

2 **SHB 2386** - S AMD TO GO COMM AMD (S5444.1) - 287

3 By Senators Haugen, Sheldon, Winsley, Hale, Bauer and Rasmussen

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5 On page 8, after line 12 of the amendment, insert the following:

6 "Sec. 12. RCW 34.05.230 and 1995 c 403 s 702 are each amended to
7 read as follows:

8 (1) If the adoption of rules is not feasible and practicable, an
9 agency is encouraged to advise the public of its current opinions,
10 approaches, and likely courses of action by means of interpretive or
11 policy statements. Current interpretive and policy statements are
12 advisory only. To better inform and involve the public, an agency is
13 encouraged to convert long-standing interpretive and policy statements
14 into rules.

15 (2) A person may petition an agency requesting the conversion of
16 interpretive and policy statements into rules. Upon submission, the
17 agency shall notify the joint administrative rules review committee of
18 the petition. Within sixty days after submission of a petition, the
19 agency shall either deny the petition in writing, stating its reasons
20 for the denial, or initiate rule-making proceedings in accordance with
21 this chapter.

22 (3) Each agency shall maintain a roster of interested persons,
23 consisting of persons who have requested in writing to be notified of
24 all interpretive and policy statements issued by that agency. Each
25 agency shall update the roster once each year and eliminate persons who
26 do not indicate a desire to continue on the roster. Whenever an agency
27 issues an interpretive or policy statement, it shall send a copy of the
28 statement to each person listed on the roster. The agency may charge
29 a nominal fee to the interested person for this service.

30 (4) Whenever an agency issues an interpretive or policy statement,
31 it shall submit to the code reviser for publication in the Washington
32 State Register a statement describing the subject matter of the
33 interpretive or policy statement, and listing the person at the agency
34 from whom a copy of the interpretive or policy statement may be
35 obtained.

1 (5) Where an agency is not a party to the action, an interpretive
2 or policy statement is not admissible in a judicial action as evidence
3 of the proper interpretation of state law."

4 Renumber the section following consecutively and correct internal
5 references accordingly.

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7 By Senators Haugen, Sheldon, Winsley and Hale

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9 On page 8, line 20 of the title amendment, after "43.05.090,"
10 strike "and" and after "43.05.100" insert ", and 34.05.230"

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