

SENATE BILL REPORT

SB 5461

As Reported By Senate Committee On:
Government Operations, February 27, 1997

Title: An act relating to regulatory coordination.

Brief Description: Requiring regulatory coordination between the state and federal and local entities.

Sponsors: Senators Hale, Anderson, Haugen, Loveland, Goings, Patterson, McCaslin, Winsley, Oke and Roach.

Brief History:

Committee Activity: Government Operations: 2/20/97, 2/27/97 [DP-WM].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators McCaslin, Chair; Hale, Vice Chair; Anderson, Haugen, Horn and Patterson.

Staff: Diane Smith (786-7410)

Background: If the Departments of Ecology, Labor and Industries, Health, Revenue, Natural Resources, Employment Security, the Forest Practices Board, the office of the Insurance Commissioner, and in some instances, the Department of Fish and Wildlife adopt a significant legislative rule that regulates the same activity or subject matter as another provision of federal or state law, the agency must notify the Business Assistance Center of such a rule. The agency must coordinate implementation and enforcement of the rule with the other agencies involved. If the agency cannot achieve this coordination, the agency must report to the Joint Administrative Rules Review Committee (JARRC). This report must describe the overlap or duplication of other federal or state laws, any differences from federal law and any known overlap, duplication or conflict with local laws. The report must also recommend legislation to eliminate or mitigate any adverse effects of the overlap, duplication or difference.

Summary of Bill: All agencies must notify the Business Assistance Center of any adopted rule which regulates the same activity or subject matter as another provision of federal, state or local law and must engage in the same coordination efforts as are now required only of selected agencies. Whether or not these coordination efforts are successful, all agencies must make the same report to JARRC as is now required only of selected agencies.

Appropriation: None.

Fiscal Note: Requested on February 4, 1997.

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

Testimony For: Businesses have the burden now of knowing all laws, including local ones, that apply to them. It is a huge burden. It is only fair that all government agencies know the effects of their rules. It will help reduce public confusion.

Testimony Against: The bill is broad, vague, impractical and very expensive. It leaves the Department of Fish and Wildlife unable to respond to the red tide, rock fishing and various bird species.

Testified: Amber Balch, AWB (pro); Bruce Wishart, People for Puget Sound (con); Gary Independent Business Association (pro); Evan Jacoby, Department of Fish and Wildlife (con); Carolyn Logue, NFIB (pro).