
HOUSE BILL 1684

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By Representatives Hargrove, Basich, Morris, Sheldon, Riley, Bowman, Jones, Beck, G. Fisher, Brekke, Kremen, Peery, H. Myers, P. Johnson, Dorn, Fuhrman, Wineberry, Jacobsen, Winsley and Rasmussen.

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1 AN ACT Relating to the state social and health services policy act;
2 and adding a new chapter to Title 43 RCW.

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

4 NEW SECTION. **Sec. 1.** The purposes of this chapter are to: (1)
5 Declare a state policy that will balance the needs of human beings and
6 the environment; (2) Promote efforts that will prevent or eliminate
7 social, health, or economic damage to human beings from environmental
8 or economic policies or actions; (3) and stimulate the health and
9 welfare of all human beings.

10 NEW SECTION. **Sec. 2.** (1) The legislature, recognizing that human
11 beings depend on biological and physical surroundings for food,
12 shelter, and other needs, and for cultural enrichment as well; and
13 recognizing further the profound impact of environmental policies and

1 actions on the well-being of all humans, declares that it is the
2 continuing policy of the state of Washington, in cooperation with
3 federal and local governments and other concerned public and private
4 organizations, to use all practicable means and measures, including
5 financial and technical assistance, in a manner calculated to: (a)
6 Foster and promote the general welfare; (b) create and maintain
7 conditions under which human beings and nature can exist in productive
8 harmony; and (c) fulfill the social, health, economic, and other
9 requirements of present and future generations of Washington citizens.

10 (2) To carry out the policy set forth in this chapter, it is the
11 continuing responsibility of the state of Washington and all agencies
12 of the state to use all practicable means, consistent with other
13 essential considerations of state policy, to improve and coordinate
14 plans, functions, programs, and resources to the end that the state and
15 its citizens may:

16 (a) Assure for all people of Washington safe, healthful,
17 productive, and aesthetically and culturally pleasing surroundings;

18 (b) Attain the widest range of beneficial uses of the environment
19 without degradation, risk to health or safety, or other undesirable and
20 unintended consequences;

21 (c) Preserve important historic, cultural, and natural aspects of
22 our national heritage;

23 (d) Maintain, wherever possible, an environment that supports
24 diversity and variety of individual choice;

25 (e) Achieve a balance between population and resource use that will
26 permit high standards of living and a wide sharing of life's amenities;
27 and

28 (f) Enhance the quality of renewable resources and approach the
29 maximum attainable recycling of depletable resources.

1 (3) The legislature recognizes that each person has a fundamental
2 and inalienable right to economic and personal independence and a
3 healthful environment.

4 NEW SECTION. **Sec. 3.** The legislature authorizes and directs that,
5 to the fullest extent possible:

6 (1) The policies, regulations, and laws of the state of Washington
7 shall be interpreted and administered in accordance with the policies
8 set forth in this chapter; and

9 (2) All branches of government of this state, including state
10 agencies, municipal and public corporations, and counties shall:

11 (a) Utilize a systematic, interdisciplinary approach that will
12 ensure the integrated use of the social, health, and natural sciences
13 in decision making which may have an impact on the health and social or
14 economic well-being of all citizens;

15 (b) Identify and develop methods and procedures, in consultation
16 with the department of social and health services and the department of
17 health, that will ensure that presently unquantified social, health, or
18 economic consequences and values will be given appropriate
19 consideration in decision making along with environmental and technical
20 considerations;

21 (c) Include in every recommendation or report on proposals for
22 legislation and other major actions significantly affecting the quality
23 of social, health, or economic well-being of citizens, a detailed
24 statement by the responsible official on:

25 (i) The social, health, or economic impact of the proposed action;

26 (ii) Any adverse social, health, or economic effects that cannot be
27 avoided should the proposal be implemented;

28 (iii) Alternatives to the proposed action;

1 (iv) The relationship between local short-term social, health, or
2 economic impacts of the proposed environmental or economic policy or
3 action and the maintenance and enhancement of long-term productivity;
4 and

5 (v) Any irreversible and irretrievable commitments of resources
6 that would be involved in the proposed action should it be implemented;

