

2 **ESHB 2170** - S COMM AMD

3 By Committee on Commerce & Labor

4 ADOPTED 4/8/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature declares that certain
8 industrial investments merit special designation and treatment by
9 governmental bodies when they are proposed. Such investments bolster
10 the economies of their locale and impact the economy of the state as a
11 whole. It is the intention of the legislature to recognize industrial
12 projects of state-wide significance and to encourage local governments
13 and state agencies to expedite their completion.

14 NEW SECTION. **Sec. 2.** (1) For purposes of this chapter and RCW
15 28A.525.166, 28B.80.330, 28C.18.080, 43.21A.350, 47.06.030, and
16 90.58.100 and industrial project of state-wide significance is a border
17 crossing project that involves both private and public investments
18 carried out in conjunction with adjacent states or provinces or a
19 private industrial development with private capital investment in
20 manufacturing or research and development. To qualify as an industrial
21 project of state-wide significance, the project must be completed after
22 January 1, 1997, and have:

23 (a) In counties with a population of less than or equal to twenty
24 thousand, a capital investment of twenty million dollars;

25 (b) In counties with a population of greater than twenty thousand
26 but no more than fifty thousand, a capital investment of fifty million
27 dollars;

28 (c) In counties with a population of greater than fifty thousand
29 but no more than one hundred thousand, a capital investment of one
30 hundred million dollars;

31 (d) In counties with a population of greater than one hundred
32 thousand but no more than two hundred thousand, a capital investment of
33 two hundred million dollars;

1 (e) In counties with a population of greater than two hundred
2 thousand but no more than four hundred thousand, a capital investment
3 of four hundred million dollars;

4 (f) In counties with a population of greater than four hundred
5 thousand but no more than one million, a capital investment of six
6 hundred million dollars;

7 (g) In counties with a population of greater than one million, a
8 capital investment of one billion dollars; or

9 (h) Been designated by the director of community, trade, and
10 economic development as an industrial project of state-wide
11 significance either: (i) Because the county in which the project is to
12 be located is a distressed county and the economic circumstances of the
13 county merit the additional assistance such designation will bring; or
14 (ii) because the impact on a region due to the size and complexity of
15 the project merits such designation.

16 (2) The term manufacturing shall have the meaning assigned it in
17 RCW 82.61.010.

18 (3) The term research and development shall have the meaning
19 assigned it in RCW 82.61.010.

20 NEW SECTION. **Sec. 3.** Counties and cities planning under the
21 planning enabling act, chapter 36.70 RCW, or the requirements of the
22 growth management act, chapter 36.70A RCW, shall include a process, to
23 be followed at their discretion for any specific project, for
24 expediting the completion of industrial projects of state-wide
25 significance.

26 NEW SECTION. **Sec. 4.** The department of community, trade, and
27 economic development shall assign an ombudsman to each industrial
28 project of state-wide significance. The ombudsman shall be responsible
29 for assembling a team of state and local government and private
30 officials to help meet the planning and development needs of each
31 project. The ombudsman shall strive to include in the teams those
32 responsible for planning, permitting and licensing, infrastructure
33 development, work force development services including higher
34 education, transportation services, and the provision of utilities.
35 The ombudsman shall encourage each team member to expedite their
36 actions in furtherance of the project.

1 **Sec. 5.** RCW 28C.18.080 and 1995 c 130 s 2 are each amended to read
2 as follows:

3 (1) The state comprehensive plan for work force training and
4 education shall be updated every two years and presented to the
5 governor and the appropriate legislative policy committees. Following
6 public hearings, the legislature shall, by concurrent resolution,
7 approve or recommend changes to the initial plan and the updates. The
8 plan shall then become the state's work force training policy unless
9 legislation is enacted to alter the policies set forth in the plan.

10 (2) The comprehensive plan shall include work force training role
11 and mission statements for the work force development programs of
12 operating agencies represented on the board and sufficient specificity
13 regarding expected actions by the operating agencies to allow them to
14 carry out actions consistent with the comprehensive plan.

15 (3) Operating agencies represented on the board shall have
16 operating plans for their work force development efforts that are
17 consistent with the comprehensive plan and that provide detail on
18 implementation steps they will take to carry out their responsibilities
19 under the plan. Each operating agency represented on the board shall
20 provide an annual progress report to the board.

