

## OFM Questions & Answers on:

### FY 2011 Use of Private Facilities for Meetings Freeze (All Funds) & FY 2011 Board, Commission, Council, Committee or Other Group Member Travel Allowances Freeze (GFS Only)

#### Exemptions for Use of Private Facilities (All Funds)

1. Does the use of private facilities for meetings freeze apply to just boards, commissions, and other similar groups?

No. The freeze also applies to state agencies conducting their own meetings (meetings, conferences, staff retreats, trainings) at private facilities.

2. Does the freeze apply to the use of private facilities for meetings when the cost is paid for with non-general fund sources?

Yes, the prohibition on the use of private facilities applies regardless of fund source.

3. Are there any automatic exemptions from the use of private facilities for meetings freeze?

No.

4. When does the freeze begin?

The freeze begins July 1, 2010 and ends June 30, 2011. The freeze applies to all meetings taking place between these dates.

5. I have already scheduled meetings in private facilities to take place after July 1, 2010; do I need to apply for an exemption?

Yes.

6. My agency/group has already signed a contract for a meeting in a private facility. I need to pay for the private facility; do I need to apply for an exemption?

Yes. Include this information in the section that asks for consequences if the exemption is not approved. The information will be considered, but a contract or any non-refundable payment for the private meeting facility does not automatically mean an exemption will be approved.

**7. Is an exemption required even if the use of the private facility is free?**

Yes. Although OFM expects to approve such exemption requests, we are still asking agencies to seek an exemption to demonstrate to the Legislature and the public that agencies and groups are making efforts to reduce meeting costs.

Note: The term “no cost” does not include the use of private facilities where other consideration, such as the purchase of meals or lodging, is being given to obtain the use of meeting space.

**8. If a group meets at a restaurant and members pay for their own meals, is an exemption required?**

Yes.

**9. What is a private facility?**

A private facility is any meeting space that is owned by a private entity. Private entities include non-profit organizations.

**10. Is an exemption required for a public facility that charges a fee for meeting space?**

No. Public facilities include any facility owned by a public entity, such as the state, cities, counties, ports, public utility districts, school districts, transit districts, irrigation districts, library districts, fire districts, public hospitals.

**11. What criteria does OFM use to determine if the use of the private facility is critically necessary?**

- What is the purpose of the meeting?
- Why are state facilities or other public facilities not available?
- What is the consequence if the exemption is denied?

**12. We are renting a facility in Portland for a conference, does the freeze apply?**

The freeze applies to the use of all private facilities for meetings – both in state and out of state.

**13. The exemption request form asks for “Total Meeting Costs”, what does that term include?**

The answer includes all costs for conducting the meeting:

- Facility rental or lease cost
- Cost for rental or use of meeting equipment (projectors, screens, conference call capability, etc.)
- Cost for light refreshments or meals provide to attendees.
- Member compensation and travel expense for the meeting
- Your agency staff salary, benefits, and travel expenses to attend the meeting.

- Other meeting costs such as copies, notebooks, etc.

### **Exemptions for Group Member Travel Allowances (GFS Only)**

**Exemption requests for group member travel allowances will not be acted upon until the group's E2SHB 2617 report has been submitted to OFM.**

#### **14. What groups are subject to the travel allowance freeze?**

The freeze focuses on those groups funded by the state general fund.

Members of class one, two, three or five boards, commissions, councils, committees, or similar groups are prohibited from receiving an allowance for subsistence, lodging, or travel expenses if the allowance is funded by the state general fund.

“Other groups” include those groups that lack a classification designation that are funded by the state general fund.

The only exception is class 4 groups funded by the state general fund. To be a class 4 group, the designation must be stated in the group's statutory authority.

#### **15. What groups are NOT subject to the travel allowance freeze?**

Groups NOT funded by the state general fund.

All class 4 groups regardless of fund source.

#### **16. My group is funded through business profession fees; do I need to seek an exemption to provide my members with travel allowances?**

No. The restrictions on member travel allowances apply only to boards, commissions and other groups funded by the state general fund.

#### **17. I am a member of a Class 4 group funded by the state general fund; do I need to seek an exemption?**

No. E2SHB 2617 specifically exempts Class 4 groups, regardless of fund source, from the freeze on travel allowances for members.

#### **18. How do I know if my group is a Class 4 group?**

The group's statutory authority must specifically state it is a Class 4 group or specifically references RCW 43.03.250.

#### **19. When does the freeze begin?**

The freeze begins July 1, 2010 and ends June 30, 2011. The freeze applies to travel allowances taking place between these dates.

**20. My agency received a request on July 20, 2010 to reimburse a member for travel that took place on May 20, 2010. Can I provide the travel allowance?**

Yes, the travel took place before July 1, 2010.

**21. Does the travel allowance freeze apply to only travel allowances for in state meetings?**

No. Both in state and out of state travel is subject to the freeze.

**22. Does the freeze apply to state employees?**

If the state employee is a member of a board, commission, or other groups funded with the state general fund, an exemption is required. If a state employee is attending the meeting in another capacity (staff to the board, commission, or other groups or as an audience member), an exemption is not required.

Travel expenses by represented state employees may be required under some collective bargaining agreements. Contact Shane Esquibel, OFM's Labor Relations Office, at [Shane.Esquibel@ofm.wa.gov](mailto:Shane.Esquibel@ofm.wa.gov) or (360) 725-5510 if you are uncertain about the travel expense provisions in your agency's agreement.

**23. My agency receives state general funds to provide training to other state agencies and local governments. We are authorized to reimburse persons who attend the training for their travel costs. Is an exemption required?**

The freeze applies to meetings of groups. If the training is provided to members of a board, commission, council, committee or other group, then an exemption is required. If the training is offered generally to those interested in the subject matter, and exemption is not required because those in attendance are not members of an identifiable group.

Example: Training offered by the Office of Superintendent of Public Instruction to teachers or the Criminal Justice Training Commission to law enforcement officers where the travel costs can be reimbursed to whomever chooses to attend.

**24. The exemption request form asks for "Total Meeting Costs", what does that term include?**

See question #13.

**25. The form asks for "Total Cost of Group Member Travel Allowances" and "Total Cost of Agency/Board Staff Travel Allowances", what amounts should be included in each box?**

Total Cost of Member Travel Expenses should include subsistence, lodging, and travel (mileage, airfare, etc.) for members of the board, commission, or other group. It should not include member compensation. If a state employee is a member of the board, commission, or other group, include the cost of that state employee in this box.

Total Cost of Agency/Board Staff Travel Expenses should include subsistence, lodging, and travel (mileage, airfare, etc.) of your agency staff that are not members, but are attending the meeting. Do not attempt to include staff from other agencies that may attend the meeting.

**26. What criteria does OFM use to determine if an exemption for travel allowances for board, commission, and other group members is critically necessary?**

- Is the board, commission, or other group making a substantial effort to reduce meeting costs? OFM will review the group's entire meeting schedule from the E2SHB 2617 report for this assessment.
- The overall purpose of the board, commission, or other group.
- The purpose of the meeting in which an exemption is requested.
- Total meeting costs and cost of member travel expenses.
- Any requirements by statute or rule that require the meeting take place.
- The consequence if the exemption is denied.