

# FINAL BILL REPORT

## SHB 1076

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Synopsis as Enacted

**Brief Description:** Reforming regulatory activities.

**Sponsors:** By House Committee on Government Reform & Land Use (originally sponsored by Representatives Reams, Poulsen, Mastin, Hatfield, Skinner, Linville, Dyer, Kessler, Sherstad, Grant, Pennington, Mielke, Thompson, Carlson, Boldt, Bush, Smith and D. Schmidt).

**House Committee on Government Reform & Land Use**  
**Senate Committee on Government Operations**  
**Senate Committee on Ways & Means**

**Background:** As part of significant changes to agency rule-making in 1995, the Legislature imposed requirements on some agencies when they adopt significant legislative rules. These requirements apply to the departments of Labor and Industries, Revenue, Ecology, Health, Employment Security, and Natural Resources, as well as the Forest Practices Board and the Insurance Commissioner. The Department of Fish and Wildlife must also follow these requirements when adopting certain hydraulics rules. Significant legislative rules are all rules other than emergency rules, fee-setting rules, and certain excepted rules.

The identified agencies must make certain determinations when adopting significant legislative rules. These determinations include that the probable benefits exceed the probable costs, that the rule does not require persons to take an action which violates another federal or state law, and other determinations. In the rule making file, the agencies must place sufficient documentation to justify the determinations, as well as a rule implementation plan. The agencies must also coordinate implementation and enforcement of the rule with other federal and state entities that regulate the same activity or subject matter. The Joint Administrative Rules Review Committee may require that any state agency rule be subject to these requirements. Certain rules, including emergency rules, procedural and interpretive rules, fee-setting rules, and other types of rules are exempt from these requirements.

Under the Open Public Meetings Act, all meetings of the governing body of a public agency must be open and public. Agencies with single director management, such as the Department of Social and Health Services (DSHS), and advisory bodies are not covered by the act.

**Summary:** The DSHS is added to the list of agencies required to follow the requirements for significant legislative rules. Rules of the DSHS relating to client medical or financial eligibility and rules concerning liability for care of dependents are exempt from the significant legislative rules requirements.

Committees or councils required by federal law, within the DSHS, that make policy recommendations regarding drug reimbursement are subject to the Open Public Meetings Act.

**Votes on Final Passage:**

House	73	23	
House	74	22	(House reconsidered)
Senate	45	2	(Senate amended)
House	97	0	(House concurred)

**Effective:** July 27, 1997