

RCW 36.70A.250 Growth management hearings board—Creation—

Members. (1)(a) There is hereby created within the environmental and land use hearings office established by RCW 43.21B.005 a growth management hearings board for the state of Washington. The board shall consist of five members qualified by experience or training in pertinent matters pertaining to land use law or land use planning and who have experience in the practical application of those matters. All five board members shall be appointed by the governor. At least three members of the board shall be admitted to practice law in this state, one each residing respectively in the central Puget Sound, eastern Washington, and western Washington regions. At least two members of the board shall have been a city or county elected official, one each residing respectively in eastern Washington and western Washington. No more than three members of the five-member board may be members of the same major political party. No more than two members at the time of their appointment or during their term may reside in the same county. Board members shall operate on a full-time basis, shall receive an annual salary to be determined by the governor pursuant to RCW 43.03.040, shall receive reimbursement for travel expenses incurred in the discharge of their duties in accordance with RCW 43.03.050 and 43.03.060, and shall be considered employees of the state of Washington subject to chapter 42.52 RCW.

(2) Each member of the board shall be appointed for a term of six years, and until their successors are appointed. A vacancy shall be filled by appointment by the governor for the unexpired portion of the term in which the vacancy occurs. [2020 c 214 § 1; 2010 c 211 § 4; 1994 c 249 § 29; 1991 sp.s. c 32 § 5.]

Effective date—2010 c 211: "This act takes effect July 1, 2010." [2010 c 211 § 18.]

Transfer of power, duties, and functions—2010 c 211: "(1) The three growth management hearings boards are abolished and their powers, duties, and functions are transferred to the growth management hearings board.

(2) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the three growth management hearings boards must be delivered to the custody of the growth management hearings board. All office furnishings, office equipment, motor vehicles, and other tangible property in the possession of the three growth management hearings boards must be made available to the growth management hearings board.

(3) All funds, credits, or other assets held by the three growth management hearings boards must, on July 1, 2010, be transferred to the growth management hearings board. Any appropriations made to the three growth management hearings boards must, on July 1, 2010, be transferred and credited to the growth management hearings board. If any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(4) All employees of the three growth management hearings boards are transferred to the growth management hearings board. All employees classified under chapter 41.06 RCW, the state civil service law, are

assigned to the growth management hearings board to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(5) This section may not be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the public employment relations commission as provided by law.

(6) All rules and pending business before the three growth management hearings boards must be continued and acted upon by the growth management hearings board. All existing contracts and obligations remain in full force and must be performed by the growth management hearings board.

(7) The transfer of the powers, duties, functions, and personnel of the three growth management hearings boards to the growth management hearings board does not affect the validity of any act performed before July 1, 2010.

(8) All cases decided and all orders previously issued by the three growth management hearings boards remain in full force and effect and are not affected by this act." [2010 c 211 § 17.]

Severability—Application—1994 c 249: See notes following RCW 34.05.310.