

Significant Legislative Rule Making Frequently Asked Questions

This summary provides information on the Significant Legislative Rule Making Project, which is responsive to [RCW 34.05.328](#). The intent of the legislature is to guide how certain regulating agencies adopt rules imposing obligations on the public. Rulemaking should be done responsibly and with better-coordinated regulatory efforts. The desired outcome is public respect for the administrative rulemaking adoption process. The Office for Regulatory Innovation and Assistance (ORIA) reports on any results and findings experienced by the named agencies and their stakeholders during such rulemaking.

What is this Project?

Significant legislative rules are defined as rules that (1) adopt substantive provisions of law, the violation of which results in a penalty or sanction, (2) establish or change qualifications for a license or permit, or (3) result in a significant change to a policy or regulatory program.

Agencies must determine the costs and benefits of a new rule; determine least burdensome alternatives; coordinate regulations with the requirements of state and federal law; and develop an implementation, evaluation, and education plan.

ORIA solicits comments about how rulemaking affects stakeholders from business, environmental, and labor organizations as well as from the Association of Washington Cities and the Washington State Association of Counties.

By January 31 of each even-numbered year, ORIA, after consulting with the state agencies and stakeholders, prepares a report regarding the effects of rulemaking on the state's regulatory system. ORIA distributes the report to the governor, legislature, agencies, stakeholders, and posts it on the ORIA website.

What Agencies are Required to Report?

Ten state agencies report on legislative rule making.

1. Department of Ecology
2. Department of Fish and Wildlife
3. Department of Health
4. Department of Labor and Industries
5. Department of Natural Resources
6. Department of Revenue
7. Department of Social and Health Services
8. Employment Security Department

9. Forest Practices Board and
10. Office of the Insurance Commissioner

What kinds of information do the agencies track?

The report must document:

1. The rules proposed to which this section applied and to the extent possible, how compliance with this section affected the substance of the rule, if any, that the agency ultimately adopted;
2. The costs incurred by state agencies in complying with this section;
3. Any legal action maintained based upon the alleged failure of any agency to comply with this section, the costs to the state of such action, and the result;
4. The extent to which this section has adversely affected the capacity of agencies to fulfill their legislatively prescribed mission;
5. The extent to which this section has improved the acceptability of state rules to those regulated; and
6. Any other information considered by the office of financial management to be useful in evaluating the effect of this section.

Where Can I find More Information?

ORIA maintains a central repository of information reported by agencies. Visit the [ORIA website](#) for more information.

Who Do I Contact for More Information?

Please contact Marie Splaine, ORIA Regulatory Improvement Consultant, at (360) 725-0627, or via email marie.splaine@gov.wa.gov, if you have questions.