

SENATE BILL REPORT

E2SHB 2631

As Reported By Senate Committee On:
Government Operations & Elections, February 28, 2008

Title: An act relating to the office of regulatory assistance.

Brief Description: Regarding the office of regulatory assistance.

Sponsors: House Committee on Apps Subcom GG (originally sponsored by Representatives Linville, Kretz and Sullivan).

Brief History: Passed House: 2/14/08, 94-0.

Committee Activity: Government Operations & Elections: 2/28/08 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Kline, McDermott and Pridemore.

Staff: Khalia Gibson (786-7460)

Background: The Washington State Office of Regulatory Assistance (ORA) was created in the Office of Financial Management (OFM) and is administered by the Governor's Office to assist citizens, businesses, and project proponents.

The ORA provides citizens, businesses, and project proponents a reliable and consolidated source of information concerning federal, state, and local environmental land use laws and procedures that may apply to any given project.

The services are provided through the ORA, to ensure that any potential or perceived conflicts of interest related to the services is avoided. Additionally, the ORA provides citizens with access to information regarding state regulations, permit requirements, and agency rule making processes in Washington..

Summary of Bill: The legislative intent of the ORA is to promote accountability, timeliness, and predictability for citizens, businesses, and state and local permitting agencies. The existence of the ORA promotes this cause by providing information and assistance on the regulatory process.

The establishment of the ORA is not to abrogate or limit the authority of any agency to make decisions on permits, licenses, regulatory requirements, or agency rulemaking.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

ORA Operation. The office must operate on principles of accountability and transparency with a goal of providing information on average turnaround times from application date to the date of decision for a permit, estimated agency response times, and estimated maximum costs and fees paid to state agencies.

The Governor must appoint a director, who may employ a deputy director, a confidential secretary, and such other staff as necessary.

A performance report including information regarding the use of the office's voluntary cost reimbursement services, the number and type of projects where the office provided services, agencies involved in specific projects, and recommendations on system improvements is due to the Governor by September 1, 2008 and biennially thereafter.

Permitting Process. At the request of a project proponent, the ORA must assist the proponent in coordinating the permit process. The ORA serves as the main point of contact for the project proponent and participating permitting agencies regarding the coordinated permit process.

Within 30 days of the date that the office designates a qualifying permitting process project, it must convene a meeting with the project proponent for the project and the participating permit agencies. The 30-day requirement may be extended with the agreement of the project proponent.

Cost Reimbursement. The ORA may enter into cost reimbursement agreements with a project proponent to recover the reasonable costs incurred in carrying out project facilitator duties. The office must develop guidelines to ensure that conflicts of interest are eliminated in cost-reimbursement agreements.

Additionally, cost reimbursement agreements through the ORA must include a detailed payment schedule that includes the average number of weeks for initial review; anticipated number of revision cycles; average number of weeks for subsequent review cycles; estimated number of hours for employee time; the rate per hour; and a date for revision of the agreement, if necessary..

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Engrossed Second Substitute: None.

Persons Testifying: No one.