

SENATE BILL REPORT

HB 1290

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, APRIL 2, 1993

Brief Description: Correcting a double amendment relating to appeals of orders of an air pollution control authority.

SPONSORS: Representatives Rust, Horn and Linville

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass.

Signed by Senators Fraser, Chairman; Barr, Deccio, McCaslin, Moore, Sutherland, and Talmadge.

Staff: Gary Wilburn (786-7453)

Hearing Dates: March 31, 1993; April 2, 1993

BACKGROUND:

In 1970, the Legislature enacted two bills which amended the same section of law dealing with appeals of air pollution control authority orders. One bill required appeals to be made to the superior court within 30 days after the order is issued by the authority. The other bill required appeals to be made to the Pollution Control Hearings Board within 30 days after the order was issued.

To further complicate matters, another section of law states that orders of an air pollution control authority are final unless appealed to the Pollution Control Hearings Board. In addition, the relevant provisions of the Pollution Control Hearings Board statutes require appeals from an air pollution control authority order to be filed with the Hearings Board within 30 days after the order is issued.

The Law Revision Commission, which is directed by the Legislature to review state statutes for defects, has recommended that the section of law amended twice in 1970 be repealed. This will have the effect of requiring appeals of air pollution control authority orders to be filed with the Pollution Control Hearings Board within 30 days after the order is issued.

SUMMARY:

RCW 70.94.222, which was amended twice in the 1970 session of the Legislature, is repealed.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR: None

TESTIMONY AGAINST: None

TESTIFIED: No one