
SENATE BILL 6289

State of Washington

52nd Legislature

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By Senators Bauer, Sellar, Gaspard, Newhouse, Sutherland, Snyder, Owen, Madsen, McMullen, Vognild and Rasmussen

Read first time 01/23/92. Referred to Committee on Governmental Operations.

1 AN ACT Relating to electronic transmission of comments to
2 administrative rule-making hearings; and amending RCW 34.05.325.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 34.05.325 and 1988 c 288 s 304 are each amended to
5 read as follows:

6 (1) The agency shall make a good faith effort to insure that the
7 information on the proposed rule published pursuant to RCW 34.05.320
8 accurately reflects the rule to be presented and considered at the oral
9 hearing on the rule. Written comment about a proposed rule, including
10 supporting data, shall be accepted by an agency if received no later
11 than the time and date specified in the notice, or such later time and
12 date established at the rule-making hearing.

13 (2) The agency shall provide an opportunity for oral comment to be
14 received by the agency in a rule-making hearing. If reasonably

1 possible, the agency shall accept comments by telefacsimile
2 transmission or recorded telephonic communication if that equipment is
3 available to the agency. The agency shall include the respective
4 telephone numbers in the notice of the hearing filed under RCW
5 34.05.320.

6 (3) The agency head, a member of the agency head, or a presiding
7 officer designated by the agency head shall preside at the rule-making
8 hearing. Rule-making hearings shall be open to the public. The agency
9 shall cause a record to be made of the hearing by stenographic,
10 mechanical, or electronic means. Unless the agency head presides or is
11 present at substantially all the hearings, the presiding official shall
12 prepare a memorandum for consideration by the agency head, summarizing
13 the contents of the presentations made at the rule-making hearing. The
14 summarizing memorandum is a public document and shall be made available
15 to any person in accordance with chapter 42.17 RCW.

16 (4) Rule-making hearings are legislative in character and shall be
17 reasonably conducted by the presiding official to afford interested
18 persons the opportunity to present comment. Rule-making hearings may
19 be continued to a later time and place established on the record
20 without publication of further notice under RCW 34.05.320.