

2 **SHB 1080 - H AMD 072 ADOPTED 3/7/95**

3 By Representative Schoesler

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5 On page 2, after line 12, insert the following:

6 "Sec. 2. RCW 70.94.141 and 1991 c 199 s 706 are each amended to  
7 read as follows:

8 The board of any activated authority in addition to any other  
9 powers vested in them by law, shall have power to:

10 (1) Adopt, amend, and repeal its own rules and regulations,  
11 implementing this chapter and consistent with, and with regard to  
12 agricultural burning no more stringent than it, after consideration at  
13 a public hearing held in accordance with chapter 42.30 RCW. Rules and  
14 regulations shall also be adopted in accordance with the notice and  
15 adoption procedures set forth in RCW 34.05.320, those provisions of RCW  
16 34.05.325 that are not in conflict with chapter 42.30 RCW, and with the  
17 procedures of RCW 34.05.340, 34.05.355 through 34.05.380, and with  
18 chapter 34.08 RCW, except that rules shall not be published in the  
19 Washington Administrative Code. Judicial review of rules adopted by an  
20 authority shall be in accordance with Part V of chapter 34.05 RCW. An  
21 air pollution control authority shall not be deemed to be a state  
22 agency.

23 (2) Hold hearings relating to any aspect of or matter in the  
24 administration of this chapter not prohibited by the provisions of  
25 chapter 62, Laws of 1970 ex. sess. and in connection therewith issue  
26 subpoenas to compel the attendance of witnesses and the production of  
27 evidence, administer oaths, and take the testimony of any person under  
28 oath.

29 (3) Issue such orders as may be necessary to effectuate the  
30 purposes of this chapter and enforce the same by all appropriate  
31 administrative and judicial proceedings subject to the rights of appeal  
32 as provided in chapter 62, Laws of 1970 ex. sess.

33 (4) Require access to records, books, files, and other information  
34 specific to the control, recovery, or release of air contaminants into  
35 the atmosphere.

36 (5) Secure necessary scientific, technical, administrative, and

1 operational services, including laboratory facilities, by contract or  
2 otherwise.

3 (6) Prepare and develop a comprehensive plan or plans for the  
4 prevention, abatement, and control of air pollution within its  
5 jurisdiction.

6 (7) Encourage voluntary cooperation by persons or affected groups  
7 to achieve the purposes of this chapter.

8 (8) Encourage and conduct studies, investigation, and research  
9 relating to air pollution and its causes, effects, prevention,  
10 abatement, and control.

11 (9) Collect and disseminate information and conduct educational and  
12 training programs relating to air pollution.

13 (10) Advise, consult, cooperate, and contract with agencies and  
14 departments and the educational institutions of the state, other  
15 political subdivisions, industries, other states, interstate or  
16 interlocal agencies, and the United States government, and with  
17 interested persons or groups.

18 (11) Consult, upon request, with any person proposing to construct,  
19 install, or otherwise acquire an air contaminant source or device or  
20 system for the control thereof, concerning the efficacy of such device  
21 or system, or the air pollution problems which may be related to the  
22 source, device, or system. Nothing in any such consultation shall be  
23 construed to relieve any person from compliance with this chapter,  
24 ordinances, resolutions, rules, and regulations in force pursuant  
25 thereto, or any other provision of law.

26 (12) Accept, receive, disburse, and administer grants or other  
27 funds or gifts from any source, including public and private agencies  
28 and the United States government for the purpose of carrying out any of  
29 the functions of this chapter."

30 Renumber the remaining sections consecutively and correct internal  
31 references accordingly.

32 **SHB 1080** - H AMD  
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35 On page 1, line 2 of the title, after "RCW 70.94.745" insert "and

1 70.94.141"

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