

# SENATE BILL REPORT

## SSB 5803

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As Passed Senate, March 13, 1997

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

**Brief Description:** Allowing electronic distribution of rules notices.

**Sponsors:** Senate Committee on Government Operations (originally sponsored by Senators Finkbeiner and McCaslin; by request of Department of Revenue).

**Brief History:**

**Committee Activity:** Government Operations: 2/25/97, 3/4/97 [DPS].  
Passed Senate, 3/13/97, 46-0.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** That Substitute Senate Bill No. 5803 be substituted therefor, and the substitute bill 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 (APA) permits agencies to allow public comment on proposed rules by means of telefacsimile (fax) when the agency has the necessary receiving equipment. There are no provisions for communication by electronic mail or for agencies to transmit agency notices by either electronic mail or by fax.

**Summary of Bill:** Agencies may ask persons entitled to receive agency notices whether they would like to receive them electronically. If a person requests electronic distribution, distribution by electronic mail or fax may substitute for mailed copies. This applies to interpretive and policy statements, statements of inquiry and notices of proposed rule-making.

**Appropriation:** None.

**Fiscal Note:** Requested on February 18, 1997.

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

**Testimony For:** This bill leaves it up to taxpayer choice whether to use electronic communication. It allows use of the Internet to its fullest capability and will result in cost savings. It is consistent with regulatory reform.

**Testimony Against:** None.

**Testified:** Jim Hedrick, DOR (pro).

**House Amendment(s):** The striking amendment adds the definition of mail or send- to the APA. This definition means regular mail, fax or electronic mail and applies to any notice relating to rulemaking policy or interpretative statements.

Agencies that have the capacity to transmit electronically may ask people whether they would like to receive these notices electronically. For those people who request it, electronic distribution may substitute for mailed copies.