

**RCW 77.04.090 Rule-making authority—Certified copy as evidence.**

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

A copy of an emergency rule, certified as a true copy by a member of the commission, the director, or by a person authorized in writing by the director to make the certification, is admissible in court as prima facie evidence of the adoption and validity of the rule. [1996 c 267 s 35; 1995 c 403 s 111; 1984 c 240 s 1; 1980 c 78 s 16; 1955 c 36 s 77.12.050. Prior: 1947 c 275 s 15; Rem. Supp. 1947 s 5992-25. Formerly RCW 77.12.050.]

**Intent—Effective date—1996 c 267:** See notes following RCW 77.12.177.

**Findings—Short title—Intent—1995 c 403:** See note following RCW 34.05.328.

**Effective date—Intent, construction—Savings—Severability—1980 c 78:** See notes following RCW 77.04.010.