21 (4) The comprehensive plan shall include recommendations to the
22 legislature and the governor on the modification, consolidation,
23 initiation, or elimination of work force training and education
24 programs in the state.

25 (5) The comprehensive plan shall address how the state's work force
26 development system will meet the needs of employers hiring for
27 industrial projects of state-wide significance.

28 (6) The board shall report to the appropriate legislative policy
29 committees by December 1 of each year on its progress in implementing
30 the comprehensive plan and on the progress of the operating agencies in
31 meeting their obligations under the plan.

32 **Sec. 6.** RCW 43.21A.350 and 1987 c 109 s 29 are each amended to
33 read as follows:

34 The department of ecology shall prepare and perfect from time to
35 time a state master plan for flood control, state public reservations,
36 financed in whole or in part from moneys collected by the state, sites
37 for state public buildings and for the orderly development of the
38 natural and agricultural resources of the state. The plan shall

1 address how the department will expedite the completion of industrial
2 projects of state-wide significance. The plan shall be a guide in
3 making recommendations to the officers, boards, commissions, and
4 departments of the state.

5 Whenever an improvement is proposed to be established by the state,
6 the state agency having charge of the establishment thereof shall
7 request of the director a report thereon, which shall be furnished
8 within a reasonable time thereafter. In case an improvement is not
9 established in conformity with the report, the state agency having
10 charge of the establishment thereof shall file in its office and with
11 the department a statement setting forth its reasons for rejecting or
12 varying from such report which shall be open to public inspection.

13 The department shall insofar as possible secure the cooperation of
14 adjacent states, and of counties and municipalities within the state in
15 the coordination of their proposed improvements with such master plan.

16 **Sec. 7.** RCW 90.58.100 and 1995 c 347 s 307 are each amended to
17 read as follows:

18 (1) The master programs provided for in this chapter, when adopted
19 or approved by the department shall constitute use regulations for the
20 various shorelines of the state. In preparing the master programs, and
21 any amendments thereto, the department and local governments shall to
22 the extent feasible:

23 (a) Utilize a systematic interdisciplinary approach which will
24 insure the integrated use of the natural and social sciences and the
25 environmental design arts;

26 (b) Consult with and obtain the comments of any federal, state,
27 regional, or local agency having any special expertise with respect to
28 any environmental impact;

29 (c) Consider all plans, studies, surveys, inventories, and systems
30 of classification made or being made by federal, state, regional, or
31 local agencies, by private individuals, or by organizations dealing
32 with pertinent shorelines of the state;

33 (d) Conduct or support such further research, studies, surveys, and
34 interviews as are deemed necessary;

35 (e) Utilize all available information regarding hydrology,
36 geography, topography, ecology, economics, and other pertinent data;

1 (f) Employ, when feasible, all appropriate, modern scientific data
2 processing and computer techniques to store, index, analyze, and manage
3 the information gathered.

4 (2) The master programs shall include, when appropriate, the
5 following:

6 (a) An economic development element for the location and design of
7 industries, industrial projects of state-wide significance,
8 transportation facilities, port facilities, tourist facilities,
9 commerce and other developments that are particularly dependent on
10 their location on or use of the shorelines of the state;

11 (b) A public access element making provision for public access to
12 publicly owned areas;

13 (c) A recreational element for the preservation and enlargement of
14 recreational opportunities, including but not limited to parks,
15 tidelands, beaches, and recreational areas;

16 (d) A circulation element consisting of the general location and
17 extent of existing and proposed major thoroughfares, transportation
18 routes, terminals, and other public utilities and facilities, all
19 correlated with the shoreline use element;

20 (e) A use element which considers the proposed general distribution
21 and general location and extent of the use on shorelines and adjacent
22 land areas for housing, business, industry, transportation,
23 agriculture, natural resources, recreation, education, public buildings
24 and grounds, and other categories of public and private uses of the
25 land;

26 (f) A conservation element for the preservation of natural
27 resources, including but not limited to scenic vistas, aesthetics, and
28 vital estuarine areas for fisheries and wildlife protection;

29 (g) An historic, cultural, scientific, and educational element for
30 the protection and restoration of buildings, sites, and areas having
31 historic, cultural, scientific, or educational values;

32 (h) An element that gives consideration to the state-wide interest
33 in the prevention and minimization of flood damages; and

34 (i) Any other element deemed appropriate or necessary to effectuate
35 the policy of this chapter.

