

---

HOUSE BILL 2221

---

State of Washington                      54th Legislature                      1996 Regular Session

By Representatives Reams, Schoesler, Mastin, Koster, Campbell, Horn, L. Thomas, Sheahan, D. Schmidt, Elliot, Mitchell, Thompson, Stevens, Goldsmith, Backlund, Hargrove and McMahan

Read first time 01/08/96.      Referred to Committee on Government Operations.

1            AN ACT Relating to regulatory reform; amending RCW 76.09.040,  
2 48.02.060, 48.44.050, 48.46.200, 34.05.350, 34.05.380, 34.05.570,  
3 4.84.340, and 43.41.110; adding a new section to chapter 43.22 RCW;  
4 adding new sections to chapter 34.05 RCW; adding a new section to  
5 chapter 4.84 RCW; adding a new chapter to Title 43 RCW; and creating a  
6 new section.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8

PART I

9

GRANTS OF RULE-MAKING AUTHORITY

10            **Sec. 101.** RCW 76.09.040 and 1994 c 264 s 48 are each amended to  
11 read as follows:

12            (1) Where necessary to accomplish the purposes and policies stated  
13 in RCW 76.09.010, and to implement the provisions of this chapter, the  
14 board shall ((promulgate)) adopt forest practices ((regulations)) rules  
15 pursuant to chapter 34.05 RCW and in accordance with the procedures  
16 enumerated in this section: PROVIDED, That the board may not adopt  
17 rules after the effective date of this section that are based solely on  
18 a section of law stating a statute's intent or purpose, on the enabling

1 provisions of the statute establishing the agency, or on any  
2 combination of such provisions, for statutory authority to adopt any  
3 rule.

4 (2) The board shall adopt rules that:

5 (a) Establish minimum standards for forest practices;

6 (b) Provide procedures for the voluntary development of resource  
7 management plans which may be adopted as an alternative to the minimum  
8 standards in (a) of this subsection if the plan is consistent with the  
9 purposes and policies stated in RCW 76.09.010 and the plan meets or  
10 exceeds the objectives of the minimum standards;

11 (c) Set forth necessary administrative provisions; and

12 (d) Establish procedures for the collection and administration of  
13 forest practice fees as set forth by this chapter.

14 Forest practices (~~((regulations))~~) rules pertaining to water quality  
15 protection shall be (~~((promulgated))~~) adopted individually by the board  
16 and by the department of ecology after they have reached agreement with  
17 respect thereto. All other forest practices (~~((regulations))~~) rules  
18 shall be (~~((promulgated))~~) adopted by the board.

19 Forest practices (~~((regulations))~~) rules shall be administered and  
20 enforced by the department except as otherwise provided in this  
21 chapter. Such (~~((regulations))~~) rules shall be (~~((promulgated))~~) adopted  
22 and administered so as to give consideration to all purposes and  
23 policies set forth in RCW 76.09.010.

24 (~~((+2))~~) (3) The board shall prepare proposed forest practices  
25 (~~((regulations))~~) rules. In addition to any forest practices  
26 (~~((regulations))~~) rules relating to water quality protection proposed by  
27 the board, the department of ecology shall prepare proposed forest  
28 practices (~~((regulations))~~) rules relating to water quality protection.

29 Prior to initiating the rule making process, the proposed  
30 (~~((regulations))~~) rules shall be submitted for review and comments to the  
31 department of fish and wildlife and to the counties of the state.  
32 After receipt of the proposed forest practices (~~((regulations))~~) rules,  
33 the department of fish and wildlife and the counties of the state shall  
34 have thirty days in which to review and submit comments to the board,  
35 and to the department of ecology with respect to its proposed  
36 (~~((regulations))~~) rules relating to water quality protection. After the  
37 expiration of such thirty day period the board and the department of  
38 ecology shall jointly hold one or more hearings on the proposed  
39 (~~((regulations))~~) rules pursuant to chapter 34.05 RCW. At such

1 hearing(s) any county may propose specific forest practices  
2 (~~regulations~~) rules relating to problems existing within such county.  
3 The board and the department of ecology may adopt such proposals if  
4 they find the proposals are consistent with the purposes and policies  
5 of this chapter.

