

SENATE BILL REPORT

SHB 1686

AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS, APRIL 2, 1993

**Brief Description:** Defining a term for the administrative procedure act.

**SPONSORS:** House Committee on State Government (originally sponsored by Representatives Anderson, Ludwig, R. Meyers, Foreman, Dorn, Orr, Vance, Brough, Tate, Casada, Edmondson, Horn, Wood, Carlson, Ballard, Brumsickle, Ballasiotes, Van Luven, Mielke, Sheahan, Long, Thomas, Cooke, Forner, Morton and Lisk)

**HOUSE COMMITTEE ON STATE GOVERNMENT**

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**Majority Report:** Do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Owen, and Winsley.

**Staff:** Barbara Howard (786-7410)

**Hearing Dates:** March 31, 1993; April 2, 1993

**BACKGROUND:**

Under the Administrative Procedure Act (APA), the Joint Administrative Rules Review Committee (JARRC) may review an agency's use of policy statements, guidelines, and issuances that are of general applicability to determine whether an agency is using these techniques instead of adopting a rule.

The rule review statute establishes a formal process for JARRC to determine whether a rule should be adopted. If the agency fails to take corrective action, JARRC may file a notice of its objections with the Code Reviser for publication in the next issue of the Washington Register, and the next compilation of the administrative code.

**SUMMARY:**

The authority of the Joint Administrative Rules Review Committee to review an agency's policy statements, guidelines, and other issuances of general applicability is expanded to include review of whether these issuances themselves are within legislative intent.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

This bill simply clarifies the ability of the Joint Administrative Rules Review Committee to examine agency issuances, guidelines and policy statements for conformity with legislative intent.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Representative Anderson, prime sponsor; Ron Wagner, Washington Academy of Eye Physicians and Surgeons (pro)