

SENATE BILL REPORT

SB 6252

As Passed Senate, February 27, 2002

Title: An act relating to the rule-making authority of various governmental entities.

Brief Description: Limiting the rule-making authority of certain entities to those instances where there is a specific grant of legislative authority.

Sponsors: Senators West, Hale, Honeyford, Zarelli, Morton, Parlette, Hochstatter, Hewitt, T. Sheldon, Johnson, Horn, Finkbeiner, Oke and Benton.

Brief History:

Committee Activity: State & Local Government: 1/23/02.

Passed Senate: 2/27/02, 25-23.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Staff: Diane Smith (786-7410)

Background: The Washington Administrative Procedure Act requires that all rules implementing statutes enacted after July 23, 1995, not rely solely on sections of law stating a statute's intent or purpose, or on an agency's enabling statute, or any combination for the statutory authority to adopt a rule.

Summary of Bill: The individual statutes for 35 various state agencies and departments, including the Superintendent of Public Instruction, the Department of Fish and Wildlife, the Utilities and Transportation Commission, and the Transportation Commission, are each amended to prohibit the adoption of rules after July 1, 2002, that rely solely on a section of law stating a statute's intent or purpose or on the agency's or department's enabling statute.

The rules must be derived from and include the specific statutory grant of authority for the rule's adoption.

The same requirements are made of all directors of each department of the executive branch.

Appropriation: None.

Fiscal Note: Not requested.

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