6 NEW SECTION. **Sec. 102.** A new section is added to chapter 43.22  
7 RCW to read as follows:

8 For rules adopted after the effective date of this section, the  
9 director of the department of labor and industries may not rely solely  
10 on a statute's statement of intent or purpose, on the enabling  
11 provisions of the statute establishing the agency, or on any  
12 combination of such provisions, for statutory authority to adopt any  
13 rule: PROVIDED, That this section shall not apply to rules adopted  
14 pursuant to chapter 39.12 RCW. It is the intent of the legislature to  
15 retain the status quo and that the provisions of chapter . . . , Laws of  
16 1996 (this act) shall neither explicitly or impliedly diminish nor  
17 expand the rule-making authority of the department under chapter 39.12  
18 RCW.

19 **Sec. 103.** RCW 48.02.060 and 1947 c 79 s .02.06 are each amended to  
20 read as follows:

21 (1) The commissioner shall have the authority expressly conferred  
22 upon him or her by or reasonably implied from the provisions of this  
23 code.

24 (2) The commissioner shall execute his or her duties and shall  
25 enforce the provisions of this code.

26 (3) The commissioner may:

27 (a) Make reasonable rules and regulations for effectuating any  
28 provision of this code, except those relating to his or her election,  
29 qualifications, or compensation: PROVIDED, That the commissioner may  
30 not adopt rules after the effective date of this section that are based  
31 solely on this statute, or on a statute's statement of intent or  
32 purpose, or on the enabling provisions of the statute establishing the  
33 agency, or any combination of such provisions, for statutory authority  
34 to adopt any rule, except rules defining or clarifying terms in, or  
35 procedures necessary to the implementation of a statute. No such rules  
36 and regulations shall be effective prior to their being filed for  
37 public inspection in the commissioner's office.

1 (b) Conduct investigations to determine whether any person has  
2 violated any provision of this code.

3 (c) Conduct examinations, investigations, hearings, in addition to  
4 those specifically provided for, useful and proper for the efficient  
5 administration of any provision of this code.

6 **Sec. 104.** RCW 48.44.050 and 1947 c 268 s 5 are each amended to  
7 read as follows:

8 The insurance commissioner shall make reasonable regulations in aid  
9 of the administration of this chapter which may include, but shall not  
10 be limited to regulations concerning the maintenance of adequate  
11 insurance, bonds, or cash deposits, information required of  
12 registrants, and methods of expediting speedy and fair payments to  
13 claimants: PROVIDED, That the commissioner may not adopt rules after  
14 the effective date of this section that are based solely on this  
15 section, a statute's statement of intent or purpose, or on the enabling  
16 provisions of the statute establishing the agency, or any combination  
17 of such provisions, for statutory authority to adopt any rule, except  
18 rules defining or clarifying terms in, or procedures necessary to the  
19 implementation of a statute.

20 **Sec. 105.** RCW 48.46.200 and 1975 1st ex.s. c 290 s 21 are each  
21 amended to read as follows:

22 The commissioner may adopt, in accordance with the provisions of  
23 the administrative procedure act, chapter 34.05 RCW, (~~promulgate~~)  
24 rules and regulations as necessary or proper to carry out the  
25 provisions of this chapter: PROVIDED, That the commissioner may not  
26 adopt rules after the effective date of this section that are based  
27 solely on this section, a statute's statement of intent or purpose, or  
28 on the enabling provisions of the statute establishing the agency, or  
29 any combination of such provisions, for statutory authority to adopt  
30 any rule, except rules defining or clarifying terms in, or procedures  
31 necessary to the implementation of a statute. Nothing in this chapter  
32 shall be construed to prohibit the commissioner from requiring changes  
33 in procedures previously approved by (~~him~~) the commissioner.

34 **PART II**

35 **RULE-MAKING REQUIREMENTS**

1       **Sec. 201.** RCW 34.05.350 and 1994 c 249 s 3 are each amended to  
2 read as follows:

3       (1) If an agency for good cause finds:

4       (a) That immediate adoption, amendment, or repeal of a rule is  
5 necessary for the preservation of ((the)) public health((~~τ~~)) or safety,  
6 ((~~or general welfare~~τ)) and that observing the time requirements of  
7 notice and opportunity to comment upon adoption of a permanent rule  
8 would be contrary to the public interest; or

9       (b) That state or federal law or federal rule or a federal deadline  
10 for state receipt of federal funds requires immediate adoption of a  
11 rule,

12 the agency may dispense with those requirements and adopt, amend, or  
13 repeal the rule on an emergency basis. The agency's finding and a  
14 concise statement of the reasons for its finding shall be incorporated  
15 in the order for adoption of the emergency rule or amendment filed with  
16 the office of the code reviser under RCW 34.05.380 and with the rules  
17 review committee.

