
HOUSE BILL 2234

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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