

# HOUSE BILL REPORT

## 2SSB 5122

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**As Reported by House Committee On:**  
State Government & Tribal Affairs  
Appropriations

**Title:** An act relating to preserving the current regulatory assistance program with cost reimbursement changes.

**Brief Description:** Preserving regulatory assistance provisions.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Rockefeller and Swecker; by request of Office of Financial Management).

**Brief History:**

**Committee Activity:**

State Government & Tribal Affairs: 3/23/07, 3/27/07 [DP];  
Appropriations: 3/29/07 [DP].

**Brief Summary of Second Substitute Bill**

- Extends the Office of Regulatory Assistance sunset date to 2011.
- Allows assistance to project proponents as well as applicants.
- Provides for periodically assisted permitting assistance.
- Adds requirements to biennial performance report.
- Makes cost reimbursement changes.

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**HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS**

**Majority Report:** Do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

**Staff:** Colleen Kerr (786-7168).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

The Office of Regulatory Assistance (ORA) was created by the Legislature in 2003. The ORA serves as the nexus for state agencies that exercise the regulatory function of state government, including:

- The Department of Ecology;
- The Department of Health;
- The Department of Fish and Wildlife;
- The Department of Natural Resources; and
- The Department of Licensing.

The ORA is a central point of access for the public to provide one-stop assistance permit service. It also works among agencies to coordinate and simplify the regulatory system. In addition to permit assistance, the ORA spearheads the Online Business Portal. The Online Business Portal is developing integrated online access to government services through a single, secure website, and aligning online services between state and local entities.

The ORA's authorizing statute includes a sunset date of June 30, 2007. The Joint Legislative Audit and Review Committee (JLARC) submitted its sunset review on January 4, 2007. That review recommended extending the ORA's sunset date to 2011 and that the ORA should develop an implementation plan to remedy the agency's lack of information about its activities. The JLARC also recommended that the ORA should report to the Legislature to demonstrate performance and compliance with statutory duties.

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**Summary of Bill:**

The bill preserves the Office of Regulatory Assistance through June 30, 2011 and makes other technical changes to the authorizing statute to allow project proponents as well as permit applicants to use the ORA assistance.

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**Appropriation:** None.**Fiscal Note:** Available.**Effective Date:** The bill contains an emergency clause and takes effect immediately.**Staff Summary of Public Testimony:**

(In support) The Office of Regulatory Assistance (ORA) has tremendous public and private support. It provides boots on the ground to facilitate the permitting process and keeps projects moving forward. The ORA is an arm of government that is efficient, accountable, and customer-oriented. This bill extends the sunset review out another four years. The ORA is a new agency and the sunset review process is necessary for constant improvement and developing a clear mission. The minor changes to the ORA's authorizing statute in this bill

make very important changes that will improve service to state, local, and tribal governments who are often project proponents rather than applicants.

There is no change in the ORA's priorities. The bill eliminates a reference to small projects because it was not clear what this term meant. A small project does not mean a small business. The ORA is always looking for ways to work with small businesses and to improve their experience and interaction with state government.

The cost-reimbursement program is important since it allows those individuals who choose to invest more in assistance to be able to do so without penalizing those who do not.

The ORA provides an important resource for small businesses. It tries to balance regulatory assistance for all who are moving through the permitting process. In particular, the ORA works with applicants and proponents to identify problems before they arise.

(Opposed) None.

**Persons Testifying:** Senator Rockefeller, prime sponsor; Faith Lumsden, Office of Regulator Assistance; Jerry Smedes, Northwest Environmental Business Council; Rick Slunaker, Associated General Contractors; and Carolyn Logue, National Federation of Independent Business.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 32 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Cody, Conway, Darneille, Dunn, Ericks, Fromhold, Grant, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Kretz, Linville, McDermott, McDonald, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist and Walsh.

**Staff:** Alex MacBain (786-7288).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On State Government & Tribal Affairs:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed, except for section 15, relating to the termination of the Office of Regulatory Assistance, which takes effect immediately.

### **Staff Summary of Public Testimony:**

(In support) The Office of Regulatory Assistance (Office) runs a program that works very effectively and we urge your support for the bill. The Office provides a valuable service to small businesses and individuals who have to negotiate the maze of regulatory requirements and permitting processes. In addition, the cost reimbursement program is effective in providing a way for individuals to expedite the permit process.

(Opposed) None.

**Persons Testifying:** Jerry Smedes, Northwest Environmental Business Council; and Faith Lumsden, Office of Regulatory Assistance.

**Persons Signed In To Testify But Not Testifying:** None.