18       (2) An emergency rule adopted under this section takes effect upon  
19 filing with the code reviser, unless a later date is specified in the  
20 order of adoption, and may not remain in effect for longer than one  
21 hundred twenty days after filing. Identical or substantially similar  
22 emergency rules may not be adopted in sequence unless conditions have  
23 changed or the agency has filed notice of its intent to adopt the rule  
24 as a permanent rule, and is actively undertaking the appropriate  
25 procedures to adopt the rule as a permanent rule. This section does  
26 not relieve any agency from compliance with any law requiring that its  
27 permanent rules be approved by designated persons or bodies before they  
28 become effective.

29       (3) Within seven days after the rule is adopted, any person may  
30 petition the governor requesting the immediate repeal of a rule adopted  
31 on an emergency basis by any department listed in RCW 43.17.010.  
32 Within seven days after submission of the petition, the governor shall  
33 either deny the petition in writing, stating his or her reasons for the  
34 denial, or order the immediate repeal of the rule. In ruling on the  
35 petition, the governor shall consider only whether the conditions in  
36 subsection (1) of this section were met such that adoption of the rule  
37 on an emergency basis was necessary. If the governor orders the repeal  
38 of the emergency rule, any sanction imposed based on that rule is void.

1 This subsection shall not be construed to prohibit adoption of any rule  
2 as a permanent rule.

3 (4) In adopting an emergency rule, the agency shall comply with  
4 section 4 of this act or provide a written explanation for its failure  
5 to do so.

6 **Sec. 202.** RCW 34.05.380 and 1989 c 175 s 11 are each amended to  
7 read as follows:

8 (1) Each agency shall file in the office of the code reviser a  
9 certified copy of all rules it adopts, except for rules contained in  
10 tariffs filed with or published by the Washington utilities and  
11 transportation commission. The code reviser shall place upon each rule  
12 a notation of the time and date of filing and shall keep a permanent  
13 register of filed rules open to public inspection. In filing a rule,  
14 each agency shall use the standard form prescribed for this purpose by  
15 the code reviser.

16 (2) Emergency rules adopted under RCW 34.05.350 become effective  
17 upon filing unless a later date is specified in the order of adoption.  
18 All other rules become effective upon the expiration of thirty days  
19 after the date of filing, unless a later date is required by statute or  
20 specified in the order of adoption.

21 (3) A rule may become effective immediately upon its filing with  
22 the code reviser or on any subsequent date earlier than that  
23 established by subsection (2) of this section, if the agency  
24 establishes that effective date in the adopting order and finds that:

25 (a) Such action is required by the state or federal Constitution,  
26 a statute, or court order;

27 (b) The rule only delays the effective date of another rule that is  
28 not yet effective; or

29 (c) The earlier effective date is necessary because of imminent  
30 peril to the public health, safety, or welfare.

31 The finding and a brief statement of the reasons therefor required  
32 by this subsection shall be made a part of the order adopting the rule.

33 (4) With respect to a rule made effective pursuant to subsection  
34 (3) of this section, each agency shall make reasonable efforts to make  
35 the effective date known to persons who may be affected by it.

36 (5) No rule, adopted by any of the following agencies, is effective  
37 for more than seven years after its adoption or seven years after the  
38 effective date of this section, whichever is later: Department of

1 ecology, employment security department, department of labor and  
2 industries, department of revenue, department of licensing, department  
3 of health, department of fish and wildlife, or the office of the  
4 insurance commissioner. A rule made ineffective under this subsection  
5 may be readopted according to the procedures established in this  
6 chapter.

7 NEW SECTION. Sec. 203. A new section is added to chapter 34.05  
8 RCW to read as follows:

9 The department of ecology, employment security department,  
10 department of labor and industries, department of revenue, department  
11 of licensing, department of health, department of fish and wildlife,  
12 and the office of the insurance commissioner shall review their  
13 respective rules within seven years of the effective date of this  
14 section.

15 NEW SECTION. Sec. 204. A new section is added to chapter 34.05  
16 RCW under the subchapter heading "Part III" to read as follows:

17 Each state agency shall prepare an annual fiscal year agenda for  
18 significant legislative rules under development. The agenda shall be  
19 adopted not later than June 30th. The agenda shall be made available  
20 upon request to any person and shall be published by the agency in the  
21 Washington State Register. The agenda shall also be submitted to the  
22 director of financial management and to any other state agency that may  
23 reasonably be expected to have an interest in the subject of rules that  
24 will be developed.

