
HOUSE BILL 1869

State of Washington

56th Legislature

1999 Regular Session

By Representatives Carrell and Constantine; by request of Environmental Hearings Office

Read first time 02/09/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to administrative appeals judges in the
2 environmental hearings office; and amending RCW 43.21B.005.

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

4 **Sec. 1.** RCW 43.21B.005 and 1990 c 65 s 1 are each amended to read
5 as follows:

6 (1) There is created an environmental hearings office of the state
7 of Washington. The environmental hearings office shall consist of the
8 pollution control hearings board created in RCW 43.21B.010, the forest
9 practices appeals board created in RCW 76.09.210, the shorelines
10 hearings board created in RCW 90.58.170, and the hydraulic appeals
11 board created in RCW 75.20.130. The chairman of the pollution control
12 hearings board shall be the chief executive officer of the
13 environmental hearings office. Membership, powers, functions, and
14 duties of the pollution control hearings board, the forest practices
15 appeals board, the shorelines hearings board, and the hydraulic appeals
16 board shall be as provided by law.

17 (2) The chief executive officer of the environmental hearings
18 office may appoint an administrative appeals judge who shall possess
19 the powers and duties conferred by the administrative procedure act,

1 chapter 34.05 RCW, in cases before the boards comprising the office.
2 The administrative appeals judge shall have a demonstrated knowledge of
3 environmental law, and shall be admitted to the practice of law in the
4 state of Washington. Additional administrative appeals judges may also
5 be appointed by the chief executive officer on the same terms.
6 Administrative appeals judges shall not be subject to chapter 41.06
7 RCW.

8 (3) The administrative appeals judges appointed under subsection
9 (2) of this section are subject to discipline and termination, for
10 cause, by the chief executive officer. Upon written request by the
11 person so disciplined or terminated, the chief executive officer shall
12 state the reasons for such action in writing. The person affected has
13 a right of review by the superior court of Thurston county on petition
14 for reinstatement or other remedy filed within thirty days of receipt
15 of such written reasons.

16 (4) The chief executive officer may appoint, discharge, and fix the
17 compensation of such administrative or clerical staff as may be
18 necessary.

19 (5) The chief executive officer may also contract for required
20 services.

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