

1157

Sponsor(s): Representatives Dunn, Buck, Thompson, D. Schmidt, Boldt and Delvin

Brief Title: Modifying environmental appeals.

HB 1157 - DIGEST

Requires the department to furnish the hearings board and the party appealing the department's decision a copy of all evidence relied upon by the department in making its decision.

Directs the department to only submit evidence to the hearings board which supports the findings set forth in the department's decision being appealed.

Provides that, if the department relied upon the observations of individuals in making its decision, those individuals must be identified and made available for examination and cross-examination before the hearings board.

Declares that the department has the burden of proof in all proceedings before the hearings board that its decision is justified, including the burden of moving forward with the evidence.

Provides that judicial review of a decision of the hearings board in superior court shall be de novo with the burden of proof placed on the department.