
SUBSTITUTE HOUSE BILL 1669

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Trade & Economic Development (originally sponsored by Representatives Cantwell, R. Meyers, Jacobsen, Heavey, Roland, Ferguson, Hine, O'Brien, Rust, Betrozoff, Paris, Scott, Fraser and Wineberry).

Read first time March 6, 1991.

1 AN ACT Relating to growth strategies; amending RCW 36.70A.030,
2 36.70A.020, 36.70A.070, 36.70A.080, 43.88.110, 66.08.190, 36.79.150,
3 47.26.080, 47.26.084, and 82.46.035; adding new sections to chapter
4 36.70A RCW; adding a new section to chapter 43.63A RCW; adding a new
5 section to chapter 43.17 RCW; adding a new section to chapter 43.31
6 RCW; adding a new section to chapter 19.85 RCW; adding a new section to
7 chapter 82.14 RCW; adding a new section to chapter 82.36 RCW; adding a
8 new section to chapter 82.08 RCW; and making appropriations.

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

10 **Sec. 1.** RCW 36.70A.030 and 1990 1st ex.s. c 17 s 3 are each
11 amended to read as follows:

12 DEFINITIONS. Unless the context clearly requires otherwise, the
13 definitions in this section apply throughout this chapter.

14 (1) "Adjacent jurisdictions" include contiguous counties, cities,
15 and federally recognized Indian tribes.

1 (2) "Adopt a comprehensive land use plan" means to enact a new
2 comprehensive land use plan or to update an existing comprehensive land
3 use plan.

4 ~~((+2))~~ (3) "Agricultural land" means land primarily devoted to the
5 commercial production of horticultural, viticultural, floricultural,
6 dairy, apiary, vegetable, or animal products or of berries, grain, hay,
7 straw, turf, seed, Christmas trees not subject to the excise tax
8 imposed by RCW 84.33.100 through 84.33.140, or livestock, and that has
9 long-term commercial significance for agricultural production.

10 ~~((+3))~~ (4) "Board" means the growth management board established
11 to review plans and regulations established under this chapter.

12 (5) "City" means any city or town, including a code city.

13 ~~((+4))~~ (6) "Committee" means the interagency committee for outdoor
14 recreation established under chapter 43.99 RCW.

15 (7) "Comprehensive land use plan," "comprehensive plan," or "plan"
16 means a generalized coordinated land use policy statement of the
17 governing body of a county or city that is adopted pursuant to this
18 chapter.

19 ~~((+5))~~ (8) "Critical areas" include the following areas and
20 ecosystems: (a) Wetlands; (b) areas with a critical recharging effect
21 on aquifers used for potable water; (c) critical fish and wildlife
22 habitat ~~((conservation areas))~~; (d) frequently flooded areas; and (e)
23 geologically hazardous areas.

24 ~~((+6))~~ (9) "Department" means the department of community
25 development.

26 ~~((+7))~~ (10) "Development regulations" means any controls placed on
27 development or land use activities by a county or city, including, but
28 not limited to, zoning ordinances, official controls, planned unit
29 development ordinances, subdivision ordinances, and binding site plan
30 ordinances.

1 (~~(8)~~) (11) "Forest land" means land primarily useful for growing
2 trees, including Christmas trees subject to the excise tax imposed
3 under RCW 84.33.100 through 84.33.140, for commercial purposes, and
4 that has long-term commercial significance for growing trees
5 commercially.

6 (~~(9)~~) (12) "Geologically hazardous areas" means areas that
7 because of their susceptibility to erosion, sliding, earthquake, or
8 other geological events, are not suited to the siting of commercial,
9 residential, or industrial development consistent with public health or
10 safety concerns.

11 (~~(10)~~) (13) "Long-term commercial significance" includes the
12 growing capacity, productivity, and soil composition of the land for
13 long-term commercial production, in consideration with the land's
14 proximity to population areas, and the possibility of more intense uses
15 of the land.

16 (~~(11)~~) (14) "Mineral(~~s~~) resource lands" include those lands
17 identified and devoted to the long-term commercial extraction of
18 gravel, sand, rock, and valuable metallic substances.

19 (~~(12)~~) (15) "Natural resource lands" means agricultural lands,
20 forest lands, and mineral resource lands.

21 (16) "New community" means a comprehensive development providing
22 for a mixture of land uses which includes the following: (a) A mix of
23 jobs, housing, and public facilities needed for a self-contained
24 community; (b) preservation of open spaces within and around the
25 community; (c) an internal and external transportation system
26 supportive of pedestrian access and mass transit; (d) the new
27 infrastructure needed to serve the proposed community; and (e) the
28 mitigation of off-site impacts.

29 (17) "Open space lands" include land areas, the protection of which
30 would: (a) Conserve and enhance scenic, or viewshed resources; (b)

1 provide scenic amenities and community identity within and between
2 areas of urban development; (c) protect physical and/or visual buffers
3 within and between areas of urban and rural development, or along
4 transportation corridors; (d) protect lakes, rivers, streams,
5 watersheds, or water supply; (e) promote conservation of critical
6 areas, natural resource lands, soils, geologically hazardous areas, or
7 tidal marshes, beaches, or other shoreline areas; (f) enhance the value
8 to the public of abutting or neighboring parks, forests, wildlife
9 habitat, trails, or other open space; (g) enhance visual enjoyment and
10 recreation opportunities, including public access to shoreline areas;
11 (h) protect natural areas and environmental features with significant
12 educational, scientific, wildlife habitat, historic, or scenic value;
13 or (i) retain in its natural state tracts of land not less than five
14 acres situated in an urban environment.

15 (18) "Public facilities" include streets, roads, highways,
16 sidewalks, street and road lighting systems, traffic signals, domestic
17 water systems, storm and sanitary sewer systems, parks and
18 recreational facilities, and schools.

19 ~~((13))~~ (19) "Public services" include fire protection and
20 suppression, law enforcement, public health, education, recreation,
21 environmental protection, and other governmental services.

22 ~~((14))~~ (20) "Region" means one or more counties and the cities
23 within the county or counties, including, as a local option,
24 multicounty regions.

25 (21) "Special district" means every municipal and quasi-municipal
26 corporation other than a county or city. Special districts shall
27 include, but are not limited to: Water districts, sewer districts,
28 public transportation benefit areas, fire protection districts, port
29 districts, library districts, school districts, public utility
30 districts, county park and recreation service areas, flood control zone

1 districts, irrigation districts, diking districts, and drainage
2 improvement districts.

3 (22) "State agencies" means all departments, boards, commissions,
4 institutions of higher education, and offices of state government,
5 except those in the legislative or judicial branches, except to the
6 extent otherwise required by law.