7 (d) Prior to making any detailed statement, the responsible
8 official shall consult with and obtain the comments of any public
9 agency that has jurisdiction by law or special expertise with respect
10 to any social, health, or economic impact involved. Copies of such
11 statement and the comments and views of the appropriate federal, state,
12 and local agencies, which are authorized to develop and enforce social,
13 health, or economic standards, shall be made available to the governor,
14 the department of social and health services, the department of health,
15 and the public, and shall accompany the proposal through the existing
16 agency review processes;

17 (e) Study, develop, and describe appropriate alternatives to
18 recommended courses of action in any proposal that involves unresolved
19 conflicts concerning possible social, health, or economic impacts;

20 (f) Make available to the federal government, other states,
21 municipalities, institutions, and individuals, advice and information
22 useful in restoring, maintaining, and enhancing the quality of citizens
23 social, health, and economic well-being;

24 (g) Initiate and utilize social, health, and economic information
25 in the planning and development of natural resource-oriented projects.

26 NEW SECTION. **Sec. 4.** A social and health services impact
27 statement, the detailed statement required by section 3(2)(c) of this
28 act, shall be prepared on proposals for legislation and other major

1 actions having a probable significant, adverse social, health, and
2 economic impact. Actions categorically exempt under section 13(1)(a)
3 of this act do not require a social, health, and economic review or the
4 preparation of a social and health services impact statement under this
5 chapter.

6 A social and health services impact statement is required to
7 analyze only those probable adverse environmental or economic policies
8 or actions that are significant. The responsible official shall consult
9 with agencies and the public to identify such impacts and limit the
10 scope of a social and health services impact statement. The subjects
11 listed in section 3(2)(c) of this act need not be treated as separate
12 sections of a social and health services impact statement. Discussions
13 of significant short-term and long-term social and health services
14 impacts, significant irrevocable commitments of resources, significant
15 alternatives including mitigation measures, and significant social,
16 health, and economic impacts that cannot be mitigated should be
17 consolidated or included, as applicable, in those sections of a social
18 and health services impact statement where the responsible official
19 decides they logically belong.

20 NEW SECTION. **Sec. 5.** All branches of government of this state,
21 including state agencies, municipal and public corporations, and
22 counties, shall review their present statutory authority,
23 administrative rules, and current policies and procedures for the
24 purpose of determining whether there are any deficiencies or
25 inconsistencies therein which prohibit full compliance with the
26 purposes and provisions of this chapter and shall propose to the
27 governor not later than January 1, 1992, such measures as may be
28 necessary to bring their authority and policies in conformity with the
29 intent, purposes, and procedures set forth in this chapter.

1 NEW SECTION. **Sec. 6.** Nothing in section 3 or 5 of this act shall
2 in any way affect the specific statutory obligations of any agency to
3 (1) comply with criteria or standards of social or health services
4 programs, (2) coordinate or consult with any other public agency, or
5 (3) act, or refrain from acting, contingent upon the recommendations or
6 certification of any other public agency.

7 NEW SECTION. **Sec. 7.** The policies and goals set forth in this
8 chapter are supplementary to those set forth in existing authorizations
9 of all branches of government of this state, including state agencies,
10 municipal and public corporations, and counties. Any governmental
11 action may be conditioned or denied pursuant to this chapter:
12 PROVIDED, That such conditions or denials shall be based upon policies
13 identified by the appropriate governmental authority and incorporated
14 into regulations, plans, or codes which are formally designated by the
15 agency, or appropriate legislative body in the case of local
16 government, as possible bases for the exercise of authority pursuant to
17 this chapter. Such designation shall occur at the time specified by
18 section 14 of this act. Such action may be conditioned only to
19 mitigate specific adverse social, health, or economic impacts that are
20 identified in the social, health, or economic documents prepared under
21 this chapter. These conditions shall be stated in writing by the
22 decision maker. Mitigation measures shall be reasonable and capable of
23 being accomplished. To deny a proposal under this chapter, an agency
24 must find that: (1) The proposal would result in significant adverse
25 impacts identified in a final or supplemental social, health, or
26 economic impact statement prepared under this chapter; and (2)
27 reasonable mitigation measures are insufficient to mitigate the
28 identified impact. Except for permits and variances issued pursuant to
29 chapter 90.58 RCW, when such a governmental action, not requiring a

1 legislative decision, is conditioned or denied by a nonelected official
2 of a local governmental agency, the decision shall be appealable to the
3 legislative authority of the acting local governmental agency unless
4 that legislative authority formally eliminates such appeals. Such
5 appeals shall be in accordance with procedures established for such
6 appeals by the legislative authority of the acting local governmental
7 agency.

