

HOUSE BILL REPORT

SSB 5803

As Passed House-Amended:

April 10, 1997

Title: An act relating to the distribution of rules notices.

Brief Description: Allowing electronic distribution of rules notices.

Sponsors: Senate Committee on Government Operations (originally sponsored by Senators Finkbeiner and McCaslin; by request of Department of Revenue).

Brief History:

Committee Activity:

Government Administration: 3/26/97, 4/1/97 [DPA].

Floor Activity:

Passed House-Amended: 4/10/97, 98-0.

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: Do pass as amended. Signed by 10 members: Representatives D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunshee; Reams; Smith; L. Thomas; Wensman and Wolfe.

Staff: Bill Lynch (786-7092).

Background: The Administrative Procedures Act permits agencies to allow members of the public to comment on proposed rules by fax if the agency has the necessary receiving equipment. There is no authority for agencies to transmit agency notices by either fax or electronic mail.

Agencies are required to maintain a roster of interested persons who have requested in writing to be notified of all interpretive statements and policy statements issued by the agency. The law does not authorize agencies to maintain different rosters by general subject area.

Summary of Bill: Agencies may ask persons who are entitled to receive agency notices whether they would like to receive the notices electronically. Electronic distribution is defined as either by electronic mail or fax. If a person requests to receive an agency notice electronically, the electronic distribution of the notice may substitute for a mailed copy of the notice. When distributing a notice electronically,

the agency is not required to transmit the actual notice form but must send all the information contained in the notice. Agency notices to which electronic distribution applies include interpretive and policy statements, statements of inquiry, and notices of proposed rule-making. Agencies may establish different rosters by general subject area of person interested in receiving notice of interpretive statements and policy statements.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It is more costly and inefficient to send notice by mail. People will get notice in a more timely manner electronically.

Testimony Against: None.

Testified: Gary Smith, Independent Business Association; and Claire Hesselholt, Department of Revenue.