7 (23) "Urban growth" refers to growth that makes intensive use of
8 land for the location of buildings, structures, and impermeable
9 surfaces to such a degree as to be incompatible with the primary use of
10 such land for the production of food, other agricultural products, or
11 fiber, or the extraction of mineral resources. When allowed to spread
12 over wide areas, urban growth typically requires urban governmental
13 services. "Characterized by urban growth" refers to land having urban
14 growth located on it, or to land located in relationship to an area
15 with urban growth on it as to be appropriate for urban growth.

16 ~~((15))~~ (24) "Urban growth areas" means those areas designated by
17 a county pursuant to RCW 36.70A.110.

18 ~~((16))~~ (25) "Urban governmental services" include those
19 governmental services historically and typically delivered by cities,
20 and include storm and sanitary sewer systems, domestic water systems,
21 street cleaning services, fire and police protection services, public
22 transit services, and other public utilities associated with urban
23 areas and normally not associated with nonurban areas.

24 ~~((17))~~ (26) "Wetland" or "wetlands" means areas that are
25 inundated or saturated by surface water or ground water at a frequency
26 and duration sufficient to support, and that under normal circumstances
27 do support, a prevalence of vegetation typically adapted for life in
28 saturated soil conditions. Wetlands generally include swamps, marshes,
29 bogs, and similar areas. Wetlands do not include those artificial
30 wetlands intentionally created from nonwetland sites, including, but

1 not limited to, irrigation and drainage ditches, grass-lined swales,
2 canals, detention facilities, wastewater treatment facilities, farm
3 ponds, and landscape amenities. However, wetlands may include those
4 artificial wetlands intentionally created from nonwetland areas created
5 to mitigate conversion of wetlands, if permitted by the county or city.

6 PART I

7 PLANNING GOALS

8 **Sec. 2.** RCW 36.70A.020 and 1990 1st ex.s. c 17 s 2 are each
9 amended to read as follows:

10 PLANNING GOALS. The following goals are adopted to guide the
11 development and adoption of comprehensive plans and development
12 regulations of those counties and cities that are required or choose to
13 plan under RCW 36.70A.040. The following goals are not listed in order
14 of priority and shall be used ((~~exclusively~~)) for the purpose of
15 guiding the development of comprehensive plans and development
16 regulations. However, plans, regulations, and actions, including
17 expenditures of state-appropriated funds, of state agencies, counties,
18 and cities required or choosing to plan, and special districts shall
19 conform to and support these goals:

20 (1) Urban growth areas. ((~~Encourage~~)) Urban development shall
21 occur in urban growth areas where adequate public facilities and
22 services exist or can be provided in an efficient manner.

23 Urban growth areas should be compact, have concentrated employment
24 centers, and provide opportunities for people to live in a variety of
25 housing types close to where they work. Plans should ensure an
26 adequate supply of land for projected jobs considering the nature and
27 diversity of economic activity and for a variety of housing types.

1 Development densities should be sufficient to: (a) Protect open space,
2 natural features and parks, natural resource lands and critical areas
3 within and outside of urban growth areas; (b) promote affordable
4 housing; and (c) promote transit. Large land areas characterized by
5 significant natural limitations such as steep slopes, seismic hazard
6 areas, flood plains, and wetlands should not be designated for urban
7 growth.

8 New development should be designed to respect the planned and
9 existing character of neighborhoods. Open spaces and natural features
10 should be preserved within urban areas.

11 (2) Reduce sprawl. Reduce the inappropriate conversion of
12 undeveloped land into sprawling, low-density development.

13 (3) Transportation. (~~Encourage~~) Develop efficient multimodal
14 transportation systems that are based on regional priorities and
15 coordinated with county and city comprehensive plans. Provide
16 alternatives to single-occupant automobile travel in congested urban
17 areas. Housing should be of sufficient density and employment centers
18 should be concentrated to enable greater efficiency and affordability
19 of transit service.

20 (4) Housing. Encourage (~~the availability of~~) and participate in
21 making available affordable housing (~~to~~) for all economic segments of
22 the population of this state, promote a variety of residential
23 densities and housing types, (~~and~~) encourage preservation of existing
24 housing stock, promote the state and federal fair housing goals, and
25 provide for a fair share of housing needs.

26 (5) Economic development. Encourage economic development
27 throughout the state that is consistent with adopted comprehensive
28 plans, promote economic opportunity for all citizens of this state,
29 especially for unemployed and for disadvantaged persons, build a
30 network of strong regional economies, identify and focus assistance on

1 priority economic development areas where there is a need for growth
2 and where there is the realistic capacity and broad local support for
3 such growth, and encourage growth in areas experiencing insufficient
4 economic growth, all within the capacities of the state's natural
5 resources, public services, and public facilities.

6 (6) Property rights. Private property shall not be taken for
7 public use without just compensation having been made. The property
8 rights of landowners shall be protected from arbitrary and
9 discriminatory actions.

10 (7) Permits. Applications for both state and local government
11 permits should be processed in a timely and fair manner to ensure
12 predictability.

13 (8) Natural resource industries. Maintain and enhance natural
14 resource-based industries, including productive timber, agricultural,
15 and fisheries industries. Encourage the conservation of productive
16 forest lands and productive agricultural lands, and discourage
17 incompatible uses.

18 (9) Open space and recreation. (~~Encourage the retention of open~~
19 ~~space and development of recreational opportunities, conserve fish and~~
20 ~~wildlife habitat, increase access to natural resource lands and water,~~
21 ~~and develop parks.)) Protect open space and where possible link open
22 space into regional and state-wide networks. Permanent open space
23 networks should separate neighboring cities, where possible, and define
24 distinct urban growth areas to prevent their merging into large
25 continuous urban areas. Open space should be used to: Protect fish
26 and wildlife habitat; protect environmentally sensitive land and water
27 areas; provide park and outdoor recreational opportunities; protect
28 scenic areas and viewsheds; accommodate nonmotorized recreational
29 corridors and trails; and protect views and vistas within and around
30 cities.~~

1 (10) Environment. Protect the environment and enhance the state's
2 high quality of life, including air and water quality, and the
3 availability of water.

4 (11) Citizen participation and coordination. (~~Encourage~~) Ensure
5 the involvement of citizens in the planning process and ensure
6 coordination between communities and jurisdictions to reconcile
7 conflicts.

8 (12) Public facilities and services. Ensure that those public
9 facilities and services necessary to support development shall be
10 adequate to serve the development at the time the development is
11 available for occupancy and use without decreasing current service
12 levels below locally established minimum standards.