36 (3) The master programs shall include such map or maps, descriptive
37 text, diagrams and charts, or other descriptive material as are
38 necessary to provide for ease of understanding.

1 (4) Master programs will reflect that state-owned shorelines of the
2 state are particularly adapted to providing wilderness beaches,
3 ecological study areas, and other recreational activities for the
4 public and will give appropriate special consideration to same.

5 (5) Each master program shall contain provisions to allow for the
6 varying of the application of use regulations of the program, including
7 provisions for permits for conditional uses and variances, to insure
8 that strict implementation of a program will not create unnecessary
9 hardships or thwart the policy enumerated in RCW 90.58.020. Any such
10 varying shall be allowed only if extraordinary circumstances are shown
11 and the public interest suffers no substantial detrimental effect. The
12 concept of this subsection shall be incorporated in the rules adopted
13 by the department relating to the establishment of a permit system as
14 provided in RCW 90.58.140(3).

15 (6) Each master program shall contain standards governing the
16 protection of single family residences and appurtenant structures
17 against damage or loss due to shoreline erosion. The standards shall
18 govern the issuance of substantial development permits for shoreline
19 protection, including structural methods such as construction of
20 bulkheads, and nonstructural methods of protection. The standards
21 shall provide for methods which achieve effective and timely protection
22 against loss or damage to single family residences and appurtenant
23 structures due to shoreline erosion. The standards shall provide a
24 preference for permit issuance for measures to protect single family
25 residences occupied prior to January 1, 1992, where the proposed
26 measure is designed to minimize harm to the shoreline natural
27 environment.

28 **Sec. 8.** RCW 47.06.030 and 1993 c 446 s 3 are each amended to read
29 as follows:

30 The commission shall develop a state transportation policy plan
31 that (1) establishes a vision and goals for the development of the
32 state-wide transportation system consistent with the state's growth
33 management goals, (2) identifies significant state-wide transportation
34 policy issues, and (3) recommends state-wide transportation policies
35 and strategies to the legislature to fulfill the requirements of RCW
36 47.01.071(1). The state transportation policy plan shall be the
37 product of an ongoing process that involves representatives of
38 significant transportation interests and the general public from across

1 under RCW 28A.525.160 through 28A.525.182, the state board of education
2 may establish for such district a percentage of state assistance not in
3 excess of twenty percent of the approved cost of the project, if the
4 state board finds that such additional assistance is necessary to
5 provide minimum facilities for housing the pupils of the district.

6 (3) In addition to the computed percent of state assistance
7 developed in (2) above, a school district shall be entitled to
8 additional percentage points determined by the average percentage of
9 growth for the past three years. One percent shall be added to the
10 computed percent of state assistance for each percent of growth, with
11 a maximum of twenty percent.

12 (4) The approved cost of the project determined in the manner
13 herein prescribed times the percentage of state assistance derived as
14 provided for herein shall be the amount of state assistance to the
15 district for the financing of the project: PROVIDED, That need
16 therefor has been established to the satisfaction of the state board of
17 education: PROVIDED, FURTHER, That additional state assistance may be
18 allowed if it is found by the state board of education that such
19 assistance is necessary in order to meet (a) a school housing emergency
20 resulting from the destruction of a school building by fire, the
21 condemnation of a school building by properly constituted authorities,
22 a sudden excessive and clearly foreseeable future increase in school
23 population, or other conditions similarly emergent in nature; or (b) a
24 special school housing burden resulting from industrial projects of
25 state-wide significance or imposed by virtue of the admission of
26 nonresident students into educational programs established, maintained
27 and operated in conformity with the requirements of law; or (c) a
28 deficiency in the capital funds of the district resulting from
29 financing, subsequent to April 1, 1969, and without benefit of the
30 state assistance provided by prior state assistance programs, the
31 construction of a needed school building project or projects approved
32 in conformity with the requirements of such programs, after having
33 first applied for and been denied state assistance because of the
34 inadequacy of state funds available for the purpose, or (d) a condition
35 created by the fact that an excessive number of students live in state
36 owned housing, or (e) a need for the construction of a school building
37 to provide for improved school district organization or racial balance,
38 or (f) conditions similar to those defined under (a), (b), (c), (d) and
39 (e) hereinabove, creating a like emergency.

