

1 6074 AMH REGA H3275.2

2 **SB 6074** - H AMD **948 FAILED 5/23/95**
3 By Representatives Regala and Basich

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5 On page 23, after line 18, insert the following:

6 "Sec. 45. RCW 77.04.090 and 1995 c 403 s 111 are each amended to
7 read as follows:

8 The commission shall adopt permanent rules and amendments to or
9 repeals of existing rules by approval of (~~four~~) five members by
10 resolution, entered and recorded in the minutes of the commission:
11 PROVIDED, That the commission may not adopt rules after the effective
12 date of this section that are based solely on a section of law stating
13 a statute's intent or purpose, on the enabling provisions of the
14 statute establishing the agency, or on any combination of such
15 provisions, for statutory authority to adopt any rule. The commission
16 shall adopt emergency rules by approval of (~~four~~) five members. The
17 commission or the director, when adopting emergency rules under RCW
18 77.12.150, shall adopt rules in conformance with chapter 34.05 RCW.
19 Judicial notice shall be taken of the rules filed and published as
20 provided in RCW 34.05.380 and 34.05.210.

21 A copy of an emergency rule, certified as a true copy by a member
22 of the commission, the director, or by a person authorized in writing
23 by the director to make the certification, is admissible in court as
24 prima facie evidence of the adoption and validity of the rule."

25 Renumber the remaining sections consecutively.

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29 On page 1, line 9 of the title, after "75.52.050," strike "and
30 77.16.135" and insert "77.16.135, and 77.04.090"

1 EFFECT: Requires a majority of commission members to approve
2 adoption of permanent and emergency rules.

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