25 **PART III**  
26 **JUDICIAL REVIEW**

27 **Sec. 301.** RCW 34.05.570 and 1995 c 403 s 802 are each amended to  
28 read as follows:

29 (1) Generally. Except to the extent that this chapter or another  
30 statute provides otherwise:

31 (a) Except as provided in subsection (2) of this section, the  
32 burden of demonstrating the invalidity of agency action is on the party  
33 asserting invalidity;

1 (b) The validity of agency action shall be determined in accordance  
2 with the standards of review provided in this section, as applied to  
3 the agency action at the time it was taken;

4 (c) The court shall make a separate and distinct ruling on each  
5 material issue on which the court's decision is based; and

6 (d) The court shall grant relief only if it determines that a  
7 person seeking judicial relief has been substantially prejudiced by the  
8 action complained of.

9 (2) Review of rules. (a) A rule may be reviewed by petition for  
10 declaratory judgment filed pursuant to this subsection or in the  
11 context of any other review proceeding under this section. In an  
12 action challenging the validity of a rule, the agency shall be made a  
13 party to the proceeding.

14 (b) The validity of any rule may be determined upon petition for a  
15 declaratory judgment addressed to the superior court of Thurston  
16 county, when it appears that the rule, or its threatened application,  
17 interferes with or impairs or immediately threatens to interfere with  
18 or impair the legal rights or privileges of the petitioner. The burden  
19 of demonstrating the validity of any rule is on the agency. The  
20 declaratory judgment order may be entered whether or not the petitioner  
21 has first requested the agency to pass upon the validity of the rule in  
22 question.

23 (c) In a proceeding involving review of a rule, the court shall  
24 declare the rule invalid only if it finds that: The rule violates  
25 constitutional provisions; the rule exceeds the statutory authority of  
26 the agency; the rule was adopted without compliance with statutory  
27 rule-making procedures; or the rule is arbitrary and capricious.

28 (3) Review of agency orders in adjudicative proceedings. The court  
29 shall grant relief from an agency order in an adjudicative proceeding  
30 only if it determines that:

31 (a) The order, or the statute or rule on which the order is based,  
32 is in violation of constitutional provisions on its face or as applied;

33 (b) The order is outside the statutory authority or jurisdiction of  
34 the agency conferred by any provision of law;

35 (c) The agency has engaged in unlawful procedure or decision-making  
36 process, or has failed to follow a prescribed procedure;

37 (d) The agency has erroneously interpreted or applied the law;

38 (e) The order is not supported by evidence that is substantial when  
39 viewed in light of the whole record before the court, which includes



1 the agency record for judicial review, supplemented by any additional  
2 evidence received by the court under this chapter;

3 (f) The agency has not decided all issues requiring resolution by  
4 the agency;

5 (g) A motion for disqualification under RCW 34.05.425 or 34.12.050  
6 was made and was improperly denied or, if no motion was made, facts are  
7 shown to support the grant of such a motion that were not known and  
8 were not reasonably discoverable by the challenging party at the  
9 appropriate time for making such a motion;

10 (h) The order is inconsistent with a rule of the agency unless the  
11 agency explains the inconsistency by stating facts and reasons to  
12 demonstrate a rational basis for inconsistency; or

13 (i) The order is arbitrary or capricious.

14 (4) Review of other agency action.

15 (a) All agency action not reviewable under subsection (2) or (3) of  
16 this section shall be reviewed under this subsection.

17 (b) A person whose rights are violated by an agency's failure to  
18 perform a duty that is required by law to be performed may file a  
19 petition for review pursuant to RCW 34.05.514, seeking an order  
20 pursuant to this subsection requiring performance. Within twenty days  
21 after service of the petition for review, the agency shall file and  
22 serve an answer to the petition, made in the same manner as an answer  
23 to a complaint in a civil action. The court may hear evidence,  
24 pursuant to RCW 34.05.562, on material issues of fact raised by the  
25 petition and answer.

