

# SENATE BILL REPORT

## SHB 1323

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As Reported By Senate Committee On:  
Government Operations, April 1, 1997

**Title:** An act relating to the distribution of rules notices.

**Brief Description:** Allowing electronic distribution of notices relating to rule making or policy or interpretive statements.

**Sponsors:** House Committee on Government Reform & Land Use (originally sponsored by Representatives D. Schmidt, Scott, Wensman, Morris, Costa and Dunn; by request of Department of Revenue).

**Brief History:**

**Committee Activity:** Government Operations: 4/1/97 [DP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** Do pass.

Signed by Senators McCaslin, Chair; Hale, Vice Chair; Anderson, Haugen, Horn, Patterson and Swanson.

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

**Background:** The Administrative Procedure Act requires agencies to send interested parties various notices of rulemaking and other agency procedures.

An agency must solicit comments from the public on a subject of possible rulemaking by preparing a pre-proposal statement of inquiry.— The statement of inquiry identifies the statute authorizing the agency to adopt rules on the subject, discusses why rules may be needed, and specifies the process by which interested parties can participate in the process. An agency must file the statement of inquiry with the Code Reviser for publication in the Register and must send it to any person who has requested a copy.

Interpretive and policy statements are documents informing persons of an agency's interpretation of a statute or current approach to implementing a statute. An agency must maintain a roster of persons who have requested to be notified of interpretive and policy statements and must send copies to persons on the roster of any statements which have been issued.

Agencies must also send notice of proposed rules and proposals for the expedited repeal of rules to persons who request notice.

**Summary of Bill:** An agency which has the capacity to transmit by electronic mail or facsimile mail may ask persons who are on mailing lists or rosters for copies of statements

of inquiry, interpretive statements, policy statements, and other similar notices whether they would like to receive the notices electronically.

Electronic distribution to persons who request it may substitute for mailed copies.

Agencies which maintain mailing lists or rosters for any notices relating to rulemaking or policy or interpretive statements may establish different rosters or lists by general subject area.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** This is a Department of Revenue request bill to enable the department to serve its clients more efficiently and in a less costly manner.

**Testimony Against:** None.

**Testified:** Claire Hesselholt, DOR (pro).