

ratified at the referendum election provided for in section 3 of this 1970 amendatory act.

Passed the Senate January 31, 1970
Passed the House February 6, 1970
Approved by the Governor February 20, 1970
Filed in Office of Secretary of State February 24, 1970

CHAPTER 41
[Engrossed Senate Bill No. 2]
POLLUTION CONTROL--HEARINGS--REVIEW--APPEALS

AN ACT Relating to pollution control; amending section 12, chapter 13, Laws of 1967 and RCW 90.48.135; and amending section 36, chapter 238, Laws of 1967 [as amended by section 26, chapter 168, Laws of 1969 ex. sess.] and RCW 70.94.222.

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

Section 1. Section 12, chapter 13, Laws of 1967 and RCW 90.48.135 are each amended to read as follows:

Any person having an interest of an economic or noneconomic nature who feels aggrieved by an order or directive of the commission shall be entitled to a hearing before the commission, or an examiner designated by the commission, upon request. No such request shall be entertained by the commission unless it contains a statement of the substance of the order or directive complained of and the manner in which the same affects the aggrieved and is delivered to the commission's office in Olympia, personally or by registered mail, within thirty days following the rendition of the order or directive. ((No)) Notwithstanding any provision of chapter 34.04 RCW which may be to the contrary, no order or directive of the commission shall be stayed pending completion of the hearing and issuance of a final order, unless the commission, acting on an application for a stay from a party to the hearing, determines in its discretion that issuance of a stay would not be detrimental to the public interest. Such final order shall be subject to review upon application by any party to the hearing in the superior court of the county in which the affected system or plant or other discharge facility, or some portion thereof, is

situated. The denial by the commission of an application for a stay shall constitute an order subject to court review as provided for in this section. When a petition for review of any final order of the commission, in a contested case or on an application for a stay, is filed before a superior court, the court shall initiate a hearing pursuant to RCW 34.04.130 within ninety days after the receipt of the petition requesting judicial review. Every appeal from a decision of the superior court shall be heard by the appropriate appellate court as soon as possible. Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination.

Sec. 2. Section 36, chapter 238, Laws of 1967, as amended by section 26, chapter 238*[168], Laws of 1969 1st extraordinary session, and RCW 70.94.222 are each amended to read as follows:

Any order issued by the board after a hearing shall become final unless no later than thirty days after the issuance of such order, a petition requesting judicial review is filed in accordance with the provisions of chapter 34.04 RCW as now or hereafter amended. When such a petition is filed, the superior court shall initiate a hearing pursuant to RCW 34.04.130 within ninety days after the receipt of the petition requesting judicial review. Every appeal from a decision of the superior court shall be heard by the appropriate appellate court as soon as possible. Such appeal shall be considered a case involving issues of broad public import requiring prompt and ultimate determination.

Passed the Senate February 9, 1970

Passed the House February 5, 1970

Approved by the Governor February 23, 1970

Filed in Office of Secretary of State February 24, 1970