8 NEW SECTION. **Sec. 8.** (1) Because a major purpose of this chapter
9 is to combine social, health, or economic considerations with public
10 decisions, any appeal brought under this chapter shall be linked to a
11 specific governmental action. The state social and health services
12 policy act provides a basis for challenging whether governmental action
13 is in compliance with the substantive and procedural provisions of this
14 chapter. The state social and health services policy act is not
15 intended to create a cause of action unrelated to a specific
16 governmental action.

17 (2) Unless otherwise provided by this section:

18 (a) Appeals under this chapter shall be of the governmental action
19 together with its accompanying social, health, or economic
20 determinations.

21 (b) Appeals of social, health, or economic determinations made, or
22 lacking, under this chapter shall be commenced within the time required
23 to appeal the governmental action that is subject to social, health, or
24 economic review.

25 (3) If an agency has a procedure for appeals of agency social,
26 health, or economic determinations made under this chapter, such
27 procedure:

28 (a) Shall not allow more than one agency appeal proceeding on a
29 procedural determination (the adequacy of a determination of

1 significance/nonsignificance or of a final social and health services
2 impact statement), consistent with any state statutory requirements for
3 appeals to local legislative bodies. The appeal proceeding on a
4 determination of significance/nonsignificance may occur before the
5 agency's final decision on a proposed action. Such an appeal shall
6 also be allowed for a determination of significance/nonsignificance
7 which may be issued by the agency after supplemental review;

8 (b) Shall consolidate appeal of procedural issues and of
9 substantive determinations made under this chapter, such as a decision
10 to require particular mitigation measures or to deny a proposal, by
11 providing for simultaneous appeal of an agency decision on a proposal
12 and any environmental determinations made under this chapter, with the
13 exception of the threshold determination appeal as provided in (a) of
14 this subsection or an appeal to the local legislative authority under
15 section 7 of this act or other applicable state statutes;

16 (c) Shall provide for the preparation of a record for use in any
17 subsequent appeal proceedings, and shall provide for any subsequent
18 appeal proceedings to be conducted on the record, consistent with other
19 applicable law. An adequate record consists of findings and
20 conclusions, testimony under oath, and taped or written transcript. An
21 electronically recorded transcript will suffice for purposes of review
22 under this subsection (3)(c); and

23 (d) Shall provide that procedural determinations made by the
24 responsible official shall be entitled to substantial weight.

25 (4) If a person aggrieved by an agency action has the right to
26 judicial appeal and if an agency has an appeal procedure, such person
27 shall, prior to seeking any judicial review, use such procedure if any
28 such procedure is available, unless expressly provided otherwise by
29 state statute.

1 (5) Section 9 of this act establishes an optional "notice of
2 action" procedure which, if used, imposes a time period for appealing
3 decisions under this chapter. Some statutes and ordinances contain
4 time periods for challenging governmental actions which are subject to
5 review under this chapter, such as various local land use approvals
6 (the "underlying governmental action"). This section does not modify
7 any such time periods. This section governs when a judicial appeal
8 must be brought under this chapter where a "notice of action" is used,
9 and/or where there is another time period which is required by statute
10 or ordinance for challenging the underlying governmental action. In
11 this subsection, the term "appeal" refers to a judicial appeal only.

12 (a) If there is a time period for appealing the underlying
13 governmental action, appeals under this chapter shall be commenced
14 within thirty days. The agency shall give official notice stating the
15 date and place for commencing an appeal. If there is an agency
16 proceeding under subsection (3) of this section, the appellant shall,
17 prior to commencing a judicial appeal, submit to the responsible
18 official a notice of intent to commence a judicial appeal. This notice
19 of intent shall be given within the time period for commencing a
20 judicial appeal on the underlying governmental action.

21 (b) A notice of action under section 9 of this act may be used. If
22 a notice of action is used, judicial appeals shall be commenced within
23 the time period specified by section 9 of this act, unless there is a
24 time period for appealing the underlying governmental action in which
25 case (a) of this subsection shall apply.

26 (c) Notwithstanding section 9(1) of this act, if there is a time
27 period for appealing the underlying governmental action, a notice of
28 action may be published within such time period.

