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SENATE BILL 5617

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State of Washington

65th Legislature

2017 Regular Session

By Senator Fortunato

1 AN ACT Relating to limiting the enforcement of policies of the  
2 department of ecology; amending RCW 43.21A.080; providing an  
3 effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 43.21A.080 and 1995 c 403 s 103 are each amended to  
6 read as follows:

7 The director of the department of ecology is authorized to adopt  
8 such rules and regulations as are necessary and appropriate to carry  
9 out the provisions of this chapter(~~(: PROVIDED, That)~~). However, the  
10 director may not adopt rules after July 23, 1995, that are based  
11 solely on a section of law stating a statute's intent or purpose, on  
12 the enabling provisions of the statute establishing the agency, or on  
13 any combination of such provisions, for statutory authority to adopt  
14 the rule. Further, after July 1, 2017, no policy of the department  
15 may be enforced unless and until it has been adopted pursuant to  
16 chapter 34.05 RCW, codified in the Washington Administrative Code,  
17 and ratified by act of the legislature.

18 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
19 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes  
2 effect July 1, 2017.

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