#### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill allows any department, agency, or institution of higher education to purchase services by contracting with individuals, nonprofit organizations, businesses, employee business units or other entities. The bill does not increase the Department of Social and Health Services workflow or equipment requirements and therefore has no fiscal impact to the department.

#### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None

#### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

None

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

None

## Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

## **Part I: Estimates**

_	
Х	No Fiscal Impac

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
Capital budget impact, complete Part IV.
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Legislative Contact:	Jarrett Sacks	Phone: 360-786-7448	Date: 01/27/2017
Agency Preparation:	Lisa Borkowski	Phone: 360-725-8956	Date: 02/03/2017
Agency Approval:	Sarian Scott	Phone: (360) 725-8270	Date: 02/03/2017
OFM Review:	Trisha Newport	Phone: (360) 902-0417	Date: 02/05/2017

Requires new rule making, complete Part V.

#### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1(1) is added to chapter 41.06 RCW and allows any department, agency, or institution of higher education to purchase services by contracting with individuals, nonprofit organizations, businesses, employee business units, or other entities.

Section 1(2) is added to chapter 41.06 RCW and prohibits any department, agency, or institution of higher education from entering into, renewing or extending any collective bargaining agreement that restricts or modifies the contracting authority granted in this section.

Section 2 is added to chapter 43.88 RCW and requires Office of Financial Management to establish a process for identifying the savings achieved by state agencies and institutions of higher education, as a result of contracting for services under the authority granted in Section 1.

Section 6(2)(b)(ii) updates RCW 72.09.100, Inmate work program—Classes of work programs—Participation—Benefits, to reference RCW 39.26.251 and removes reference to RCW 43.19.534. RCW 43.19.534 was recodified as RCW 39.26.251 on January 1, 2013, for specifications on who Class 2 Correctional Industries (CI) products may be sold to.

Section 6(2)(g) revises RCW 72.09.100, Inmate work program—Classes of work programs—Participation—Benefits, to specify that the provisions of Section 1 of the bill shall not apply to contracts with Washington State businesses entered into by Department of Corrections (DOC) through Class 2 CI products.

Section 10 repeals RCW 41.06.142, Purchasing of services by contract-Effect on employees in the classified service—Criteria to be met—Bidding—Definitions in its entirety.

Section 11 directs the Secretary of State to submit the bill to the people for adoption or rejection at the next general election. If the people were to adopt this legislation, effective date is assumed to be January 1 of the following year.

Effective date is assumed to be 90 days after adjournment of session in which this bill is passed.

#### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

#### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

No fiscal impact.

This bill specifies the contracts DOC enters into with Washington State businesses through CI Class 2 industries

are not restricted by Section 1 of the bill. The CI was exempted previously as well. No fiscal impact.

This bill removes all restrictions specified in RCW 41.06.142 regarding the criteria to be met with state contracting concerning effect on employees in classified service. These criteria include things like measurable performance standards, competitive contracting requirements, and a determination of savings or efficiency improvements.

## Part III: Expenditure Detail

# Part IV: Capital Budget Impact

None.

## Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Bill Number:	5550 SB	Title:	Contracting for services		Agency:	477-Department of Fish and Wildlife
art I: Estin	nates	•				
X No Fisca	l Impact					
stimated Expe	nditures from:					
		Non-ze	ro but indeterminate cost. Please see discus	sion.		

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).								
Capital budget impact, complete Part IV.								
Requires new rule making, complete Part V.								
Legislative Contact:	Jarrett Sacks	Phone: 360-786-7448	Date: 01/27/2017					
Agency Preparation:	Erin Moore	Phone: 360-902-2400	Date: 02/01/2017					
Agency Approval:	Owen Rowe	Phone: (360) 902-2204	Date: 02/01/2017					
OFM Review:	Heather Matthews	Phone: (360) 902-0543	Date: 02/01/2017					

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note

and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

form Parts I-V.

#### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 10 repeals RCW 46.06.142 which requires state agencies to follow a set of criteria and outlines responsibilities for entering into contracts with non-state entities.

#### II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

#### II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The fiscal impact of the proposed legislation is indeterminate because it is very difficult to quantify what work the Department conducts that would be contracted with non-state entities.

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

## Part V: New Rule Making Required