

2805

Sponsor(s): Representatives McMorris, Brough, L. Thomas, B. Thomas, Reams, Sheahan, Stevens, Fuhrman, Edmondson, Chandler, Cooke, Talcott, Wood, Schoesler, Van Luven, Horn, Silver, Long, Sehlin and Mielke

Brief Description: Strengthening rules review procedures.

HB 2805 - DIGEST

Authorizes the rules review committee to determine whether a rule exceeds federal law without specific state legislative authority to do so.

Requires agencies to consider a denial by the governor of a recommendation to suspend a rule as a petition for rule making under RCW 34.05.330.

Requires an agency which denies a petition for rulemaking to state the basis for finding the rule to be within the scope of the agency's statutory authority.

Authorizes the rules review committee, by a majority vote, to create a rebuttable presumption that a rule was adopted without proper legal authority.

Authorizes a party which prevails in challenging a rule to receive attorneys' fees and costs not to exceed ten thousand dollars.