13 (13) Historic preservation. Identify and encourage the
14 preservation of lands, sites, and structures, that have historical or
15 archaeological significance.

16 (14) Fair share. Ensure the siting of regional and state public
17 facilities, so that each county and its cities accepts their fair share
18 of public facilities and no community is overburdened.

19 (15) Water Resources. Land use planning and permit decisions that
20 will both protect water and create demand for water must be compatible
21 with water resource plans. New growth must be related to water
22 availability. Each county and its cities must integrate water resource
23 planning for consumptive and nonconsumptive uses into its land use
24 plan. Water is key for fish, wildlife, domestic use, industrial use,
25 power, agriculture, aesthetics, and recreation.

26 PART II

27 LOCAL PLANNING

1 **Sec. 3.** RCW 36.70A.070 and 1990 1st ex.s. c 17 s 7 are each
2 amended to read as follows:

3 COMPREHENSIVE PLANS--MANDATORY ELEMENTS. The comprehensive plan of
4 a county or city that is required or chooses to plan under RCW
5 36.70A.040 shall consist of a map or maps, and descriptive text
6 covering objectives, principles, and standards used to develop the
7 comprehensive plan. The plan shall be an internally consistent
8 document and all elements shall be consistent with the future land use
9 map. A comprehensive plan shall be adopted and amended with public
10 participation as provided in RCW 36.70A.140.

11 Each comprehensive plan shall include a plan, scheme, or design for
12 each of the following:

13 (1) A land use element designating the proposed general
14 distribution and general location and extent of the uses of land, where
15 appropriate, for agriculture, timber production, housing, commerce,
16 industry, recreation, open spaces, public utilities, public facilities,
17 and other land uses. The land use element shall provide for sufficient
18 developable land and densities for a range of housing types. The land
19 use element shall include population densities, building intensities,
20 and estimates of future population growth. The land use element shall
21 include designation of natural resource lands and lands for outdoor
22 recreation as provided in RCW 36.70A.060. Each county shall include
23 urban growth areas as established in RCW 36.70A.110 in its
24 comprehensive land use plan. The land use element shall provide for
25 protection of the quality and quantity of ground and surface water used
26 for public water supplies and shall recognize that water availability
27 and quality are key factors in determining the extent, location,
28 distribution, and intensity of land uses. Where applicable, the land
29 use element shall review drainage, flooding, and storm water run-off in
30 the area and nearby jurisdictions and provide guidance for corrective

1 actions to mitigate or cleanse those discharges that pollute waters of
2 the state, including Puget Sound or waters entering Puget Sound.

3 (2) A housing element recognizing the vitality and character of
4 established residential neighborhoods that: (a) Includes an inventory
5 and analysis of existing and projected housing needs; (b) includes a
6 statement of goals, policies, and objectives for the preservation,
7 improvement, and development of housing and for meeting fair share
8 housing obligations within the county and/or jurisdictions; (c)
9 identifies sufficient land and densities for housing; (d) identifies
10 the existing and projected fair share accommodation of low-income
11 moderate-income housing, including, but not limited to, government-
12 assisted housing, housing for low-income families, manufactured
13 housing, multifamily housing, and group homes and foster care
14 facilities; (~~(and (d))~~) (e) makes adequate provisions for existing and
15 projected needs of all economic segments of the community; (f) promotes
16 housing that is affordable; and (g) minimizes the displacement of
17 residents from housing.

18 (3) A capital facilities plan element consisting of: (a) An
19 inventory of existing capital facilities owned by public entities,
20 showing the locations and capacities of the capital facilities; (b) a
21 forecast of the future needs for such capital facilities; (c) the
22 proposed locations and capacities of expanded or new capital
23 facilities; (d) at least a six-year plan that will finance such capital
24 facilities within projected funding capacities and clearly identifies
25 sources of public money for such purposes; and (e) a requirement to
26 reassess the land use element if probable funding falls short of
27 meeting existing needs and to ensure that the land use element, capital
28 facilities plan element, and financing plan within the capital
29 facilities plan element are coordinated and consistent.

1 (4) A utilities element consisting of the general location,
2 proposed location, and capacity of all existing and proposed utilities,
3 including, but not limited to, electrical lines, telecommunication
4 lines, and natural gas lines.

5 (5) Counties shall include a rural element including lands that
6 are not designated for urban growth, agriculture, forest, or mineral
7 resources. The rural element shall permit land uses that are
8 compatible with the rural character of such lands and provide for a
9 variety of rural densities and do not foster urban growth.

10 (6) A transportation element that implements, and is consistent
11 with, the land use element. The transportation element shall include
12 the following subelements:

13 (a) Land use assumptions used in estimating travel;

14 (b) Facilities and services needs, including:

15 (i) An inventory of air, water, and land transportation facilities
16 and services, including transit alignments, to define existing capital
17 facilities and travel levels as a basis for future planning;

18 (ii) Level of service standards for all arterials and transit
19 routes to serve as a gauge to judge performance of the system. These
20 standards should be regionally coordinated;

21 (iii) Specific actions and requirements for bringing into
22 compliance any facilities or services that are below an established
23 level of service standard;

24 (iv) Forecasts of traffic for at least ten years based on the
25 adopted land use plan to provide information on the location, timing,
26 and capacity needs of future growth;

27 (v) Identification of system expansion needs and transportation
28 system management needs to meet current and future demands;

29 (c) Finance, including:

1 (i) An analysis of funding capability to judge needs against
2 probable funding resources;

3 (ii) A multiyear financing plan based on the needs identified in
4 the comprehensive plan, the appropriate parts of which shall serve as
5 the basis for the six-year street, road, or transit program required by
6 RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW
7 35.58.2795 for public transportation systems;

8 (iii) If probable funding falls short of meeting identified needs,
9 a discussion of how additional funding will be raised, or how land use
10 assumptions will be reassessed to ensure that level of service
11 standards will be met;

12 (d) Intergovernmental coordination efforts, including an assessment
13 of the impacts of the transportation plan and land use assumptions on
14 the transportation systems of adjacent jurisdictions;

15 (e) Demand-management strategies.

16 After adoption of the comprehensive plan by jurisdictions required
17 to plan or who choose to plan under RCW 36.70A.040, local jurisdictions
18 must adopt and enforce ordinances which prohibit development approval
19 if the development causes the level of service on a transportation
20 facility to decline below the standards adopted in the transportation
21 element of the comprehensive plan, unless transportation improvements
22 or strategies to accommodate the impacts of development are made
23 concurrent with the development. These strategies may include
24 increased public transportation service, ride sharing programs, demand
25 management, and other transportation systems management strategies.
26 For the purposes of this subsection (6) "concurrent with the
27 development" shall mean that improvements or strategies are in place at
28 the time of development, or that a financial commitment is in place to
29 complete the improvements or strategies within six years.

