

State Government Committee

HB 1375

Brief Description: *Reauthorizing the expedited rule adoption process.*

Sponsors: *Representatives Miloscia and Cox; by request of Governor Locke.*

Brief Summary of Bill

- *Reauthorizes agencies to adopt rules under the expedited rule adoption process.*
- *Consolidates the expedited repeal language into the expedited rule adoption section.*

Hearing Date: *2/16/01*

Staff: *Catherine Blinn (786-7114).*

Background:

The expedited rule adoption procedures expired December 31, 2000. An agency could adopt a rule under an expedited process if the proposed rule related to internal governmental operations, adopted or incorporated a federal or Washington statute, rule, or regulation, corrected typographical errors, updated addresses or names, clarified rule language, was the subject of negotiated rule making or another process that involved participation by interested parties, or was being amended following a significant legislative rule analysis. An agency was required to follow the standard rule making requirements, but was not required to prepare a small business economic impact statement, indicate whether the rule constituted a significant legislative rule, prepare a significant legislative rule analysis, or prepare a statement of inquiry. The agency was also not required to conduct public hearings. The agency was required to notify the public of the use of the expedited rule adoption process and how to object. If a party did properly object within 45 days, the agency was required to proceed under the standard rule adoption process. If there were no objections, the agency could adopt and publish the rule without further notice or a public hearing.

An agency may repeal a rule under the expedited repeal process if the statute on which the

rule is based has been repealed or declared unconstitutional, if the rule is no longer necessary, or if the rule has become redundant. The agency must notify the public that the rule is proposed for expedited repeal and how to object. If a party does properly object within 30 days, the agency may proceed under the standard repeal process. If there are no objections, the agency may repeal the rule without further notice or a public hearing.

Summary of Bill:

The expedited rule adoption process that expired December 31, 2000 is reauthorized. The expedited repeal process and the expedited rule adoption process are consolidated into one section, allowing for more consistent language. The time period for objecting to an expedited repeal of a rule changes from 30 days to 45 days.

Rulemaking Authority: *No express authority.*

Appropriation: *None.*

Fiscal Note: *Available.*

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