

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6802**

Chapter 227, Laws of 2006

59th Legislature  
2006 Regular Session

AIR POLLUTION CONTROL--SINGLE COUNTY AUTHORITIES

EFFECTIVE DATE: 6/7/06

Passed by the Senate February 13, 2006  
YEAS 36 NAYS 5

BRAD OWEN

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**President of the Senate**

Passed by the House March 1, 2006  
YEAS 98 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6802** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

Approved March 27, 2006.

FILED

March 27, 2006 - 10:09 a.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 6802**

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Passed Legislature - 2006 Regular Session

**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.

Passed by the Senate February 13, 2006.

Passed by the House March 1, 2006.

Approved by the Governor March 27, 2006.

Filed in Office of Secretary of State March 27, 2006.