
HOUSE BILL 2459

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Heavey, J. Kohl, Romero, Patterson, Eide and Roland

Read first time 01/14/94. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to relationships of governments with private
2 entities and persons; adding a new section to chapter 43.21C RCW;
3 adding a new section to chapter 90.58 RCW; adding a new section to
4 chapter 82.08 RCW; adding a new section to chapter 43.41 RCW; and
5 providing an effective date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21C RCW
8 to read as follows:

9 (1) Development not otherwise categorically exempt from RCW
10 43.21C.030(2)(c) that is located in a county planning under all of the
11 requirements of chapter 36.70A RCW, shall be categorically exempt from
12 RCW 43.21C.030(2)(c) if the development: (a) Complies with the
13 comprehensive plan and development regulations of the applicable
14 county, city, or town that fully implement the requirements of chapter
15 36.70A RCW; and (b) is not development activity that is historically
16 difficult to site.

17 (2) By the date development regulations become effective that are
18 adopted to fully implement the requirements of chapter 36.70A RCW, each
19 county, city, and town shall adopt procedures to integrate permit and

1 land use decisions relating to development activity, other than
2 development activity that is historically difficult to site, with the
3 requirements of this chapter.

4 (3) As used in section, "development activity that is historically
5 difficult to site" includes solid waste landfills or incinerators,
6 hazardous waste facilities or incinerators, nuclear waste facilities or
7 incinerators, airports, maritime port facilities, railroad yards, and
8 sewage or storm water treatment plants.

9 The department of ecology shall adopt rules defining "development
10 activity that is historically difficult to site."

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.58 RCW
12 to read as follows:

13 (1) This chapter shall not apply to development, other than
14 development that is historically difficult to site, that is located on
15 a shoreline of the state in a county planning under all of the
16 requirements of chapter 36.70A RCW if the development complies with the
17 comprehensive plan and development regulations of the applicable
18 county, city, or town that fully implement the requirements of chapter
19 36.70A RCW.

20 (2) As used in section, "development activity that is historically
21 difficult to site" includes solid waste landfills or incinerators,
22 hazardous waste facilities or incinerators, nuclear waste facilities or
23 incinerators, airports, maritime port facilities, railroad yards, and
24 sewage or storm water treatment plants.

25 The department shall adopt rules defining "development that is
26 historically difficult to site."

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.08 RCW
28 to read as follows:

29 The tax levied by RCW 82.08.020 shall not apply to that portion of
30 any construction activity arising from impact fees if the construction
31 activity has a gross value of ten million dollars or more and is
32 designed to employ at least one hundred people in full-time capacities
33 on a permanent basis.

34 As used in this section, "impact fees" means: (1) The amount of
35 any impact fees imposed under RCW 82.02.060; (2) the value of any
36 dedications of land or easements to a public entity that are required
37 as a condition of approving the construction activity; (3) the value of

1 any public improvements that are made as a condition of approving the
2 construction activity; (4) the amount of any voluntary agreement to
3 make payments in lieu of a dedication of land or to mitigate direct
4 impacts arising from the development; and (5) the amount of connection
5 fees or tap-in charges that are imposed by a public entity as a
6 condition of connecting to public sewer facilities or potable water
7 systems.

8 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.41 RCW
9 to read as follows:

10 (1) The office shall prepare a notice of public employee
11 responsibilities that must be displayed by every state agency in one or
12 more prominent places. Among other items, the notice of public
13 employee responsibility must include language stating that public
14 employees:

15 (a) Are hired to serve all the citizens of Washington state;

16 (b) Should treat public funds like they would treat their own
17 money;

18 (c) Should be as efficient as possible and are encouraged to find
19 more effective and productive ways to accomplish their duties;

20 (d) Should not be obstructionist and should be facilitators of
21 government functions; and

22 (e) Should be courteous and helpful at all times.

23 (2) As used in this section, "state agency" includes every state
24 board, council, committee, commission, department, and institution of
25 higher education, the supreme court, each of the three divisions of the
26 court of appeals, the senate, the house of representatives, and the
27 offices of the governor, lieutenant governor, secretary of state,
28 attorney general, state treasurer, state auditor, superintendent of
29 public lands, and superintendent of public instruction.

30 NEW SECTION. **Sec. 5.** Sections 1 through 3 of this act shall take
31 effect July 1, 1995.

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