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SENATE BILL 6165

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State of Washington

61st Legislature

2009 Regular Session

By Senators Ranker, Rockefeller, Tom, and Jarrett

1 AN ACT Relating to allowing greater use of short boards for appeals  
2 before the shorelines hearings board; and amending RCW 90.58.185.

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

4 **Sec. 1.** RCW 90.58.185 and 2005 c 34 s 1 are each amended to read  
5 as follows:

6 (1) In the case of an appeal involving a single-family residence or  
7 appurtenance to a single-family residence, including a dock or pier  
8 designed to serve a single-family residence, (~~or of~~) appeals  
9 involving a penalty of fifteen thousand dollars or less, or other  
10 cases designated by the chair of the hearings board, the request for  
11 review may be heard by a panel of three board members, at least one and  
12 not more than two of whom shall be members of the pollution control  
13 hearings board. Two members of the three must agree to issue a final  
14 decision of the board. In designating appeals for review by panels of  
15 three hearings board members, the chair shall consider factors such as  
16 the complexity and precedential nature of the case and the efficiency  
17 and cost-effectiveness of using a short board versus a full board.

18 (2) The board shall define by rule alternative processes to  
19 expedite appeals, including those involving a single-family residence

1 or appurtenance to a single-family residence, including a dock or pier  
2 designed to serve a single-family residence, or involving a penalty of  
3 fifteen thousand dollars or less. These alternatives may include:  
4 Mediation, upon agreement of all parties; submission of testimony by  
5 affidavit; or other forms that may lead to less formal and faster  
6 resolution of appeals.

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