26 (c) Relief for persons aggrieved by the performance of an agency  
27 action, including the exercise of discretion, or an action under (b) of  
28 this subsection can be granted only if the court determines that the  
29 action is:

30 (i) Unconstitutional;

31 (ii) Outside the statutory authority of the agency or the authority  
32 conferred by a provision of law;

33 (iii) Arbitrary or capricious; or

34 (iv) Taken by persons who were not properly constituted as agency  
35 officials lawfully entitled to take such action.

36

#### PART IV

37

#### FEES AND EXPENSES

1        NEW SECTION.    **Sec. 401.**    A new section is added to chapter 4.84 RCW  
2 to read as follows:

3        If an agency chooses to appeal a decision of the superior court  
4 rendered under chapter 34.05 RCW, the agency shall pay the subsequent  
5 fees and other expenses incurred by the qualified party or parties that  
6 prevailed in superior court.

7        **Sec. 402.**    RCW 4.84.340 and 1995 c 403 s 902 are each amended to  
8 read as follows:

9        Unless the context clearly requires otherwise, the definitions in  
10 this section apply throughout RCW 4.84.340 through 4.84.360 and section  
11 401 of this act.

12        (1) "Agency" means any state board, commission, department,  
13 institution of higher education, or officer, authorized by law to make  
14 rules or to conduct adjudicative proceedings, except those in the  
15 legislative or judicial branches, the governor, or the attorney general  
16 except to the extent otherwise required by law.

17        (2) "Agency action" means agency action as defined by chapter 34.05  
18 RCW.

19        (3) "Fees and other expenses" includes the reasonable expenses of  
20 expert witnesses, the reasonable cost of a study, analysis, engineering  
21 report, test, or project that is found by the court to be necessary for  
22 the preparation of the party's case, and reasonable attorneys' fees.  
23 Reasonable attorneys' fees shall be based on the prevailing market  
24 rates for the kind and quality of services furnished, except that (a)  
25 no expert witness shall be compensated at a rate in excess of the  
26 highest rates of compensation for expert witnesses paid by the state of  
27 Washington, and (b) attorneys' fees shall not be awarded in excess of  
28 one hundred fifty dollars per hour unless the court determines that an  
29 increase in the cost of living or a special factor, such as the limited  
30 availability of qualified attorneys for the proceedings involved,  
31 justifies a higher fee.

32        (4) "Judicial review" means a judicial review as defined by chapter  
33 34.05 RCW.

34        (5) "Qualified party" means (a) an individual whose net worth did  
35 not exceed one million dollars at the time the initial petition for  
36 judicial review was filed or (b) a sole owner of an unincorporated  
37 business, or a partnership, corporation, association, or organization  
38 whose net worth did not exceed five million dollars at the time the

1 initial petition for judicial review was filed, except that an  
2 organization described in section 501(c)(3) of the federal internal  
3 revenue code of 1954 as exempt from taxation under section 501(a) of  
4 the code and a cooperative association as defined in section 15(a) of  
5 the agricultural marketing act (12 U.S.C. 1141J(a)), may be a party  
6 regardless of the net worth of such organization or cooperative  
7 association.

8 **PART V**

9 **REGULATORY IMPACT NOTES**

10 **Sec. 501.** RCW 43.41.110 and 1981 2nd ex.s. c 4 s 13 are each  
11 amended to read as follows:

12 The office of financial management shall:

13 (1) Provide technical assistance to the governor and the  
14 legislature in identifying needs and in planning to meet those needs  
15 through state programs and a plan for expenditures.

16 (2) Perform the comprehensive planning functions and processes  
17 necessary or advisable for state program planning and development,  
18 preparation of the budget, inter-departmental and inter-governmental  
19 coordination and cooperation, and determination of state capital  
20 improvement requirements.

21 (3) Provide assistance and coordination to state agencies and  
22 departments in their preparation of plans and programs.

23 (4) Provide general coordination and review of plans in functional  
24 areas of state government as may be necessary for receipt of federal or  
25 state funds.

26 (5) Participate with other states or subdivisions thereof in  
27 interstate planning.

28 (6) Encourage educational and research programs that further  
29 planning and provide administrative and technical services therefor.

30 (7) Carry out the provisions of RCW 43.62.010 through 43.62.050  
31 relating to the state census.

32 (8) Be the official state participant in the federal-state  
33 cooperative program for local population estimates and as such certify  
34 all city and county special censuses to be considered in the allocation  
35 of state and federal revenues.

1 (9) Be the official state center for processing and dissemination  
2 of federal decennial or quinquennial census data in cooperation with  
3 other state agencies.

