
Environment & Energy Committee

ESSB 6574

Brief Description: Clarifying the respective administrative powers, duties, and responsibilities of the growth management hearings board and the environmental land use and hearings office.

Sponsors: Senate Committee on Local Government (originally sponsored by Senators Takko and Short; by request of Office of the Governor).

Brief Summary of Engrossed Substitute Bill

- Changes the size of the Growth Management Hearings Board (GMHB) from seven members to five.
- Modifies the duties of the Chair of the GMHB and of the Director of the Environmental Land Use Hearings Office.

Hearing Date: 2/24/20

Staff: Robert Hatfield (786-7117).

Background:

Environmental and Land Use Hearings Office.

The Environmental and Land Use Hearings Office (ELUHO) is the administrative agency that administers the Growth Management Hearings Board (GMHB), the Pollution Control Hearings Board, and the Shoreline Hearings Board.

Growth Management Hearings Board.

The GMHB was created pursuant to the Growth Management Act (GMA) and has the authority to hear petitions alleging noncompliance with the requirements of the GMA. The GMHB consists of seven members qualified by experience or training in matters pertaining to land-use law or land-use planning and who have practical experience in those areas. All GMHB members are appointed by the Governor. Members are appointed for six-year terms. Decisions of the GMHB may be appealed to Superior Court.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

Growth Management Hearings Board.

The size of the Growth Management Hearings Board (GMHB) is changed from seven members to five. Three members, all of whom must be admitted to practice law in Washington, are appointed by the Governor, one from the central Puget Sound region, one from eastern Washington, and one from western Washington. At least two members of the GMHB shall have been a city or county elected official, one each residing in eastern Washington and western Washington. No more than three members of the GMHB may be members of the same political party. GMHB members operate on a full-time basis, receive an annual salary to be determined by the Governor, receive reimbursement for travel expenses incurred in the discharge of their GMHB duties, and are considered employees of the state of Washington.

The principal office of the GMHB must be located in Thurston County, but the GMHB may hold hearings at any other place in the state.

The GMHB must annually elect one of its members to be the chair. The duties of the chair include developing GMHB procedures and managing GMHB meetings.

Environmental and Land Use Hearings Office.

The Governor must appoint a Director of the Environmental and Land Use Hearings Office (ELUHO). The Director of the ELUHO may appoint administrative law judges in cases before the Shoreline Hearings Board, the Pollution Control Hearings Board, and the GMHB. The ELUHO is responsible for all administrative functions pertaining to the GMHB except for developing GMHB procedures and managing GMHB meetings. The ELUHO is responsible for GMHB case assignments.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 21, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.