

5655-S

Sponsor(s): Senate Committee on Natural Resources, Energy & Water
(originally sponsored by Senators Morton, Hale, Hargrove, West,
Honeyford, T. Sheldon and Benton)

Brief Description: Regarding rule-making of natural resources
agencies.

SB 5655-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) The regulatory reform act of 1995 prohibits
agency rules from differing from existing federal standards unless
a state statute explicitly allows such a difference or substantial
evidence shows that different state rules are necessary;

(2) In spite of these provisions, natural resource agencies,
including the departments of ecology and fish and wildlife,
continue to develop and adopt state rules, guidelines, permit
conditions, and policies that substantially differ from those that
have already been adopted by federal agencies;

(3) Differing from existing federal requirements or policies
increases costs to state agencies and local governments, results in
burdensome and conflicting regulatory programs, and prevents
Washington state from being economically competitive in the
national and global economy;

(4) Natural resource agencies should give priority to
assisting and educating regulated entities and local governments in
understanding and complying with existing federal requirements or
policies, rather than creating different state standards; and

(5) The state must maintain the independence and flexibility
to differ from or exceed federal standards when necessary.

Declares an intent to ensure that state natural resource
agencies do not exceed existing federal requirements and policies
when implementing programs for which federal requirements or
policies exist, unless specifically directed by the legislature to
do so.