RCW 34.05.640 Committee objections to agency intended action—
Statement in register and WAC—Suspension of rule. (1) Within seven
days of an agency hearing held after notification of the agency by the
rules review committee pursuant to RCW 34.05.620 or 34.05.630, the
affected agency shall notify the committee of its intended action on a
proposed or existing rule to which the committee objected or on a
committee finding of the agency's failure to adopt rules.

(2) If the rules review committee finds by a majority vote of its
members: (a) That the proposed or existing rule in question will not
be modified, amended, withdrawn, or repealed by the agency so as to
conform with the intent of the legislature, (b) that an existing rule
was not adopted in accordance with all applicable provisions of law,
or (c) that the agency will not replace the policy or interpretive
statement, guideline, or document that is of general applicability, or
its equivalent, with a rule, the rules review committee may, within
thirty days from notification by the agency of its intended action,
file with the code reviser notice of its objections together with a
concise statement of the reasons therefor. Such notice and statement
shall also be provided to the agency by the rules review committee.

(3)(a) If the rules review committee makes an adverse finding
regarding an existing rule under subsection (2)(a) or (b) of this
section, the committee may, by a majority vote of its members,
recommend suspension of the rule. Within seven days of such vote the
committee shall transmit to the appropriate standing committees of the
legislature, the governor, the code reviser, and the agency written
notice of its objection and recommended suspension and the concise
reasons therefor. Within thirty days of receipt of the notice, the
governor shall transmit to the committee, the code reviser, and the
agency written approval or disapproval of the recommended suspension.
If the suspension is approved by the governor, it is effective from
the date of that approval and continues until ninety days after the
expiration of the next regular legislative session.

(b) If the rules review committee makes an adverse finding
regarding a policy or interpretive statement, guideline, or document
that is of general applicability, or its equivalent, under subsection
(2)(c) of this section, the committee may, by a majority vote of its
members, advise the governor of its finding.

(4) The code reviser shall publish transmittals from the rules
review committee or the governor issued pursuant to subsection (2) or
(3) of this section in the Washington state register and shall publish
in the next supplement and compilation of the Washington
Administrative Code a reference to the committee's objection or
recommended suspension and the governor's action on it and to the
issue of the Washington state register in which the full text thereof
appears.

(5) The reference shall be removed from a rule published in the
Washington Administrative Code if a subsequent adjudicatory proceeding
determines that the rule is within the intent of the legislature or
was adopted in accordance with all applicable laws, whichever was the
objection of the rules review committee. [1998 c 21 § 2; 1996 c 318 §
5; 1994 c 249 § 19; 1993 c 277 § 2; 1988 c 288 § 604; 1987 c 451 § 3;
1981 c 324 § 8. Formerly RCW 34.04.240.]

Severability—Application—1994 c 249: See notes following RCW
34.05.310.
**Legislative affirmation—Severability—1981 c 324**: See notes following RCW 34.05.010.