1 The transportation element described in this subsection, and the
2 six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for
3 counties, and RCW 35.58.2795 for public transportation systems, must be
4 consistent.

5 (7) A design element that enables communities to harmoniously fit
6 new development with planned or existing community character and
7 vision.

8 (8) An environmental management element that minimizes development
9 and growth impacts on the environment and enhances the quality of air,
10 water, and land resources.

11 (9) An open space and outdoor recreation element that provides for
12 local and regional parks, outdoor recreation facilities, trails,
13 resource conservation, natural vistas, and open space.

14 (10) An annexation element for cities and incorporation element
15 for counties to clearly delineate a local government service delivery
16 plan.

17 (11) A fair share element for siting state and regional public
18 facilities.

19 (12) An economic development element that includes:

20 (a) An analysis of the economic patterns, potentials, strengths,
21 and weaknesses;

22 (b) Methods to strengthen the economic base of the county or city,
23 particularly the exporting of goods and services;

24 (c) An analysis of the need for sites of suitable sizes, types,
25 locations, and service levels for industrial and commercial uses;

26 (d) Compatible uses on or near sites that are zoned for industrial
27 or commercial activity;

28 (e) Integration of the economic development element with the land
29 use element and other elements of the comprehensive plan, especially
30 the capital financing plan;

1 (f) Efforts to encourage economic growth state-wide by establishing
2 rural-urban links where appropriate;

3 (g) Consideration of matching the fiscal impact of the
4 comprehensive plan with the resources available to the county or city;
5 and

6 (h) Coordination of the economic development element of the
7 comprehensive plan with the regional economic development plan.

8 (13) A private property element that establishes an orderly,
9 consistent process that better enables government agencies to evaluate
10 whether proposed regulatory or administrative actions may result in a
11 taking of private property or violation of due process. It is not the
12 purpose of this subsection to expand or reduce the scope of private
13 property protections provided in the state and federal Constitutions.

14 **Sec. 4.** RCW 36.70A.080 and 1990 1st ex.s. c 17 s 8 are each
15 amended to read as follows:

16 COMPREHENSIVE PLANS--OPTIONAL ELEMENTS. (1) A comprehensive plan
17 may include additional elements, items, or studies dealing with other
18 subjects relating to the physical development within its jurisdiction,
19 including, but not limited to:

20 (a) Conservation;

21 (b) Solar energy; ((and))

22 (c) ((Recreation)) Human resource development;

23 (d) Historic preservation; and

24 (e) Cultural resources.

25 (2) A comprehensive plan may include, where appropriate, subarea
26 plans, each of which is consistent with the comprehensive plan.

27 NEW SECTION. **Sec. 5.** REGIONAL PLANS. In counties that plan
28 under the provisions of this chapter, a regional plan or strategy shall

1 be developed by the county and the cities within the county and as a
2 tribal option any relevant tribal government to set major directions
3 and policies for fair share siting of public facilities and for
4 economic development by September 1, 1992. A regional plan or strategy
5 for open space may be added at the option of the county and
6 participating cities. State agencies shall participate in and
7 cooperate with regional economic development, open space, and fair
8 share planning processes to the maximum extent feasible. Counties may
9 join together to develop multicounty regions for these planning
10 purposes at the option of the county governing bodies of the
11 participating counties. These policies shall be reflected in the
12 individual county and city comprehensive plan elements on economic
13 development, open space, and fair share siting. After the adoption of
14 such plans, the comprehensive plans prepared under this chapter of
15 participating counties and cities shall be consistent for the subjects
16 covered by the plans.

17 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.63A RCW
18 to read as follows:

19 REGIONAL ECONOMIC DEVELOPMENT PLANS. A regional economic
20 development plan developed under section 5 of this act or developed
21 voluntarily shall include, but is not limited to, the following
22 contents:

23 (1) An economic profile and forecast of the region;

24 (2) A set of economic development goals, objectives, and policies
25 for the region;

26 (3) An identification of priority development areas, as defined by
27 the state agency coordination council created in section 8 of this act,
28 where there is a need for economic growth and where there is the

1 physical capacity, realistic ability, and local support to attract such
2 growth; and

3 (4) An identification of any economic development-related project
4 of regional or state significance. When such a project is identified,
5 the regional plan shall identify the financial impacts caused by the
6 project and propose alternatives to address these impacts, including
7 financing for infrastructure and transportation and public facilities
8 necessitated by the project. The alternatives should include state
9 assistance the region will seek to help offset the impacts of the
10 project.

11 (5) A biennial regional economic development strategy that
12 evaluates the results of the preceding economic development strategies;
13 establishes short-term priorities; identifies tasks and
14 responsibilities for implementation of adopted goals, objectives, and
15 policies; and targets implementation efforts to priority development
16 areas.

17 The plan element, including biennial strategy, must be developed
18 with the full consultation, involvement, and support of cities,
19 economic development organizations, and businesses within the region;
20 and must be consistent with comprehensive plans required by counties
21 and cities within the region. The department of trade and economic
22 development shall adopt guidelines, definitions, and procedural rules,
23 as necessary, to implement this section.

24 PART III

25 STATE ROLE

26 NEW SECTION. **Sec. 7.** STATE AGENCIES REQUIRED TO PLAN CONSISTENT
27 WITH PLANNING GOALS. (1) State agencies proposing development shall:
28 (a) Plan in conformance with the planning goals contained in RCW

1 36.70A.020; (b) notify the state agency coordinating council of the
2 proposed development; (c) comply with local comprehensive plans and
3 development regulations adopted pursuant to RCW 36.70A.040 and
4 36.70A.120; (d) comply with amendments to comprehensive land use plans
5 as provided for in RCW 36.70A.130; and (e) comply with development
6 regulations adopted pursuant to RCW 36.70A.060 and section 10, chapter
7 ... (HB 1025), Laws of 1991.

8 (2) The state shall also protect private property by evaluating
9 whether proposed regulatory or administrative actions may result in a
10 taking of private property or violation of due process. It is not the
11 purpose of this subsection to expand or reduce the scope of private
12 property protections provided in the state and federal Constitutions.

13 NEW SECTION. **Sec. 8.** STATE AGENCY COORDINATING COUNCIL CREATED.

14 (1) There is hereby created in the office of the governor the state
15 agency coordinating council. The council shall be comprised of twelve
16 members as follows:

- 17 (a) The secretary of transportation;
- 18 (b) The director of community development;
- 19 (c) The director of ecology;
- 20 (d) The director of trade and economic development;
- 21 (e) The director of agriculture;
- 22 (f) The commissioner of public lands;
- 23 (g) The commissioner of the parks and recreation commission;
- 24 (h) The director of the office of financial management;
- 25 (i) The director of wildlife;
- 26 (j) The state treasurer;
- 27 (k) The director of fisheries; and
- 28 (l) The governor, who shall chair the council.

