
SENATE BILL 6587

State of Washington

54th Legislature

1996 Regular Session

By Senators A. Anderson, Hale, Deccio, Oke, McCaslin, Strannigan, Cantu, Zarelli, Morton, Finkbeiner, Swecker, Long, Moyer, Johnson, Hochstatter, Prince and West

Read first time 01/18/96. Referred to Committee on Government Operations.

1 AN ACT Relating to administrative rules; and amending RCW
2 34.05.660.

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

4 **Sec. 1.** RCW 34.05.660 and 1988 c 288 s 606 are each amended to
5 read as follows:

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

13 (2) If the joint administrative rules review committee recommends
14 to the governor that an existing rule be suspended because it does not
15 conform with the intent of the legislature, the recommendation shall
16 establish a rebuttable presumption in any proceeding challenging the

1 validity of the rule that the rule is invalid. The burden of
2 demonstrating the rule's validity is then on the adopting agency.

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