

# HOUSE BILL REPORT

## SHB 2386

---

---

### As Amended by the Senate

**Title:** An act relating to providing the text of laws and rules as a part of state agency technical assistance programs.

**Brief Description:** Requiring the text of applicable state or federal law or rule be provided as part of agency technical assistance.

**Sponsors:** By House Committee on Government Operations (originally sponsored by Representatives D. Schmidt, Dyer, Thompson, Radcliff, Hargrove, Sheahan, Chappell, Cairnes, Cooke, Crouse, Scheuerman, Campbell, Honeyford, Buck, Huff, Elliot, Clements, Foreman, Quall, Backlund, Hymes, Costa, Mulliken and McMahan).

**Brief History:**

**Committee Activity:**

Government Operations: 1/23/96 [DPS].

**Floor Activity:**

Passed House: 2/6/96, 95-0.

Senate Amended.

---

### HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Goldsmith, Vice Chairman; Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Conway; R. Fisher; Hargrove; Honeyford; Hymes; Mulliken; D. Schmidt and Wolfe.

**Staff:** Charlie Murphy (786-7135).

**Background:** The Technical Assistance portion of the 1995 Regulatory Reform law required state agencies to adopt policies encouraging voluntary compliance by individuals and businesses subject to regulation. Technical assistance included information on and citations to applicable laws or rules. However, many individuals and businesses subject to regulation lack access to the federal, state laws, and rules cited or referenced.

**Summary of Bill:** Regulatory agencies are directed, in certain instances, to supply the text of the specific section or subsection of the applicable state or federal law or rule. This also applies to "notices of corrections" issued because of noncompliance after technical assistance, consultations, and certain other visits or site inspections. The departments that issue such notices are the departments of Ecology, Labor and Industries, Agriculture, Fish and Wildlife, Health, Licensing, and Natural Resources.

**EFFECT OF SENATE AMENDMENT(S):** Under the provisions of the Senate amendment, the owner of a parcel of property that either contains his or her single-family dwelling or is five acres or less in size may make a written request that the county or city give the property owner a written statement of zoning restrictions and critical area designations applicable to the property. The county or city must provide this written statement of restrictions within 30 days, or attorneys' fees and costs must be paid if the property owner obtains a writ of mandamus requiring the county or city to provide the statement of restrictions. The effective date of the above requirements is January 1, 1997.

Further, each city or county of 10,000 or more in population that plans under the Growth Management Act shall designate "permit assistance" staff to (1) help in particular cases; (2) supply copies of all rules and policies applying to an application; and (3) supply lists and explanations of all local government rules and policies. The "permit assistance" staff may obtain technical assistance from the municipal research council and the Department of Community, Trade and Economic Development for maintaining the materials.

**Appropriation:** None.

**Fiscal Note:** Requested on January 19, 1996.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Many subject to technical assistance and compliance requirements by regulatory agencies lack access to copies of the applicable laws or rules.

**Testimony Against:** Agencies are concerned about having to provide the text of all the agency's laws or rules. (The substitute bill addresses this concern.)

**Testified:** Representative Dave Schmidt, prime sponsor; John Williams, Department of Ecology; and Carolyn Logue, National Federation of Independent Businesses.