1 **Sec. 10.** RCW 28B.80.330 and 1996 c 174 s 1 are each amended to
2 read as follows:

3 The board shall perform the following planning duties in
4 consultation with the four-year institutions, the community and
5 technical college system, and when appropriate the work force training
6 and education coordinating board, the superintendent of public
7 instruction, and the independent higher educational institutions:

8 (1) Develop and establish role and mission statements for each of
9 the four-year institutions and for the community and technical college
10 system;

11 (2) Identify the state's higher education goals, objectives, and
12 priorities;

13 (3) Prepare a comprehensive master plan which includes but is not
14 limited to:

15 (a) Assessments of the state's higher education needs. These
16 assessments may include, but are not limited to: The basic and
17 continuing needs of various age groups; business and industrial needs
18 for a skilled work force; analyses of demographic, social, and economic
19 trends; consideration of the changing ethnic composition of the
20 population and the special needs arising from such trends; college
21 attendance, retention, and dropout rates, and the needs of recent high
22 school graduates and placebound adults. The board should consider the
23 needs of residents of all geographic regions, but its initial
24 priorities should be applied to heavily populated areas underserved by
25 public institutions;

26 (b) Recommendations on enrollment and other policies and actions to
27 meet those needs;

28 (c) Guidelines for continuing education, adult education, public
29 service, and other higher education programs;

30 (d) Mechanisms through which the state's higher education system
31 can meet the needs of employers hiring for industrial projects of
32 state-wide significance.

33 The initial plan shall be submitted to the governor and the
34 legislature by December 1, 1987. Comments on the plan from the board's
35 advisory committees and the institutions shall be submitted with the
36 plan.

37 The plan shall be updated every four years, and presented to the
38 governor and the appropriate legislative policy committees. Following
39 public hearings, the legislature shall, by concurrent resolution,

1 approve or recommend changes to the initial plan, and the updates. The
2 plan shall then become state higher education policy unless legislation
3 is enacted to alter the policies set forth in the plan;

4 (4) Review, evaluate, and make recommendations on operating and
5 capital budget requests from four-year institutions and the community
6 and technical college system, based on the elements outlined in
7 subsections (1), (2), and (3) of this section, and on guidelines which
8 outline the board's fiscal priorities. These guidelines shall be
9 distributed to the institutions and the community college board by
10 December of each odd-numbered year. The institutions and the community
11 college board shall submit an outline of their proposed budgets,
12 identifying major components, to the board no later than August 1 of
13 each even-numbered year. The board shall submit recommendations on the
14 proposed budgets and on the board's budget priorities to the office of
15 financial management before November 1st of each even-numbered year,
16 and to the legislature by January 1 of each odd-numbered year;

17 (5) Institutions and the state board for community and technical
18 colleges shall submit any supplemental budget requests and revisions to
19 the board at the same time they are submitted to the office of
20 financial management. The board shall submit recommendations on the
21 proposed supplemental budget requests to the office of financial
22 management by November 1st and to the legislature by January 1st;

23 (6) Recommend legislation affecting higher education;

24 (7) Recommend tuition and fees policies and levels based on
25 comparisons with peer institutions;

26 (8) Establish priorities and develop recommendations on financial
27 aid based on comparisons with peer institutions;

28 (9) Prepare recommendations on merging or closing institutions; and

29 (10) Develop criteria for identifying the need for new
30 baccalaureate institutions.

31 NEW SECTION. **Sec. 11.** Sections 1 through 4 of this act constitute
32 a new chapter in Title 43 RCW."

1 **ESHB 2170** - S COMM AMD
2 By Committee on Commerce & Labor

ADOPTED 4/8/97

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4 On page 1, line 1 of the title, after "Relating to" strike the
5 remainder of the title and insert "industrial investments and projects
6 of state-wide significance; amending RCW 28C.18.080, 43.21A.350,
7 90.58.100, 47.06.030, 28A.525.166, and 28B.80.330; and adding a new
8 chapter to Title 43 RCW."

9 EFFECT: Substitutes the language used on this issue in the Senate
10 bill as it passed the Senate.

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