
SUBSTITUTE SENATE BILL 5133

State of Washington

63rd Legislature

2013 Regular Session

By Senate Governmental Operations (originally sponsored by Senator Honeyford)

READ FIRST TIME 02/12/13.

1 AN ACT Relating to ensuring growth management hearings board
2 members meet qualifications relating to land use experience; and
3 amending RCW 36.70A.250 and 36.70A.260.

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

5 **Sec. 1.** RCW 36.70A.250 and 2010 c 211 s 4 are each amended to read
6 as follows:

7 (1) A growth management hearings board for the state of Washington
8 is created. The board shall consist of seven members qualified by
9 experience or training in matters pertaining to land use law or land
10 use planning and who have experience in the practical application of
11 those matters. All seven board members shall be appointed by the
12 governor, two each residing respectively in the central Puget Sound,
13 eastern Washington, and western Washington regions, plus one board
14 member residing within the state of Washington. At least three members
15 of the board shall be admitted to practice law in this state and be
16 engaged in the legal profession with a focus on land use at the time of
17 his or her appointment, one each residing respectively in the central
18 Puget Sound, eastern Washington, and western Washington regions. At
19 least three members of the board shall have been ((a city or county))

1 an elected official or have been engaged in land use planning or land
2 use law and who have experience in the practical application of those
3 matters, one each residing respectively in the central Puget Sound,
4 eastern Washington, and western Washington regions. After expiration
5 of the terms of board members on the previously existing three growth
6 management hearings boards, no more than four members of the seven-
7 member board may be members of the same major political party. No more
8 than two members at the time of their appointment or during their term
9 may reside in the same county.

10 (2) Each member of the board shall be appointed for a term of six
11 years. A vacancy shall be filled by appointment by the governor for
12 the unexpired portion of the term in which the vacancy occurs. Members
13 of the previously existing three growth management hearings boards
14 appointed before July 1, 2010, shall complete their staggered, six-year
15 terms as members of the growth management hearings board created under
16 subsection (1) of this section. The reduction from nine board members
17 on the previously existing three growth management hearings boards to
18 seven total members on the growth management hearings board shall be
19 made through attrition, voluntary resignation, or retirement.

20 **Sec. 2.** RCW 36.70A.260 and 2010 c 211 s 5 are each amended to read
21 as follows:

22 (1) Each petition for review that is filed with the growth
23 management hearings board shall be heard and decided by a regional
24 panel of growth management hearings board members. Regional panels
25 shall be constituted as follows:

26 (a) Central Puget Sound region. A three-member central Puget Sound
27 panel shall be selected to hear matters pertaining to cities and
28 counties located within the region comprised of King, Pierce,
29 Snohomish, and Kitsap counties.

30 (b) Eastern Washington region. A three-member eastern Washington
31 panel shall be selected to hear matters pertaining to cities and
32 counties that are required or choose to plan under RCW 36.70A.040 and
33 are located east of the crest of the Cascade mountains.

34 (c) Western Washington region. A three-member western Washington
35 panel shall be selected to hear matters pertaining to cities and
36 counties that are required or choose to plan under RCW 36.70A.040, are
37 located west of the crest of the Cascade mountains, and are not

1 included in the central Puget Sound region. Skamania county, if it is
2 required or chooses to plan under RCW 36.70A.040, may elect to be
3 included within either the western Washington region or the eastern
4 Washington region.

5 (2)(a) Each regional panel selected to hear and decide cases shall
6 consist of three board members, at least a majority of whom shall
7 reside within the region in which the case arose, unless such members
8 cannot sit on a particular case because of recusal or disqualification,
9 or unless the board administrative officer determines that there is an
10 emergency including, but not limited to, the unavailability of a board
11 member due to illness, absence, vacancy, or significant workload
12 imbalance. The presiding officer of each case shall reside within the
13 region in which the case arose, unless the board administrative officer
14 determines that there is an emergency.

15 (b) Except as provided otherwise in this subsection (2)(b), each
16 regional panel must: (i) Include one member admitted to practice law
17 in this state; (ii) include one member who has been (~~a city or~~
18 ~~county~~) an elected official or was engaged in land use planning or
19 land use law; and (iii) reflect the political composition of the board.
20 The requirements of this subsection (2)(b) may be waived by the board
21 administrative officer due to member unavailability, significant
22 workload imbalances, or other reasons.

--- END ---