
HOUSE JOINT RESOLUTION 4214

State of Washington 55th Legislature 1998 Regular Session

By Representatives Lambert, Carrell, McCune, Zellinsky, Mulliken,
D. Sommers, Schoesler and Thompson

Read first time 01/14/98. Referred to Committee on House Government
Reform & Land Use.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state there
4 shall be submitted to the qualified voters of the state for their
5 approval and ratification, or rejection, an amendment to Article II of
6 the Constitution of the state of Washington by adding a new section to
7 read as follows:

8 Article II, section Whenever the legislature finds that an
9 agency of the executive branch has adopted a rule that is inconsistent
10 with legislative intent or in excess of the authority of the agency,
11 the legislature may, by majority vote of all members elected to each
12 house, adopt a resolution invalidating the rule. The terms of the
13 resolution must contain the legislature's findings. The resolution
14 becomes effective ninety days after adjournment of the session at which
15 the resolution is adopted. This power to invalidate rules does not
16 apply to agency actions that are of a quasi-judicial nature, nor does
17 it extend to rules concerning only the internal management of agencies.
18 Resolutions adopted under this provision are not subject to Article
19 III, section 12 of this Constitution.

1 BE IT FURTHER RESOLVED, That the secretary of state shall cause
2 notice of the foregoing constitutional amendment to be published at
3 least four times during the four weeks next preceding the election in
4 every legal newspaper in the state.

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