
SENATE BILL 6417

State of Washington

54th Legislature

1996 Regular Session

By Senators Drew and Oke

Read first time 01/15/96. Referred to Committee on Natural Resources.

1 AN ACT Relating to defining the number of fish and wildlife
2 commission members necessary for adoption of rules; and amending RCW
3 77.04.090.

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

5 **Sec. 1.** RCW 77.04.090 and 1995 c 403 s 111 are each amended to
6 read as follows:

7 The commission shall adopt permanent rules and amendments to or
8 repeals of existing rules by approval of ~~((four))~~ a majority of the
9 members by resolution, entered and recorded in the minutes of the
10 commission: PROVIDED, That the commission may not adopt rules after
11 July 23, 1995, that are based solely on a section of law stating a
12 statute's intent or purpose, on the enabling provisions of the statute
13 establishing the agency, or on any combination of such provisions, for
14 statutory authority to adopt any rule. The commission shall adopt
15 emergency rules by approval of ~~((four))~~ a majority of the members. The
16 commission ~~((or the director))~~, when adopting emergency rules under RCW
17 77.12.150, shall adopt rules in conformance with chapter 34.05 RCW.
18 Judicial notice shall be taken of the rules filed and published as
19 provided in RCW 34.05.380 and 34.05.210.

1 A copy of an emergency rule, certified as a true copy by a member
2 of the commission, the director, or by a person authorized in writing
3 by the director to make the certification, is admissible in court as
4 prima facie evidence of the adoption and validity of the rule.

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