

# SENATE BILL REPORT

## SB 5270

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As of February 10, 1995

**Title:** An act relating to administrative rule making.

**Brief Description:** Requiring statutory authority for state rules to differ from federal requirements.

**Sponsors:** Senators Deccio, Haugen, Winsley, Loveland, Hochstatter, Oke, Moyer, Rasmussen, Long, Hargrove, McCaslin, Owen, Hale, Newhouse, Wood, Snyder, Cantu, Wojahn, Roach, West, Strannigan, McDonald, Quigley, Schow, Sellar, Finkbeiner, A. Anderson and Bauer.

**Brief History:**

**Committee Activity:** Government Operations: 2/15/95, 2/16/95.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS

**Staff:** Diane Smith (786-7410)

**Background:** Agency authority to adopt rules is derived solely from statute. An agency's interpretation of the intent of a statute that is the basis for a rule may lead the agency to adopt rules that differ from federal law or regulation on the same subject. This can lead from confusion to loss of federal funding if federal mandates are violated by the conflicting rule.

**Summary of Bill:** No rule may differ from the requirements of federal law or regulation unless the Legislature specifically authorizes the differing rule.

Any rule that currently differs from federal law or regulation expires two years after the effective date of this act unless the agency receives specific state statutory authorization for the rule to differ.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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