

1 **HB 1148 - H AMD 252**

2 By Representative Cairnes

3 On page 6, line 18, after RCW.- insert the following:

4 **Sec. 5.** RCW 36.70A.330 and 1995 c 347 s 112 & 1991 sp.s. c
5 32 s 14 are each amended to read as follows:

6 (1) After the time set for complying with the requirements of
7 this chapter under RCW 36.70A.300(1)(b) has expired, or at an
8 earlier time upon the motion of a county or city subject to a
9 ~~((determination))~~recommendation of invalidity under RCW 36.70A.300,
10 the board shall set a hearing for the purpose of determining
11 whether the state agency, county, or city is in compliance with the
12 requirements of this chapter.

13 (2) The board shall conduct a hearing and issue a ~~((finding))~~
14 recommendation of compliance or noncompliance with the requirements
15 of this chapter. A person with standing to challenge the
16 legislation enacted in response to the board's final ~~((order))~~
17 recommendation may participate in the hearing along with the
18 petitioner and the state agency, city, or county. A hearing under
19 this subsection shall be given the highest priority of business to
20 be conducted by the board, and a finding shall be issued within
21 forty-five days of the filing of the motion under subsection (1) of
22 this section with the board.

23 (3) If the board finds that the state agency, county, or city
24 is not in compliance, the board shall transmit
25 its ~~((finding))~~recommendation to the governor. The board may
26 recommend to the governor that the sanctions authorized by this
27 chapter be imposed. To recommend the imposition of sanctions, the
28 board shall submit a written finding articulating the precise
29 justification for its conclusion that the state agency, county, or
30 city is not in compliance with the requirements of this chapter and
31 the justification for its recommendation that sanctions should be
32 imposed.

33 ~~((4))~~ The board shall also reconsider its final order and
34 decide:

1 ~~(a) If a determination of invalidity has been made, whether~~
2 ~~such a determination should be rescinded or modified under the~~
3 ~~standards in RCW 36.70A.300(2); or~~

4 ~~(b) If no determination of invalidity has been made, whether~~
5 ~~one now should be made under the standards in RCW 36.70A.300(2).))~~

6 The board shall schedule additional hearings as appropriate
7 pursuant to subsections (1) and (2) of this section."

8 Correct the title and renumber the sections accordingly.

EFFECT: Requires growth management hearings boards to submit detailed written findings in order to recommend the imposition of sanction by the governor authorized under the growth management act.