1 (2) The council may create an advisory committee to represent the
2 private sector, the environmental community, cities and counties, the
3 general public, and others as determined by the council.

4 (3) The council shall form a subcommittee to address natural
5 resources of state-wide significance. The subcommittee shall include
6 the directors of wildlife, fisheries, ecology, and community
7 development, and the commissioners of public lands and the parks and
8 recreation commission. The subcommittee shall include one
9 representative from the association of Washington cities appointed by
10 the association, one representative of the Washington state association
11 of counties appointed by the association, one representative of the
12 tribes appointed by the governor, and three representatives of the
13 general public appointed by the governor. This subcommittee shall:

14 (a) Establish criteria for identifying natural resources of state-
15 wide significance; and

16 (b) Establish minimum standards for protection of natural resources
17 of state-wide significance.

18 The nonstate members of the subcommittee shall have
19 responsibilities associated with the subcommittee only, and may be
20 reimbursed for travel expenses as provided in RCW 43.03.050 and
21 43.03.060.

22 (4) Staffing shall be provided by the state agencies on the
23 council. Staffing shall be coordinated by the chair.

24 NEW SECTION. **Sec. 9.** STATE AGENCY COORDINATING COUNCIL--DUTIES.
25 The state agency coordinating council, in addition to its duties under
26 section 8(3) of this act, shall:

27 (1) Make recommendations to the legislature and governor regarding:

28 (a) Developing a capital investment strategy that can coordinate
29 the infrastructure planning and financing of all state agencies based

1 on defined state policies and criteria, and coordinating state
2 infrastructure planning and financing with regional organizations and
3 local governments;

4 (b) Adopting a state policy of catching up and keeping up with
5 infrastructure needs to sustain a healthy economy and a high quality of
6 life. Given limited resources, the state should ensure that public
7 infrastructure spending is efficient and serves desired growth
8 strategies;

9 (c) Changing state agency programs and existing funds to
10 reprioritize these programs and funds once a state capital investment
11 strategy is adopted;

12 (d) Creating a new growth management financing account which would
13 finance infrastructure needs based on regional economic planning under
14 section 6 of this act;

15 (e) Providing incentives to counties and cities to comply with
16 growth management requirements, including counties and cities not
17 required to plan under this chapter; and

18 (2) Make agencies more responsive to businesses by directing and
19 advising state agencies on improving the state permit process.
20 Specific timeframes should be established by rule for the processing of
21 permits.

22 (3) Identify priority development areas for the purposes of
23 regional planning under section 6 of this act, and coordinate state
24 assistance to economic development-related projects of regional or
25 state significance under section 6(4) of this act.

26 (4) Coordinate state agencies in delivering economic development
27 services and in enacting regulations so that the services and
28 regulations are provided or enacted consistently and efficiently across
29 agency lines. This shall include attempting to balance the state's

1 need for environmental protection through regulation with the economic
2 development needs of the state and counties and cities.

3 (5) Advise the governor on growth management issues, particularly
4 ensuring that state agencies comply with section 7 of this act.

5 (6) Mediate issues or disputes among state agencies regarding the
6 siting of regional and state public facilities.

7 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.17 RCW
8 to read as follows:

9 REGULATORY AGENCY STAFF DESIGNATIONS. (1) All state agencies shall
10 designate a staff person within the agency who is knowledgeable
11 regarding the agency's regulations that affect businesses. When
12 requested, this designated staff person shall provide a list of all
13 applicable agency regulations that apply to a specific business. The
14 designated staff person shall, upon request, provide a written
15 statement listing all requirements that must be satisfied to obtain a
16 specified permit or other approval.

17 (2) The designated staff person under subsection (1) of this
18 section shall provide a list of agency regulations that apply to a
19 specific business to the business assistance center when so requested
20 by the business assistance center.

21 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.31 RCW
22 to read as follows:

23 REGULATION LISTS BY THE BUSINESS ASSISTANCE CENTER. The business
24 assistance center shall coordinate the provision of better and more
25 reliable information by state agencies regarding state regulations that
26 affect specific businesses. When requested, the business assistance
27 center shall compile a list of specific regulations that apply to a

1 specific business by obtaining a list from designated staff persons,
2 under section 10 of this act, in each applicable agency.

3 NEW SECTION. **Sec. 12.** A new section is added to chapter 19.85 RCW
4 to read as follows:

5 BUSINESS INPUT IN AGENCY RULEMAKING. When any rule is proposed for
6 which a small business economic impact statement is required, the
7 agency shall:

8 (1) Give notice to small businesses of the proposed rule through
9 direct notification of known interested small businesses affected by
10 the proposed rule, notice to business or trade organizations, and
11 publication of a general notice of the proposed rule in a publication
12 likely to be obtained by businesses of the type affected by the
13 proposed rule; and

14 (2) Appoint a committee, as provided in RCW 34.05.310, to comment
15 on the proposed rule before the publication of the notice of proposed
16 rule adoption under RCW 34.05.320.

17 PART IV

18 GROWTH MANAGEMENT HEARINGS BOARD

19 NEW SECTION. **Sec. 13.** BOARD ESTABLISHED--MEMBERSHIP--CHAIR--
20 QUORUM FOR DECISION--EXPENSES OF MEMBERS. (1) The growth management
21 hearings board is a quasi-judicial board hereby established within the
22 environmental hearings office under RCW 43.21B.005. The board shall
23 consist of five members, three full time and two part time members:

24 (a) The full-time members shall be appointed by the governor and
25 subject to confirmation by the senate. Initial members shall be
26 appointed to staggered terms as follows: One member shall be appointed

1 to a four-year term and two members to six-year terms. Thereafter,
2 members shall be appointed to six-year terms. The governor shall
3 appoint one of the full-time members as chairperson. The governor may
4 remove a member only for cause.

5 (b) The part-time members shall be selected on a rotating basis by
6 the board chairperson from a list provided by the applicable
7 associations. One part-time member shall represent counties or cities,
8 and the other part-time member shall represent the private sector or
9 the general public.

10 (2) Any member or members of the board, or other person or persons
11 designated by the chairperson, may hold hearings and take testimony so
12 long as a full and complete record is transmitted to the board as
13 required under RCW 34.05.461. In addition to the board's staff, the
14 chairperson may designate a list of presiding officers who are
15 qualified to hold such hearings.