4 (10) Be the official state agency certifying annexations,  
5 incorporations, or disincorporations to the United States bureau of the  
6 census.

7 (11) Review all United States bureau of the census population  
8 estimates used for federal revenue sharing purposes and provide a  
9 liaison for local governments with the United States bureau of the  
10 census in adjusting or correcting revenue sharing population estimates.

11 (12) Provide fiscal notes depicting the expected fiscal impact of  
12 proposed legislation in accordance with chapter 43.88A RCW.

13 (13) Provide regulatory impact notes depicting the expected  
14 regulatory impact of proposed legislation on businesses in accordance  
15 with sections 502 through 506 of this act.

16 (14) Be the official state agency to estimate and manage the cash  
17 flow of all public funds as provided in chapter 43.88 RCW. To this  
18 end, the office shall adopt such rules as are necessary to manage the  
19 cash flow of public funds.

20 NEW SECTION. Sec. 502. The legislature hereby recognizes the  
21 necessity of developing a uniform and coordinated procedure for  
22 determining the expected regulatory impact of bills and resolutions on  
23 businesses. The legislature also recognizes that developing the  
24 statements of regulatory impact, which shall be known as regulatory  
25 impact notes, requires the designation of a state agency to be  
26 principally responsible for the notes.

27 NEW SECTION. Sec. 503. (1) The office of financial management  
28 shall, in cooperation with appropriate legislative committees and  
29 legislative staff, establish a procedure to provide regulatory impact  
30 notes on the expected impact of bills and resolutions that increase or  
31 decrease regulations on the operation of businesses subject to the  
32 state's business and occupation taxes levied in chapter 82.04 RCW.

33 (2) A regulatory impact note shall be prepared on the basis of a  
34 sample of businesses that are regulated by the bill or resolution. The  
35 regulatory impact note shall contain an estimate of the fiscal impact  
36 to the affected businesses for the biennium in which the bill or  
37 resolution will take effect as well as a cumulative forecast of the

1 fiscal impact for the succeeding two fiscal years. If it is determined  
2 that no dollar estimate is possible, the regulatory impact note shall  
3 contain a statement to that effect.

4 (3) In establishing the regulatory impact procedure called for  
5 under this chapter, the office of financial management shall coordinate  
6 the development of regulatory impact notes with all state agencies  
7 affected.

8 NEW SECTION. **Sec. 504.** (1) After a regulatory impact note that  
9 depicts the expected regulatory impact of a bill or resolution is  
10 prepared and approved as to form, accuracy, and completeness by the  
11 office of financial management, copies shall be filed immediately with:

12 (a) The chair of the committee to which the bill or resolution was  
13 referred upon introduction in the house of origin;

14 (b) The senate committee on ways and means, or its successor; and

15 (c) The house of representatives committees on revenue and  
16 appropriations, or their successors.

17 (2) Whenever possible, the regulatory impact note shall be provided  
18 before or at the time the bill or resolution is first heard by the  
19 committee of reference in the house of origin.

20 (3) If a regulatory impact note has been prepared for a bill or  
21 resolution, a copy of the regulatory impact note shall be placed in the  
22 bill books or otherwise attached to the bill or resolution and shall  
23 remain with the bill or resolution throughout the legislative process  
24 insofar as possible.

25 NEW SECTION. **Sec. 505.** If requested by a legislator, the office  
26 of financial management shall also provide a regulatory impact note on  
27 a legislative proposal. The regulatory impact note shall be returned  
28 to the requesting legislator, and copies shall be filed with the  
29 appropriate legislative committees under section 504 of this act at the  
30 time the proposed legislation is introduced in either house.

31 NEW SECTION. **Sec. 506.** Nothing in this chapter prevents either  
32 house of the legislature from acting on a bill or resolution before it  
33 as otherwise provided by the state Constitution, by law, and by the  
34 rules and joint rules of the senate and house of representatives, nor  
35 shall the lack of a regulatory impact note as provided in this chapter

1 or an error in the accuracy of the note affect the validity of a  
2 measure otherwise duly passed by the legislature.

3 **PART VI**  
4 **MISCELLANEOUS**

5 NEW SECTION. **Sec. 601.** Part headings used in this act do not  
6 constitute any part of the law.

7 NEW SECTION. **Sec. 602.** Sections 502 through 506 of this act shall  
8 constitute a new chapter in Title 43 RCW.

--- **END** ---