

EXECUTIVE ORDER 80-20

Oversight of Administrative Rules

WHEREAS, the Administrative Procedures Act (34.04 RCW) was first enacted and became effective on July 1, 1967, and has from that date been in certain respects amended and implemented; and

WHEREAS, since that time to the present date there has been a proliferation of administrative rules through excessive use of the rulemaking authority and some of these rules do not follow the form of the statute which they are implementing and may also be inconsistent therewith; and

WHEREAS, there is no provision for a timely review of these administratively adopted rules even though the legislature has from time to time introduced legislation to provide a procedure to accomplish this end; and

WHEREAS, it is in the best interests of the efficient operation of state government to make provision for the rule-making process granted to agencies under RCW 34.04.

NOW, THEREFORE, I, Dixy Lee Ray, Governor of the state of Washington, by virtue of the power vested in me by Article III, Section 2 of the State Constitution, and exercising the executive power of the state, do hereby require that:

A. The reviews maintain the format of the current Administrative Procedures Act (34.04 RCW) which include:

1. A purpose for each proposed rule.
2. A description of proposed implementation.
3. A statement of reasons supporting the proposed rule.
4. Notice of any requirements stemming from Federal law or court decisions.
5. Submittal of proposed rules and all statements to the legislature at the time of initial filing with the Code Reviser.
6. Timely publication and hearings of proposed rules or amendments thereto.

B. In addition, I direct that the following guidelines shall be utilized:

1. All proposed rules be approved by the Assistant Attorney General assigned to the sponsoring agency as to form and consistency with the cited statute.
2. All rules carry a requirement for a public review every four years.

3. Twenty-five percent of the existing rules be reviewed each year over the next four years and on a four-year cycle thereafter.

4. Each agency report their master review schedule to the Office of Financial Management (OFM) and subsequently file an annual report of actual reviews and their schedule for the next year with OFM.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 15th day of December A.D., Nineteen hundred and eighty.

Dixy Lee Ray
Governor of Washington

BY THE GOVERNOR:

Secretary of State