16 (3) The board may authorize by rule initial orders to be entered by
17 those presiding officers who are not members of the board. The board
18 may also provide by rule that initial orders in specified classes of
19 cases may become final without further board action. However, if a
20 member of the board determines that an initial order should be
21 reviewed, or a party to the proceedings files a petition for
22 administrative review of the initial order, the initial order shall not
23 become final until the board has approved it.

24 (4) Three or more members of the board shall constitute a quorum
25 for issuance of final orders by the board. A decision of the board
26 must be agreed to by at least three members to be final.

27 (5) Board members shall receive compensation, travel, and
28 subsistence expenses as provided in RCW 43.03.050 and 43.03.060.

1 NEW SECTION. **Sec. 14.** MATTERS SUBJECT TO BOARD REVIEW--FINAL

2 ORDERS. (1) The board shall review the following matters if requested
3 by the governor, a regional planning organization, or a county or city
4 that plans under this chapter:

5 (a) The consistency of plans and development regulations subject to
6 this chapter with the goals and requirements of this chapter, and the
7 rules adopted under this chapter;

8 (b) Compliance by counties, cities, special districts, and state
9 agencies with the interjurisdictional requirements under this chapter,
10 including interjurisdictional consistency, and designation of urban
11 growth areas;

12 (c) Compliance by counties, cities, special districts, or state
13 agencies with the requirements of this chapter, including deadlines and
14 other matters relating to implementation; and

15 (d) Determination of issues related to consistency of state agency
16 or special district proposals to locate facilities with plans and
17 development regulations subject to this chapter. Any decisions by the
18 board relating to location of state facilities shall require
19 consistency to the maximum extent practicable, as determined by the
20 board.

21 (2) The board shall also review the requests by:

22 (a) Any person requesting review of any matter in subsection (1) of
23 this section if that person testified orally or in writing to a local
24 government regarding the matter on which a review is being requested;

25 (b) Any person requesting review of any matter in subsection (1) of
26 this section if the governor certifies the request within thirty days
27 of the filing of the request with the board. The person requesting
28 board review under this subsection shall file a copy of the request
29 with the board and the governor within thirty days of the action on
30 which a board review is requested; or

1 (c) Any person aggrieved by the granting, denying, or rescinding of
2 a permit based on rules adopted under this chapter.

3 (3) The board shall review the matter brought before it, as
4 provided in this section, and issue a final order, as appropriate,
5 affirming, reversing, or remanding the plan, regulation, or other
6 decision subject to review under this chapter. The board shall issue
7 a final order within one hundred eighty days of a request for review,
8 unless an extension is justified for reasons beyond the control of the
9 board. Such a final order shall be based exclusively on whether the
10 plan, regulation, or other decision subject to review under this
11 chapter is consistent with the goals and requirements of this chapter.

12 (4) The board, when appropriate, shall consolidate all requests for
13 review for each plan and for development regulations.

14 (5) The review proceedings authorized in this section are subject
15 to the provisions of chapter 34.05 RCW pertaining to procedures in
16 adjudicative proceedings.

17 (6) Unless clearly contrary to sections 13 and 14 of this act, the
18 following are applicable to the board created in section 13 of this
19 act: RCW 43.21B.040, 43.21B.060, 43.21B.090, and 43.21B.100.

20 PART V

21 SANCTIONS FOR NONCOMPLIANCE

22 NEW SECTION. **Sec. 15.** NONCOMPLIANCE AND SANCTIONS. (1) The
23 department may find a county, city, or state agency in noncompliance
24 if:

25 (a) A county or city that is required to plan under RCW 36.70A.040
26 does not complete its comprehensive land use plan by the dates required
27 or by the department's schedule for submittal; or

1 (b) The board has heard an appeal and issued a final order on a
2 county's or city's comprehensive plan, development regulations, or a
3 state agency's plans or actions, and the county, city, or state agency
4 has not complied with the order within one year. If the department
5 finds a county, city, or state agency in noncompliance, the department
6 may request the governor to invoke one or more of the sanctions
7 provided in subsection (2) of this section. The department shall
8 attempt to resolve issues causing noncompliance prior to requesting the
9 governor to invoke one or more of the sanctions.

10 (2) If requested, the governor may either:

11 (a) Notify and direct the director of the office of financial
12 management to revise allotments in appropriation levels;

13 (b) Notify and direct the state treasurer to withhold the portion
14 of revenues to which the county or city is entitled under one or more
15 of the following: The motor vehicle fuel tax, as provided in chapter
16 82.36 RCW; the transportation improvement account as provided in RCW
17 47.26.084; the urban arterial trust account as provided in RCW
18 47.26.080; the rural arterial trust account as provided in RCW
19 36.79.150; the sales and use tax, as provided in chapter 82.14 RCW; the
20 liquor profit tax, as provided in RCW 66.08.190; and the liquor excise
21 tax, as provided in RCW 82.08.170; or

22 (c) File a notice of noncompliance with the secretary of state and
23 the county or city, which shall temporarily rescind the county or
24 city's authority to collect the real estate excise tax under RCW
25 82.46.030 until the governor files a notice rescinding the notice of
26 noncompliance.

27 **Sec. 16.** RCW 43.88.110 and 1987 c 502 s 5 are each amended to read
28 as follows:

1 EXPENDITURE PROGRAMS--ALLOTMENTS--RESERVES. This section sets
2 forth the expenditure programs and the allotment and reserve procedures
3 to be followed by the executive branch for public funds. Allotments of
4 an appropriation for any fiscal period shall conform to the terms,
5 limits, or conditions of the appropriation.

6 (1) The director of financial management shall provide all agencies
7 with a complete set of instructions for preparing a statement of
8 proposed expenditures at least thirty days before the beginning of a
9 fiscal period. The set of instructions need not include specific
10 appropriation amounts for the agency.

