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**State Government, Elections &  
Information Technology Committee**

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**HB 1328**

**Brief Description:** Directing the department of ecology to consider alternatives to rule making.

**Sponsors:** Representatives Shea, Taylor, Holy, Short, Pike, Hargrove and Koster.

**Brief Summary of Bill**

- Requires the Department of Ecology to analyze specific rule-making alternatives and associated cost estimates.

**Hearing Date:** 2/10/17

**Staff:** Megan Palchak (786-7105).

**Background:**

Washington's Administrative Procedure Act (APA) establishes procedures under which state agencies adopt rules and conduct adjudicative proceedings. Procedures include but are not limited to publishing notices and holding hearings. Before adopting significant legislative rules, specified agencies, such as the Department of Ecology (DOE) must clearly state in detail the general goals and specific objectives of the statute that the rule implements and determine the rule is needed after analyzing alternatives.

**Summary of Bill:**

As part of the DOE's determination regarding the necessity of rule-making, the DOE must analyze whether the general goals and specific objectives of the rule-making could be accomplished with comparable efficacy and at lower administrative costs through any combination of the following alternate strategies: (a) increasing or targeting enforcement that relies on existing authority; (b) providing additional technical assistance to regulated persons;

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and (c) establishing regulatory or financial incentives to encourage compliance by regulated persons. The analysis must include administrative cost estimates for each strategy.

**Appropriation:** None.

**Fiscal Note:** Requested on February 6, 2017.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.