

2 **SB 6702** - S AMD - 157

3 By Senators Fraser, Sheldon and McCaslin

4 ADOPTED 2/12/96

5 On page 3, after line 8, insert the following:

6 "Sec. 2. RCW 34.05.610 and 1988 c 288 s 601 are each amended to
7 read as follows:

8 (1) There is hereby created a joint administrative rules review
9 committee which shall be a bipartisan committee consisting of four
10 senators and four representatives from the state legislature. The
11 senate members of the committee shall be appointed by the president of
12 the senate, and the house members of the committee shall be appointed
13 by the speaker of the house. Not more than two members from each house
14 may be from the same political party. The appointing authorities shall
15 also appoint one alternate member from each caucus of each house. All
16 appointments to the committee are subject to approval by the caucuses
17 to which the appointed members belong.

18 (2) Members and alternates shall be appointed as soon as possible
19 after the legislature convenes in regular session in an odd-numbered
20 year, and their terms shall extend until their successors are appointed
21 and qualified at the next regular session of the legislature in an odd-
22 numbered year or until such ((members)) persons no longer serve in the
23 legislature, whichever occurs first. Members and alternates may be
24 reappointed to ((a)) the committee.

25 (3) The president of the senate shall appoint the chairperson in
26 even-numbered years and the vice chairperson in odd-numbered years from
27 among committee membership. The speaker of the house shall appoint the
28 chairperson in odd-numbered years and the vice chairperson in even-
29 numbered years from among committee membership. Such appointments
30 shall be made in January of each year as soon as possible after a
31 legislative session convenes.

32 (4) The chairperson of the committee shall cause all meeting
33 notices and committee documents to be sent to the members and
34 alternates. A vacancy ((on the committee)) shall be filled by
35 appointment of a legislator from the same political party as the

1 original appointment. The appropriate appointing authority shall make
2 the appointment within thirty days of the vacancy occurring."

3 Renumber remaining sections accordingly.

4 **SB 6702** - S AMD - 157

5 By Senators Fraser, Sheldon and McCaslin

6 ADOPTED 2/12/96

7 On page 1, line 2 of the title, after "34.05.330," insert
8 "34.05.610,"

9 **SB 6702** - S AMD - 140

10 By Senators Anderson and Hale

11 SCOPE & OBJECT RAISED; RULED WITHIN S/O; ADOPTED - RC VOTE 25-24

12 On page 7, after line 19, insert the following:

13 "**Sec. 7.** RCW 34.05.660 and 1988 c 288 s 606 are each amended to
14 read as follows:

15 (1) Except as provided in subsection (2) of this section, it is the
16 express policy of the legislature that establishment of procedures for
17 review of administrative rules by the legislature and the notice of
18 objection required by RCW 34.05.630(2) and 34.05.640(2) in no way
19 serves to establish a presumption as to the legality or
20 constitutionality of a rule in any subsequent judicial proceedings
21 interpreting such rules.

22 (2) If the joint administrative rules review committee recommends
23 to the governor that an existing rule be suspended because it does not
24 conform with the intent of the legislature, the recommendation shall
25 establish a rebuttable presumption in any proceeding challenging the
26 validity of the rule that the rule is invalid. The burden of
27 demonstrating the rule's validity is then on the adopting agency."

28 **SB 6702** - S AMD - 140

29 By Senators Anderson and Hale

30 ADOPTED 2/12/96

1 On page 1, line 3 of the title, after "34.05.640," strike "and" and
2 after "34.05.655" insert ", and 34.05.660"

--- **END** ---