

6068-S

Sponsor(s): Senate Committee on Ecology & Parks (originally sponsored by Senators Fraser, Deccio, Spanel and Oke)

Brief Description: Revising procedures for appeals involving boards within the environmental hearings office.

SB 6068-S.E - DIGEST

(DIGEST AS ENACTED)

Authorizes an appeal involving a single family residence or appurtenance to a single family residence to be heard by a panel of three members of the shorelines hearing board.

Encourages alternative processes to expedite appeals.

Authorizes appeals that involve a penalty of five thousand dollars or less to be heard by one member of the pollution control hearings board.

Directs the office of the administrator of the courts to conduct a study to expedite appeals from administrative hearings with a report to the legislature by September 1, 1994.

VETO MESSAGE ON SB 6068-S

April 1, 1994

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 11, Engrossed Substitute Senate Bill No. 6068 entitled:

"AN ACT Relating to appeals involving boards within the Environmental Hearings Office;"

This is a thoughtful piece of legislation helping to reduce the time it takes for the Environmental Hearings Office and its constituent boards to resolve environmental disputes consistent with maintaining the quality of the state's environment. It is a part of larger efforts at regulatory reform designed to maintain the state's environmental quality and high standards while simplifying the regulatory and dispute resolution process.

Section 11 directs the Environmental Hearings Office to review and make recommendations as to whether the Pollution Control Hearings Board, the Growth Planning Hearings Boards, the Shorelines Hearings Boards, the Hydraulic Appeals Board, and the Forest Practices Appeals Board should be consolidated into a single board with jurisdiction over land use and environmental decisions.

While I am always interested in efforts to increase governmental efficiency, I do not agree with the provision as drafted. It is not clear why a study to consolidate state environmental boards should be conducted by the office managing some of the functions to be consolidated. Any such review should be undertaken independently if it is to achieve the desired results. It is also not clear to me that consolidation of these boards, of itself, would reduce any backlogs or delays which are a function of workload and resources.

The Regulatory Reform Task Force is currently reviewing the relationship between the State Environmental Policy Act, the Growth Management Act, the Shoreline Management Act, and other statutes. The goal of its efforts is to provide recommendations for ways to integrate land use and environmental review statutes so that they will continue to protect the state's environment and quality of life while simplifying and unifying regulations. I believe that it is better to allow this task force to complete its review and to make recommendations before approving an additional study of this topic.

For these reasons, I have vetoed section 11 of Engrossed Substitute Senate Bill No. 6068.

With the exception of section 11, Engrossed Substitute Senate Bill No. 6068 is approved.

Respectfully submitted,
Mike Lowry
Governor