
ENGROSSED SUBSTITUTE SENATE BILL 6802

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Water, Energy & Environment (originally sponsored by Senator Brown)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to the board of directors of single county air
2 pollution control authorities; and amending RCW 70.94.100 and
3 70.94.110.

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

5 **Sec. 1.** RCW 70.94.100 and 1991 c 199 s 704 are each amended to
6 read as follows:

7 (1) The governing body of each authority shall be known as the
8 board of directors.

9 (2)(a) In the case of an authority comprised of one county, with a
10 population of less than four hundred thousand people, the board shall
11 be comprised of two appointees of the city selection committee, at
12 least one of whom shall represent the city having the most population
13 in the county, and two representatives to be designated by the board of
14 county commissioners.

15 (b) In the case of an authority comprised of one county, with a
16 population of equal to or greater than four hundred thousand people,
17 the board shall be comprised of three appointees of cities, one each
18 from the two cities with the most population in the county and one

1 appointee of the city selection committee representing the other
2 cities, and one representative to be designated by the board of county
3 commissioners.

4 (c) In the case of an authority comprised of two, three, four, or
5 five counties, the board shall be comprised of one appointee from each
6 county, who shall represent the city having the most population in such
7 county, to be designated by the mayor and city council of such city,
8 and one representative from each county to be designated by the board
9 of county commissioners of each county making up the authority.

10 (d) In the case of an authority comprised of six or more counties,
11 the board shall be comprised of one representative from each county to
12 be designated by the board of county commissioners of each county
13 making up the authority, and three appointees, one each from the three
14 largest cities within the local authority's jurisdiction to be
15 appointed by the mayor and city council of such city.

16 (3) If the board of an authority otherwise would consist of an even
17 number, the members selected as above provided shall agree upon and
18 elect an additional member who shall be:

19 (a) In the case of an authority comprised of one county with a
20 population of equal to or greater than four hundred thousand people, a
21 citizen residing in the county who demonstrates significant
22 professional experience in the field of public health, air quality
23 protection, or meteorology; or

24 (b) In the case of an authority comprised of one county, with a
25 population less than four hundred thousand people, or of more than one
26 county, either a member of the governing body of one of the towns,
27 cities or counties comprising the authority, or a private citizen
28 residing in the authority.

29 (4) The terms of office of board members shall be four years.

30 (5) Wherever a member of a board has a potential conflict of
31 interest in an action before the board, the member shall declare to the
32 board the nature of the potential conflict prior to participating in
33 the action review. The board shall, if the potential conflict of
34 interest, in the judgment of a majority of the board, may prevent the
35 member from a fair and objective review of the case, remove the member
36 from participation in the action.

1 **Sec. 2.** RCW 70.94.110 and 1967 c 238 s 22 are each amended to read
2 as follows:

3 There shall be a separate and distinct city selection committee for
4 each county making up an authority. The membership of such committee
5 shall consist of the mayor of each incorporated city and town within
6 such county, except that the mayors of the cities, with the most
7 population in a county, having already designated appointees to the
8 board of an air pollution control authority comprised of a single
9 county shall not be members of the committee. A majority of the
10 members of each city selection committee shall constitute a quorum.

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