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HOUSE BILL 2234

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Mastin, Chandler and Morris

Read first time 01/08/96. Referred to Committee on Government Operations.

1 AN ACT Relating to regulatory reform; and adding a new section to  
2 chapter 44.04 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 44.04 RCW  
5 to read as follows:

6 (1) The legislature recognizes that clear and comprehensive  
7 statements of legislative intent and grants of rule-making authority  
8 are necessary for efficient and effective regulatory programs and  
9 accountability in governmental decision making. It is, therefore, the  
10 legislature's purpose to establish policies and processes to ensure  
11 that existing and future laws provide rational, cost-effective  
12 regulation and clear legal authority for rule making.

13 (2) Appropriate standing committees of the senate and the house of  
14 representatives shall conduct a review of all existing statutes that  
15 contain legislative intent statements and grant rule-making authority  
16 to state agencies. The review shall evaluate these statutes based on  
17 the following criteria: (a) Continued need; (b) clear and  
18 comprehensive legislative intent statements and grants of rule-making  
19 authority; (c) specific, measurable outcomes; (d) allowance for

1 voluntary compliance; and (e) consistency with regulatory statutes of  
2 other agencies.

3 In those instances where the review identifies statutes that do not  
4 meet these criteria, corrective legislation shall be prepared that  
5 modifies or repeals the statutes.

6 (3) The senate and the house of representatives shall ensure that  
7 bills prepared for introduction that grant rule-making authority to  
8 state agencies shall, to the extent practicable, contain clear,  
9 comprehensive legislative intent statements and specific direction  
10 regarding the authority granted to state agencies to adopt rules.

11 (4) Appropriate standing committees of the senate and house of  
12 representatives shall prepare a regulatory note as part of the  
13 committee bill report on each bill granting rule-making authority to  
14 state agencies that is reported out by the committees. The senate and  
15 the house of representatives shall jointly prepare a format for  
16 regulatory notes to be used by all standing committees. The regulatory  
17 note shall identify if rule making is required or authorized by the  
18 bill, describe the nature of the rule making, identify agencies to  
19 which rule making is delegated, and identify any other agencies that  
20 may have related rule-making authority. In addition, the regulatory  
21 note shall contain a checklist confirming that the committee addressed  
22 the following criteria, where appropriate:

23 (a) Whether the bill responds to a specific, identifiable  
24 regulatory need and whether government is the most appropriate  
25 institution to address the need;

26 (b) Whether the bill contains a clear statement of legislative  
27 intent and identification of the state agency or local government  
28 charged with carrying out the intent;

29 (c) Whether the bill contains measurable outcomes and an evaluation  
30 process that will be used to determine if the outcomes are achieved;

31 (d) Whether there has been adequate involvement of affected  
32 interests in the development of the bill;

33 (e) Whether the costs of compliance and administration have been  
34 estimated, whether the bill achieves its outcomes with the least cost  
35 and burden to those affected by the regulation, and whether the cost of  
36 not enacting the law has been considered;

37 (f) Whether the bill adequately allows for voluntary compliance;

38 (g) Whether the bill is written clearly and concisely, without  
39 ambiguities;

1 (h) Whether the bill adequately resolves potential conflicts with  
2 other laws.

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