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**SUBSTITUTE HOUSE BILL 1314**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Law & Justice (originally sponsored by Representatives Bush, Cooper, Carrell, Wood, Smith, Lambert, McDonald, Benson, Mielke, Cole, Talcott, Romero, Mastin, Scott, Sheahan, Lantz, L. Thomas, D. Schmidt, Cooke, Sherstad, Wensman and Dunn)

Read first time 02/13/97.

1 AN ACT Relating to computing the time within which an act is to be  
2 done; and amending RCW 1.12.040 and 43.21B.230.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 1.12.040 and 1887 c 20 s 1 are each amended to read as  
5 follows:

6 The time within which an act is to be done, as herein provided,  
7 shall be computed by excluding the first day, and including the last,  
8 unless the last day is a holiday, Saturday, or Sunday, and then it is  
9 also excluded.

10 **Sec. 2.** RCW 43.21B.230 and 1994 c 253 s 8 are each amended to read  
11 as follows:

12 Any person having received notice of a denial of a petition, a  
13 notice of determination, notice of or an order made by the department  
14 may appeal to the hearings board, within thirty days from the date  
15 ~~((of))~~ the notice of such denial, order, or determination ~~((to the~~  
16 ~~hearings board))~~ is posted in the United States mail, properly  
17 addressed, postage prepaid, to the appealing party. The appeal shall  
18 be perfected by serving a copy of the notice of appeal upon the

1 department or air pollution authority established pursuant to chapter  
2 70.94 RCW, as the case may be, within the time specified herein and by  
3 filing the original thereof with proof of service with the clerk of the  
4 hearings board.

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