

# SENATE BILL REPORT

## SB 5318

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As Reported by Senate Committee On:  
Economic Development, Trade & Innovation, February 17, 2011  
Ways & Means, February 24, 2011

**Title:** An act relating to the office of regulatory assistance.

**Brief Description:** Addressing the office of regulatory assistance.

**Sponsors:** Senators Eide, Kastama, Rockefeller and Shin; by request of Office of Regulatory Assistance.

**Brief History:**

**Committee Activity:** Economic Development, Trade & Innovation: 2/02/11, 2/10/11, 2/14/11, 2/16/11, 2/17/11 [DPS-WM, w/oRec].  
Ways & Means: 2/22/11, 2/24/11 [DPS(EDTI), w/oRec].

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### SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE & INNOVATION

**Majority Report:** That Substitute Senate Bill No. 5318 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Kastama, Chair; Chase, Vice Chair; Baumgartner, Ranking Minority Member; Hatfield, Holmquist Newbry, Kilmer, Shin and Zarelli.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Ericksen.

**Staff:** Jack Brummel (786-7428)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 5318 as recommended by Committee on Economic Development, Trade & Innovation be substituted therefor, and the substitute bill do pass.

Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli, Ranking Minority Member; Parlette, Ranking Minority Member Capital; Baumgartner, Baxter, Brown, Conway, Fraser, Hatfield, Holmquist Newbry, Honeyford, Kastama, Keiser, Kohl-Welles, Pridemore, Regala, Rockefeller, Schoesler and Tom.

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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.*

**Minority Report:** That it be referred without recommendation.

Signed by Senator Pflug.

**Staff:** Steve Jones (786-7440)

**Background:** In 1995, the Legislature imposed requirements on some agencies when they adopt significant legislative rules. The Office of Financial Management is obligated to report to the Governor and the Legislature on the effects of these requirements on the regulatory system in the state.

The Office of Regulatory Assistance (ORA) was created in the Office of Financial Management in 2003. In 2009, the Legislature substantially changed the ORA's statute, providing for gubernatorial appointment of the director, re-stating ORA's purpose, and increasing the scope of its work. The ORA seeks to improve the function of environmental and business regulatory processes by identifying conflicts and overlap in the state's rules, statutes, and operational practices.

The ORA provides a variety of services, including acting as the central point of contact and coordination for project proponents, conducting project scoping, and assisting in conflict resolution. The ORA is to assist local jurisdictions with their local project review requirements, report biennially on performance, and provide biennial recommendations on system improvements.

The sunset statutes direct that, absent specific action by the Legislature, the ORA will cease to exist on June 30, 2011. The Joint Legislative Audit and Review Committee's sunset analysis of ORA recommends that the Legislature continue its operations and suggests a method other than sunset review for evaluating ORA's ongoing performance.

**Summary of Bill (Recommended Substitute):** ORA, rather than the Office of Financial Management, is to report on the effects of agency requirements regarding significant legislative rules.

ORA must report regarding services, programs, processes, tools, trends, and changes needed to make processes effective.

The termination date for ORA is repealed.

**EFFECT OF CHANGES MADE BY ECONOMIC DEVELOPMENT, TRADE & INNOVATION COMMITTEE (Recommended Substitute):** Reporting requirements relating to services, programs, processes, tools, trends, and needed changes are added.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on June 29, 2011.

**Staff Summary of Public Testimony on Original Bill (Economic Development, Trade & Innovation):** PRO: ORA has a great relationship with its partner agencies. They are committed to working with ORA.

OTHER: JLARC recommended that the Legislature continue ORA without another sunset date. They found that ORA needs to improve its reporting on what is and is not working. ORA should report multiple year trends.

**Persons Testifying (Economic Development, Trade & Innovation):** PRO: Faith Lumsden, ORA.

OTHER: John Wooley, JLARC.

**Staff Summary of Public Testimony (Ways & Means):** None.

**Persons Testifying (Ways & Means):** No one.