

HOUSE BILL REPORT

HB 2622

As Reported By House Committee On:

Government Reform & Land Use

Title: An act relating to senate confirmation of growth management hearings board members.

Brief Description: Confirming growth management hearings board members.

Sponsors: Representatives Kessler, Doumit, Lantz and Hatfield.

Brief History:

Committee Activity:

Government Reform & Land Use: 1/28/98, 1/29/98 [DPS].

HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Bush; Mielke; Mulliken and Thompson.

Minority Report: Do not pass. Signed by 4 members: Representatives Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Fisher and Gardner.

Staff: Caroleen Dineen (786-7156).

Background: In 1991, three Growth Management Hearings Boards were created to hear and determine petitions involving compliance issues related to the implementation of the Growth Management Act. Each board's jurisdiction is limited to hearing only petitions concerning matters within its geographical boundaries.

Each board is composed of three members. Each member is to be appointed by the Governor for a 6-year term, with the terms of the initial board members staggered to expire during the period 1994 to 1998. Any vacancy on a board is filled by gubernatorial appointment for the remaining unexpired term.

Summary of Substitute Bill: Each board member appointed by the Governor, either to serve a full term or to fill a vacancy, must be confirmed by the Senate. No board member appointed after July 1, 1998, may begin to serve until the Senate confirmation

process is complete. Board members appointed on or before July 1, 1998, must be confirmed by the Senate by July 1, 1999, in order to continue to serve on the board after that date.

Substitute Bill Compared to Original Bill: The Senate must confirm all members appointed after July 1, 1998, before the member may begin to serve on the board. A board member appointed before July 1, 1998, may not continue to serve unless the Senate confirms his or her appointment by July 1, 1999.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Board members act as judges and make very significant decisions that affect a lot of lives. The Senate usually confirms appointees who are given a lot of authority. The confirmation hearing provides the public an opportunity to ask questions and is an additional process that may be in the best interests of the state. The Board is too important not to include public scrutiny in the appointment process, even though the Senate already has a lot to do.

Changes may be needed to make Senate confirmation mandatory and to require current Board members to be confirmed.

Testimony Against: The current appointment system works well. The additional burden on the Senate is not warranted. Changes proposed do not add anything to a difficult and controversial statute. Other options should be considered.

Testified: Representative Lynn Kessler, prime sponsor; Mike McCormick, Washington State Chapter of American Planning Association (con); Scott Hazelgrove, Association of Washington Business (pro); and Shavanna Schilling, Washington State Grange (pro).