

---

HOUSE BILL 2569

---

State of Washington

54th Legislature

1996 Regular Session

By Representatives Wolfe, Rust, Costa, Linville, Chappell, Scheuerman, Romero, Murray, Conway and Regala

Read first time 01/12/96. Referred to Committee on Government Operations.

1 AN ACT Relating to the permit assistance center; amending RCW  
2 90.60.030 and 90.60.020; and adding a new section to chapter 90.60 RCW.

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

4 **Sec. 1.** RCW 90.60.030 and 1995 c 347 s 603 are each amended to  
5 read as follows:

6 The permit assistance center is established within the department.  
7 The center shall:

8 (1) Publish and keep current (~~one or more~~) an inventory listing  
9 and briefly describing all permit laws and handbooks (~~containing lists~~  
10 and explanations of all permit laws) describing in more detail each  
11 permit law, including: (a) A description of activities that are  
12 subject to the permit law; (b) where and how staff may be contacted who  
13 administer the permit process, including names, job titles, work street  
14 addresses, work telephone numbers, and work electronic mail addresses;  
15 (c) a description of requirements for obtaining a permit; (d) permit  
16 application forms; and (e) a copy of several successful applications  
17 for the permit, with names, addresses, and other personal information  
18 related to the successful applicants deleted.

1 The center shall coordinate with the business assistance center in  
2 providing and maintaining this information to applicants and others.  
3 To the extent possible, the handbook shall include relevant federal and  
4 tribal laws. A state agency or local government shall provide a  
5 reasonable number of copies of application forms, statutes, ordinances,  
6 rules, handbooks, and other informational material requested by the  
7 center and shall otherwise fully cooperate with the center. The center  
8 shall seek the cooperation of relevant federal agencies and tribal  
9 governments;

10 (2) Establish, and make known, a point of contact for distribution  
11 of the inventory and handbooks and for advice to the public as to its  
12 interpretation in any given case;

13 (3) Work closely and cooperatively with the business license center  
14 and the business assistance center in providing efficient and  
15 nonduplicative service to the public;

16 (4) Seek the assignment of employees from the permit agencies  
17 listed under RCW 90.60.020(6)(a) to serve on a rotating basis in  
18 staffing the center; and

19 (5) Provide an annual report to the legislature on potential  
20 conflicts and perceived inconsistencies among existing statutes. The  
21 first report shall be submitted to the appropriate standing committees  
22 of the house of representatives and senate by December 1, 1996.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.60 RCW  
24 to read as follows:

25 The attorney general shall assign assistant attorneys general to  
26 the state permit assistance center sufficient in number and background  
27 to provide advice, if requested by an applicant for a permit, on  
28 potential unconstitutional taking issues that may be associated with  
29 the enforcement of permit requirements on the applicant. Neither the  
30 assistant attorneys general personally, nor the state of Washington or  
31 any agency of the state of Washington, has any liability to any person  
32 for any claim based on the advice that is provided or the response to  
33 a request for such advice.

34 **Sec. 3.** RCW 90.60.020 and 1995 c 347 s 602 are each amended to  
35 read as follows:

36 Unless the context clearly requires otherwise, the definitions in  
37 this section apply throughout this chapter.

1 (1) "Center" means the permit assistance center established in the  
2 ((~~commission~~[~~department~~])) department by RCW 90.60.030.

3 (2) "Coordinating permit agency" means the permit agency that has  
4 the greatest overall jurisdiction over a project.

5 (3) "Department" means the department of ecology.

6 (4) "Participating permit agency" means a permit agency, other than  
7 the coordinating permit agency, that is responsible for the issuance of  
8 a permit for a project.

9 (5) "Permit" means any license, certificate, registration, permit,  
10 or other form of authorization required by a permit agency to engage in  
11 a particular activity.

12 (6) "Permit agency" means:

13 (a) The department of ecology, an air pollution control authority,  
14 the department of natural resources, the department of fish and  
15 wildlife, and the department of health; and

16 (b) Any other state or federal agency or county, city, or town that  
17 participates at the request of the permit applicant and upon the  
18 agency's agreement to be subject to this chapter.

19 (7) "Project" means an activity, the conduct of which requires  
20 permits from one or more permit agencies.

21 (8) "Unconstitutional taking" means a violation of the prohibition  
22 on: (a) Taking or damaging private property for public use without  
23 just compensation having been first made, as provided under Article I,  
24 section 16, of the state Constitution; (b) taking private property for  
25 public use, without just compensation, as provided under the fifth  
26 amendment of the Constitution of the United States; or (c) depriving a  
27 person of property, without due process of law, as provided under the  
28 fourteenth amendment to the Constitution of the United States.

--- END ---