

1 6702 AMS ANDE S5219.1

2 **SB 6702** - S AMD - 140

3 By Senators Anderson and Hale

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

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

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

8 (1) Except as provided in subsection (2) of this section, it is the  
9 express policy of the legislature that establishment of procedures for  
10 review of administrative rules by the legislature and the notice of  
11 objection required by RCW 34.05.630(2) and 34.05.640(2) in no way  
12 serves to establish a presumption as to the legality or  
13 constitutionality of a rule in any subsequent judicial proceedings  
14 interpreting such rules.

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

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23 ADOPTED 2/12/96

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

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