11 (2) Within forty-five days after the beginning of the fiscal period
12 or within forty-five days after the governor signs the omnibus biennial
13 appropriations act, whichever is later, all agencies shall submit to
14 the governor a statement of proposed expenditures at such times and in
15 such form as may be required by the governor. If at any time during
16 the fiscal period the governor projects a cash deficit as defined by
17 RCW 43.88.050, the governor shall make across-the-board reductions in
18 allotments so as to prevent a cash deficit, unless the legislature has
19 directed the liquidation of the cash deficit over one or more fiscal
20 periods. Except for the legislative and judicial branches and other
21 agencies headed by elective officials, the governor shall review the
22 statement of proposed expenditures for reasonableness and conformance
23 with legislative intent. Once the governor approves the statements of
24 proposed expenditures, further revisions shall be made only at the
25 beginning of the second fiscal year and must be initiated by the
26 governor. However, changes in appropriation level authorized by the
27 legislature, changes required by across-the-board reductions mandated
28 by the governor, ~~((and))~~ changes caused by executive increases to
29 spending authority, and changes caused by executive decreases to
30 spending authority for failure to comply with the provisions of chapter

1 36.70A RCW may require additional revisions. Revisions shall not be
2 made retroactively. Revisions caused by executive increases to spending
3 authority shall not be made after June 30, 1987. However, the governor
4 may assign to a reserve status any portion of an agency appropriation
5 withheld as part of across-the-board reductions made by the governor
6 and any portion of an agency appropriation conditioned on a contingent
7 event by the appropriations act. The governor may remove these amounts
8 from reserve status if the across-the-board reductions are subsequently
9 modified or if the contingent event occurs. The director of financial
10 management shall enter approved statements of proposed expenditures
11 into the state budgeting, accounting, and reporting system within
12 forty-five days after receipt of the proposed statements from the
13 agencies. If an agency or the director of financial management is
14 unable to meet these requirements, the director of financial management
15 shall provide a timely explanation in writing to the legislative fiscal
16 committees.

17 (3) It is expressly provided that all agencies shall be required to
18 maintain accounting records and to report thereon in the manner
19 prescribed in this chapter and under the regulations issued pursuant to
20 this chapter. Within ninety days of the end of the fiscal year, all
21 agencies shall submit to the director of financial management their
22 final adjustments to close their books for the fiscal year. Prior to
23 submitting fiscal data, written or oral, to committees of the
24 legislature, it is the responsibility of the agency submitting the data
25 to reconcile it with the budget and accounting data reported by the
26 agency to the director of financial management. The director of
27 financial management shall monitor agency expenditures against the
28 approved statement of proposed expenditures and shall provide the
29 legislature with quarterly explanations of major variances.

1 (4) The director of financial management may exempt certain public
2 funds from the allotment controls established under this chapter if it
3 is not practical or necessary to allot the funds. Allotment control
4 exemptions expire at the end of the fiscal biennium for which they are
5 granted. The director of financial management shall report any
6 exemptions granted under this subsection to the legislative fiscal
7 committees.

8 **Sec. 17.** RCW 66.08.190 and 1988 c 229 s 4 are each amended to read
9 as follows:

10 LIQUOR REVOLVING FUND--DISBURSEMENT OF EXCESS FUNDS TO STATE,
11 COUNTIES AND CITIES. When excess funds are distributed, all moneys
12 subject to distribution shall be disbursed as follows:

13 (1) Three-tenths of one percent to the department of community
14 development to be allocated to border areas under RCW 66.08.195; and

15 (2) From the amount remaining after distribution under subsection
16 (1) of this section, fifty percent to the general fund of the state,
17 ten percent to the counties of the state, and forty percent to the
18 incorporated cities and towns of the state.

19 (3) The governor may notify and direct the state treasurer to
20 withhold the revenues to which the counties and cities are entitled
21 under this section if the counties or cities are found to be in
22 noncompliance pursuant to section 15 of this act.

23 **Sec. 18.** RCW 36.79.150 and 1983 1st ex.s. c 49 s 15 are each
24 amended to read as follows:

25 RURAL ARTERIAL TRUST ACCOUNT. (1) Whenever the board approves a
26 rural arterial project it shall determine the amount of rural arterial
27 trust account funds to be allocated for such project. The allocation
28 shall be based upon information contained in the six-year plan

1 submitted by the county seeking approval of the project and upon such
2 further investigation as the board deems necessary. The board shall
3 adopt reasonable rules pursuant to which rural arterial trust account
4 funds allocated to a project may be increased upon a subsequent
5 application of the county constructing the project. The rules adopted
6 by the board shall take into account, but shall not be limited to, the
7 following factors: ~~((+1))~~ (a) The financial effect of increasing the
8 original allocation for the project upon other rural arterial projects
9 either approved or requested; ~~((+2))~~ (b) whether the project for which
10 an additional allocation is requested can be reduced in scope while
11 retaining a usable segment; ~~((+3))~~ (c) whether the original cost of
12 the project shown in the applicant's six-year program was based upon
13 reasonable engineering estimates; and ~~((+4))~~ (d) whether the requested
14 additional allocation is to pay for an expansion in the scope of work
15 originally approved.

16 (2) The board shall not allocate funds, nor make payments under RCW
17 36.79.160, to any county or city identified by the governor as not
18 being in compliance with section 15 of this act.

19 **Sec. 19.** RCW 47.26.080 and 1988 c 167 s 13 are each amended to
20 read as follows:

21 URBAN ARTERIAL TRUST ACCOUNT. There is hereby created in the motor
22 vehicle fund the urban arterial trust account. All moneys deposited in
23 the motor vehicle fund to be credited to the urban arterial trust
24 account shall be expended for the construction and improvement of city
25 arterial streets and county arterial roads within urban areas, for
26 expenses of the transportation improvement board, or for the payment of
27 principal or interest on bonds issued for the purpose of constructing
28 or improving city arterial streets and county arterial roads within
29 urban areas, or for reimbursement to the state, counties, cities, and

1 towns in accordance with RCW 47.26.4252 and 47.26.4254, the amount of
2 any payments made on principal or interest on urban arterial trust
3 account bonds from motor vehicle or special fuel tax revenues which
4 were distributable to the state, counties, cities, and towns.

5 The board shall not allocate funds, nor make payments of the funds
6 under RCW 47.26.260, to any county or city identified by the governor
7 as not being in compliance with section 15 of this act.

8 **Sec. 20.** RCW 47.26.084 and 1988 c 167 s 2 are each amended to read
9 as follows:

10 TRANSPORTATION IMPROVEMENT ACCOUNT--ALLOCATION OF FUNDS. The
11 transportation improvement account is hereby created in the motor
12 vehicle fund. The board shall adopt rules and procedures which shall
13 govern the allocation of funds in the transportation improvement
14 account at such time as funds become available.

15 The board shall allocate funds from the account by June 30 of each
16 year for the ensuing fiscal year and shall endeavor to provide
17 geographical diversity in selecting improvement projects to be funded
18 from the account.

19 Of the amount made available to the transportation improvement
20 board from the transportation improvement account for improvement
21 projects:

22 (1) Eighty-seven percent shall be allocated to counties, to cities
23 with a population of over five thousand, and to transportation benefit
24 districts. Improvement projects may include, but are not limited to,
25 multi-agency and suburban arterial improvement projects.

