
SENATE BILL 5256

State of Washington

58th Legislature

2003 Regular Session

By Senators Roach, Doumit, Hale, Kastama, Mulliken, T. Sheldon, Haugen, Hewitt, Stevens, Zarelli, Parlette, Horn, Rossi and Johnson

Read first time 01/20/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to rule-making procedures; and amending RCW
2 34.05.320.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 34.05.320 and 1995 c 403 s 302 are each amended to
5 read as follows:

6 (1) At least twenty days before the rule-making hearing at which
7 the agency receives public comment regarding adoption of a rule, the
8 agency shall cause notice of the hearing to be published in the state
9 register. The publication constitutes the proposal of a rule. The
10 notice shall include all of the following:

11 (a) A title, a description of the rule's purpose, and any other
12 information which may be of assistance in identifying the rule or its
13 purpose;

14 (b) Citations of the statutory authority for adopting the rule and
15 the specific statute the rule is intended to implement;

16 (c) A summary of the rule and a statement of the reasons supporting
17 the proposed action;

18 (d) The agency personnel, with their office location and telephone

1 number, who are responsible for the drafting, implementation, and
2 enforcement of the rule;

3 (e) The name of the person or organization, whether private,
4 public, or governmental, proposing the rule;

5 (f) Agency comments or recommendations, if any, regarding statutory
6 language, implementation, enforcement, and fiscal matters pertaining to
7 the rule;

8 (g) Whether the rule is necessary as the result of federal law or
9 federal or state court action, and if so, a copy of such law or court
10 decision shall be attached to the purpose statement;

11 (h) When, where, and how persons may present their views on the
12 proposed rule;

13 (i) The date on which the agency intends to adopt the rule;

14 (j) A short explanation of the rule, its purpose, and anticipated
15 effects, including in the case of a proposal that would modify existing
16 rules, a short description of the changes the proposal would make;

17 (k) A copy of the small business economic impact statement prepared
18 under chapter 19.85 RCW, or an explanation for why the agency did not
19 prepare the statement; and

20 (l) A statement indicating whether RCW 34.05.328 applies to the
21 rule adoption, and if that section is applicable, a statement that
22 describes the methodology to be used to determine the probable benefits
23 and probable costs of the rule, or that a preliminary analysis of the
24 probable benefits and probable costs of the rule is available upon
25 request.

26 (2) Upon filing notice of the proposed rule with the code reviser,
27 the adopting agency shall have copies of the notice on file and
28 available for public inspection and shall forward three copies of the
29 notice to the rules review committee.

30 (3) No later than three days after its publication in the state
31 register, the agency shall cause a copy of the notice of proposed rule
32 adoption to be mailed to each person, city, and county that has made a
33 request to the agency for a mailed copy of such notices. An agency may
34 charge for the actual cost of providing a requesting party mailed
35 copies of these notices.

36 (4) In addition to the notice required by subsections (1) and (2)
37 of this section, an institution of higher education shall cause the

1 notice to be published in the campus or standard newspaper of the
2 institution at least seven days before the rule-making hearing.

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