

HOUSE BILL REPORT

HB 1290

As Passed House
February 8, 1993

Title: An act relating to appeals of orders of an air pollution control authority.

Brief Description: Correcting a double amendment relating to appeals of orders of an air pollution control authority.

Sponsors: Representatives Rust, Horn and Linville.

Brief History:

Reported by House Committee on:
Environmental Affairs, January 25, 1993, DP;
Passed House, February 8, 1993, 91-0.

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

Majority Report: Do pass. Signed by 12 members:
Representatives Rust, Chair; J. Kohl, Vice Chair; Horn,
Ranking Minority Member; Van Luven, Assistant Ranking
Minority Member; Bray; Edmondson; Hansen; Holm; L. Johnson;
Linville; Roland; and Sheahan.

Staff: Harry Reinert (786-7110).

Background: In 1970, the Legislature enacted two bills which amended the same section of law dealing with appeals of air pollution control authority orders. One bill required appeals to be made to the superior court within 30 days after the order is issued by the authority. The other bill required appeals to be made to the Pollution Control Hearings Board within 30 days after the order was issued.

To further complicate matters, another section of law states that orders of an air pollution control authority are final unless appealed to the Pollution Control Hearings Board. In addition, the relevant provisions of the Pollution Control Hearings Board statutes require appeals from an air pollution control authority order to be filed with the Hearings Board within 30 days after the order is issued.

The Law Revision Commission, which is directed by the Legislature to review state statutes for defects, has recommended that the section of law amended twice in 1969 be repealed. This will have the effect of requiring appeals of

air pollution control authority orders to be filed with the Pollution Control Hearings Board within 30 days after the order is issued.

Summary of Bill: RCW 70.94.222, which was amended twice in the 1970 session of the Legislature, is repealed.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Witnesses: None.