
HOUSE BILL 2955

State of Washington

56th Legislature

2000 Regular Session

By Representatives Schoesler, G. Chandler, B. Chandler, Clements,
Pennington and Lisk

Read first time 01/25/2000. Referred to Committee on Agriculture &
Ecology.

1 AN ACT Relating to air pollution control authority's rule-making
2 authority; and amending RCW 70.94.141.

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

4 **Sec. 1.** RCW 70.94.141 and 1991 c 199 s 706 are each amended to
5 read as follows:

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

8 (1) Adopt, amend and repeal its own rules (~~and regulations~~),
9 implementing this chapter and consistent with it, after consideration
10 at a public hearing held in accordance with chapter 42.30 RCW and after
11 approval by resolution of the county legislative authority in each
12 county within the jurisdiction of an authority. Rules (~~and~~
13 ~~regulations~~) shall also be adopted in accordance with the notice and
14 adoption procedures set forth in RCW 34.05.320, those provisions of RCW
15 34.05.325 that are not in conflict with chapter 42.30 RCW, and with the
16 procedures of RCW 34.05.340, (~~(34.05.355)~~) 34.05.360 through 34.05.380,
17 and with chapter 34.08 RCW, except that rules shall not be published in
18 the Washington Administrative Code. Judicial review of rules adopted
19 by an authority shall be in accordance with Part V of chapter 34.05

1 RCW. An air pollution control authority shall not be deemed to be a
2 state agency.

3 (2) Hold hearings relating to any aspect of or matter in the
4 administration of this chapter not prohibited by the provisions of
5 chapter 62, Laws of 1970 ex. sess. and in connection therewith issue
6 subpoenas to compel the attendance of witnesses and the production of
7 evidence, administer oaths and take the testimony of any person under
8 oath.

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

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

16 (5) Secure necessary scientific, technical, administrative and
17 operational services, including laboratory facilities, by contract or
18 otherwise.

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

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

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

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

29 (10) Advise, consult, cooperate and contract with agencies and
30 departments and the educational institutions of the state, other
31 political subdivisions, industries, other states, interstate or
32 interlocal agencies, and the United States government, and with
33 interested persons or groups.

34 (11) Consult, upon request, with any person proposing to construct,
35 install, or otherwise acquire an air contaminant source or device or
36 system for the control thereof, concerning the efficacy of such device
37 or system, or the air pollution problems which may be related to the
38 source, device or system. Nothing in any such consultation shall be
39 construed to relieve any person from compliance with this chapter,

1 ordinances, resolutions, and rules ((~~and regulations~~)) in force
2 pursuant thereto, or any other provision of law.

3 (12) Accept, receive, disburse and administer grants or other funds
4 or gifts from any source, including public and private agencies and the
5 United States government for the purpose of carrying out any of the
6 functions of this chapter.

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