

Joint Legislative Audit and Review Committee (JLARC)



E-mail: JLARC@leg.wa.gov
 Web site: www.jlarc.leg.wa.gov

LEGISLATIVE AUDITOR

Keenan Konopaski
 1300 Quince St SE
 PO Box 40910
 Olympia, WA 98504-0910

Phone: 360-786-5171
 FAX: 360-786-5180
 TDD: 1-800-635-9993

SENATORS

Randi Becker
 John Braun, *Vice Chair*
 Annette Cleveland
 David Frockt
 Jeanne Kohl-Welles, *Secretary*
 Mark Mullet
 Ann Rivers

REPRESENTATIVES

Larry Haler
 Ed Orcutt
 Gerry Pollet
 Derek Stanford, *Chair*
 J.T. Wilcox
 Hans Zeiger, *Assistant Secretary*

January 7, 2015

JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE REGULAR COMMITTEE MEETING MINUTES

COMMITTEE BUSINESS

- Representative Kathy Haigh, departing JLARC Chair, called the meeting to order at 10:10 a.m.
- *Committee members unanimously elected Representative Stanford as the new JLARC Chair.* (See the TVW recording at [00:09](#))
- Committee members and the Legislative Auditor recognized Representative Haigh for her years of service on the Committee. (See the TVW recording at [02:13](#))
- *Committee members unanimously elected Representative Zeiger as the new JLARC Assistant Secretary.* (See the TVW recording at [05:08](#))
- *Committee members voted unanimously to approve the minutes from the December 10, 2014 JLARC meeting.* (See the TVW recording at [06:39](#))

AGENCY REPORTS

Department of Social and Health Services – Follow up on Competency to Stand Trial Report

A representative from DSHS (Jane Beyer, Assistant Secretary for Behavioral Health & Service Integration) provided information to the Committee on the status of implementing the recommendations from the April 2014 JLARC report. (See the TVW recording at [07:32](#))

Identifying Cost Savings under Medicaid Birth Control Prescribing Practices

Agency representatives (Mary Anne Lindeblad, Medicaid Director for the Health Care Authority, and Laurie Cawthon, epidemiologist with DSHS) briefed the Committee on challenges associated with evaluating any Medicaid cost savings associated with moving to 12-month prescriptions of birth control. (See the TVW recording at [27:27](#))

JLARC REPORTS, PRESENTATIONS, DISCUSSIONS

State Recreation and Habitat Lands: Legislature Would Benefit From Additional Information About Detailed Outcomes and Future Costs of Recreation and Habitat Lands When Considering Funding Requests – Preliminary Report

Rebecca Connolly, Ryan McCord, and Stephanie Hoffman from the JLARC staff presented the

preliminary report for this study. Five agencies currently report information about recreation and habitat land acquisitions to the Legislature: the Washington State Parks and Recreation Commission, the Department of Natural Resources, the Department of Fish and Wildlife, the Recreation and Conservation Office, and the Office of Financial Management. The reports do not link acquisitions to detailed outcomes or future costs. **The Legislative Auditor recommends that the five agencies develop a single, easily-accessible source for information about proposed recreation and habitat land acquisitions, including detailed outcomes and future costs.** The agencies can build on work they already do to accomplish this. This report also includes an inventory of state habitat and recreation land acquisitions and disposals between fiscal years 2004 and 2013, and estimates of each agency's total land management expenditures. Formal analysis of the economic costs and benefits of state recreation or habitat land is not routinely performed or required. (See the TVW recording at [34z:33](#))