26 To be eligible to receive these funds, a project must be (a)
27 consistent with state, regional, and local transportation plans and
28 consideration shall be given to the project's relationship, both actual
29 and potential, with rapid mass transit and at such time as a rail plan

1 is developed by the rail development commission, projects must be
2 consistent therewith, (b) necessitated by existing or reasonably
3 foreseeable congestion levels attributable to economic development or
4 growth, and (c) partially funded by local government or private
5 contributions, or a combination of such contributions. The board
6 shall, for those projects meeting the eligibility criteria, determine
7 what percentage of each project is funded by local and/or private
8 contribution. Priority consideration shall be given to those projects
9 with the greatest percentage of local and/or private contribution.

10 Within one year after board approval of an application for funding,
11 a county, city, or transportation benefit district shall provide
12 written certification to the board of the pledged local and/or private
13 funding. Funds allocated to an applicant that does not certify its
14 funding within one year after approval may be reallocated by the board.

15 (2) Thirteen percent shall be allocated by the board to cities with
16 a population of five thousand or less for street improvement projects
17 in a manner determined by the board.

18 The board shall not allocate funds, nor make payments of the funds
19 under RCW 47.26.265, to any county or city identified by the governor
20 as not being in compliance with section 15 of this act. The board
21 shall reduce its allocation of funds to any public benefit district in
22 proportion to the proportion of improvements being made to the roads of
23 any county or the streets of any city which is identified by the
24 governor as not being in compliance with section 15 of this act.

25 **Sec. 21.** RCW 82.46.035 and 1990 1st ex.s. c 17 s 38 are each
26 amended to read as follows:

27 ADDITIONAL TAX--CERTAIN COUNTIES--BALLOT PROPOSITION--USE LIMITED
28 TO CAPITAL PROJECTS. (1) The governing body of any county or any city
29 that plans under RCW 36.70A.040(1) may impose an additional excise tax

1 on each sale of real property in the unincorporated areas of the county
2 for the county tax and in the corporate limits of the city for the city
3 tax at a rate not exceeding one-quarter of one percent of the selling
4 price. Any county choosing to plan under RCW 36.70A.040(2) and any
5 city within such a county may only adopt an ordinance imposing the
6 excise tax authorized by this section if the ordinance is first
7 authorized by a proposition approved by a majority of the voters of the
8 taxing district voting on the proposition at a general election held
9 within the district or at a special election within the taxing district
10 called by the district for the purpose of submitting such proposition
11 to the voters.

12 (2) Revenues generated from the tax imposed under subsection (1) of
13 this section shall be used by such counties and cities solely for
14 financing capital projects specified in a capital facilities plan
15 element of a comprehensive plan.

16 (3) Revenues generated by the tax imposed by this section shall be
17 deposited in a separate account.

18 (4) As used in this section, "city" means any city or town.

19 (5) When the governor files a notice of noncompliance based on
20 section 15 of this act with the secretary of state and the appropriate
21 county or city, the county or city's authority to impose the additional
22 excise tax under this section shall be temporarily rescinded until the
23 governor files a subsequent notice rescinding the notice of
24 noncompliance.

25 NEW SECTION. Sec. 22. A new section is added to chapter 82.14 RCW
26 to read as follows:

27 WITHHOLDING REVENUE--NONCOMPLIANCE. The governor may notify and
28 direct the state treasurer to withhold the revenues to which the county

1 or city is entitled under this chapter if a county or city is found to
2 be in noncompliance pursuant to section 15 of this act.

3 NEW SECTION. **Sec. 23.** A new section is added to chapter 82.36 RCW
4 to read as follows:

5 WITHHOLDING REVENUE--NONCOMPLIANCE. The governor may notify and
6 direct the state treasurer to withhold the revenues to which the county
7 or city is entitled under this chapter if a county or city is found to
8 be in noncompliance pursuant to section 15 of this act.

9 NEW SECTION. **Sec. 24.** A new section is added to chapter 82.08 RCW
10 to read as follows:

11 WITHHOLDING REVENUE--NONCOMPLIANCE. The governor may notify and
12 direct the state treasurer to withhold the revenues to which the
13 counties and cities are entitled under RCW 82.08.170 if the counties or
14 cities are found to be in noncompliance pursuant to section 15 of this
15 act.

16 NEW SECTION. **Sec. 25.** BOARD MAY ADOPT PROCEDURAL RULES. The
17 board may adopt rules under chapter 34.05 RCW governing the
18 administrative practice and procedure in and before the board.

19 NEW SECTION. **Sec. 26.** OTHER APPEAL RIGHTS. (1) Any party
20 aggrieved by a final decision of the hearings board may appeal the
21 decision to Thurston county superior court, or to the court of appeals
22 or the supreme court if these courts agree to hear the appeal.

23 (2) Failing to obtain review under this chapter of a plan,
24 regulation, or amendment thereto, development action, or other matter
25 concerning compliance with the requirements of this chapter, rules

1 adopted under this chapter, or order of the board shall not affect
2 other appeal rights otherwise available by law.

3 PART VI

4 APPROPRIATIONS

5 NEW SECTION. **Sec. 27.** RURAL-URBAN LINKS. The sum of one million
6 eighty thousand dollars, or as much thereof as may be necessary, is
7 appropriated for the biennium ending June 30, 1993, from the general
8 fund to the department of community development for the rural-urban
9 links grant program created pursuant to RCW 43.63A.560.

10 NEW SECTION. **Sec. 28.** ASSOCIATE DEVELOPMENT ORGANIZATIONS. The
11 sum of five hundred thousand dollars, or as much thereof as may be
12 necessary, is appropriated for the biennium ending June 30, 1993, from
13 the general fund to the department of trade and economic development to
14 enhance current level grants to associate development organizations.
15 Associate development organizations who receive grants from the
16 department shall use the grants to build local capacity, to build
17 rural-urban links, and to implement RCW 43.31.097. The department
18 shall award the enhancements based on the following criteria: (1) Need
19 and available resources; (2) encouraging growth in areas experiencing
20 little or no growth; and (3) establishing rural-urban links.

21 NEW SECTION. **Sec. 29.** GROWTH MANAGEMENT HEARINGS BOARD. The sum
22 of one million five hundred ninety-six thousand dollars, or as much
23 thereof as may be necessary, is appropriated for the biennium ending
24 June 30, 1993, from the general fund to the environmental hearings
25 office for the growth management hearings board created in section 13
26 of this act.

PART VII

OTHER PROVISIONS

1
2
3 NEW SECTION. **Sec. 30.** HEADINGS. Part and section headings as
4 used in this act do not constitute any part of the law.

5 NEW SECTION. **Sec. 31.** Sections 5, 7 through 9, 13 through 15, 25,
6 26, and 30 of this act are each added to chapter 36.70A RCW.