Gas Vapor Regulations: The Legislature's Decentralized Approach Neither Requires nor Produces Consistency, and Current Regulations Might Require Outdated Technology – Proposed Final Report Zane Potter from the JLARC staff presented the proposed final report for this study. Gasoline vapors that escape when fueling motor vehicles pose a risk to health and the environment. In Washington, the state Department of Ecology and seven local clean air agencies share primary responsibility for regulating air quality, including gasoline vapors. Twenty-five other states also take a decentralized approach to regulating air quality. Businesses that emit gasoline vapors, such as gas stations, may be required to register with the local agency and pay a fee. Each agency determines its fees. The fees vary across agencies. The fee-setting process each uses complies with statute. A type of gasoline vapor recovery system (Stage II) that many Washington gas stations are required to use may be outdated because of a vapor recovery system that is now installed in cars. In fact, interaction between two types of incompatible systems can actually increase emissions. The Environmental Protection Agency provides guidance to help states analyze when the use of these systems at gas stations will begin to increase gas vapor emissions. **The Legislative Auditor recommends that the Department of Ecology and the local clean air agencies undertake and publish this analysis to avoid increasing gas vapor emissions.** (See the TVW recording at [1:01:22](#))

Representative Stanford invited representatives of the agencies to come before the Committee and respond to questions (Stu Clark, Department of Ecology, and Craig Kenworthy, Puget Sound Clean Air Agency). (See the TVW recording at [1:10:06](#))

Representative Haigh moved that the Committee approve for distribution The Legislature's Decentralized Approach Neither Requires nor Produces Consistency, and Current Regulations Might Require Outdated Technology – Proposed Final Report. Motion was seconded. Representative Orcutt commented that he would be voting no on the motion because the report's conclusion is in the title of the report. He indicated he thinks the title of the report should reflect what question the report answers, with the conclusion stated inside the report. *Motion carried to approve the report for distribution, with one no vote (Representative Orcutt).* (See the TVW recording at [1:16:54](#))

Highway Maintenance and Preservation Needs: WSDOT Can Provide Reliable Long-Term Pavement Estimates, but Accuracy of Bridge Estimates Is Uncertain – Proposed Final Report

Eric Thomas and Mark Fleming from the JLARC staff presented the proposed final report for this study. This is the second of two reports required by the Legislature to review the methods and systems the Washington State Department of Transportation (WSDOT) uses to develop long-term estimates of highway maintenance and preservation needs. In this second phase, JLARC contracted with expert consultants to review how WSDOT estimates future needs for highway pavement and bridges. They found that WSDOT: 1) maintains accurate data for pavement and bridges; 2) can provide reliable long-term (10-year) estimates for pavement maintenance and preservation; and 3) did not use best practices to develop long-term estimates for bridge maintenance and preservation needs, so the consultants could not verify the accuracy of the bridge estimates. **The Legislative Auditor offers recommendations to improve WSDOT’s bridge estimates and to develop a process to improve stakeholders’ confidence and understanding of how WSDOT develops its estimates.** (See the TVW recording at [1:22:52](#))

Representative Stanford invited a representative from the Department of Transportation to come before the Committee (Cam Gilmore, Deputy Secretary). (See the TVW recording at [1:28:47](#))

Representative Haigh moved that the Committee approve for distribution the WSDOT Can Provide Reliable Long-Term Pavement Estimates, but Accuracy of Bridge Estimates Is Uncertain – Proposed Final Report. Motion was seconded. Motion carried to approve the report for distribution, with one no vote (Representative Orcutt). (See the TVW recording at [1:31:40](#))

With no further business before the Committee, the Chair adjourned the meeting.

ATTENDANCE

JLARC Members Present: Senators John Braun, David Frockt, and Mark Mullet; Representatives Tami Green, Kathy Haigh, Ed Orcutt, Gerry Pollet, Derek Stanford, J.T. Wilcox, and Hans Zeiger.

JLARC Staff Present: Keenan Konopaski, Legislative Auditor; John Woolley, Deputy Legislative Auditor; Valerie Whitener, Audit Coordinator, Linda Byers, Rebecca Connolly, Mark Fleming, Stephanie Hoffman, Ryan McCord, Zane Potter, Eric Thomas, Marilyn Richter, Ashley Elliott, and Mallory Jennings.

ADJOURNMENT

The meeting was adjourned at 11:40 a.m.

CHAIR

VICE CHAIR