1 (6)(a) Judicial review of an appeal decision made by an agency
2 under subsection (5) of this section shall be on the record, consistent
3 with other applicable law.

4 (b) A taped or written transcript may be used. If a taped
5 transcript is to be reviewed, a record shall identify the location on
6 the taped transcript of testimony and evidence to be reviewed. Parties
7 are encouraged to designate only those portions of the testimony
8 necessary to present the issues raised on review, but if a party
9 alleges that a finding of fact is not supported by evidence, the party
10 should include in the record all evidence relevant to the disputed
11 finding. Any other party may designate additional portions of the
12 taped transcript relating to issues raised on review. A party may
13 provide a written transcript of portions of the testimony at the
14 party's own expense or apply to that court for an order requiring the
15 party seeking review to pay for additional portions of the written
16 transcript.

17 (c) Judicial review under this chapter shall without exception be
18 of the governmental action together with its accompanying environmental
19 determinations.

20 (7) Jurisdiction over the review of determinations under this
21 chapter in an appeal before an agency or superior court shall upon
22 consent of the parties be transferred in whole or part to the office of
23 administrative hearings. The office of administrative hearings shall
24 hear the matter and sign the final order expeditiously. The superior
25 court shall certify the final order of the office of administrative
26 hearings and said certified final order may only be appealed to an
27 appellate court.

28 (8) For purposes of this section and section 9 of this act, the
29 words "action," "decision," and "determination" mean substantive agency
30 action including any accompanying procedural determinations under this

1 chapter, except where the word "action" means "appeal" in section 9 (2)
2 and (3) of this act. The word "action" in this section and section 9
3 of this act does not mean a procedural determination by itself made
4 under this chapter. The word "determination" includes any social,
5 health, or economic document required by this chapter and state or
6 local implementing rules. The word "agency" refers to any state or
7 local unit of government. The word "appeal" refers to administrative,
8 legislative, or judicial appeals.

9 (9) The court in its discretion may award reasonable attorneys'
10 fees of up to one thousand dollars in the aggregate to the prevailing
11 party, including a governmental agency, on issues arising out of this
12 chapter if the court makes specific findings that the legal position of
13 a party is frivolous and without reasonable basis.

14 NEW SECTION. **Sec. 9.** (1) Notice of any action taken by a
15 governmental agency may be publicized by the acting governmental
16 agency, the applicant for, or the proponent of such action, in
17 substantially the form as set forth in subsection (3) of this section
18 and in the following manner:

19 (a) By publishing notice on the same day of each week for two
20 consecutive weeks in a legal newspaper of general circulation in the
21 area where the property which is the subject of the action is located;

22 (b) By filing notice of such action with the department of social
23 and health services at its main office in Olympia prior to the date of
24 the last newspaper publication; and

25 (c) Except for those actions which are of a nonproject nature, by
26 one of the following methods which shall be accomplished prior to the
27 date of last newspaper publication:

28 (i) Mailing to the latest recorded real property owners, as shown
29 by the records of the county treasurer, who share a common boundary

1 line with the property upon which the project is proposed through
2 United States mail, first class, postage prepaid; or

3 (ii) Posting of the notice in a conspicuous manner on the property
4 upon which the project is to be constructed.

5 (2)(a) Any action to set aside, enjoin, review, or otherwise
6 challenge any such governmental action for which notice is given as
7 provided in subsection (1) of this section on grounds of noncompliance
8 with the provisions of this chapter shall be commenced within thirty
9 days from the date of last newspaper publication of the notice pursuant
10 to subsection (1) of this section, or be barred: PROVIDED, That the
11 time period within which an action shall be commenced shall be ninety
12 days (i) for projects to be performed by a governmental agency or to be
13 performed under government contract, or (ii) for thermal power plant
14 projects: PROVIDED FURTHER, That any subsequent governmental action on
15 the proposal for which notice has been given as provided in subsection
16 (1) of this section shall not be set aside, enjoined, reviewed, or
17 otherwise challenged on grounds of noncompliance with the provisions of
18 section 3(2)(a) through (g) of this act unless there has been a
19 substantial change in the proposal between the time of the first
20 governmental action and the subsequent governmental action, or unless
21 the action now being considered was identified in an earlier detailed
22 statement or declaration of nonsignificance as being one that would
23 require further environmental evaluation.

24 (b) Any action to challenge a subsequent governmental action based
25 upon any provision of this chapter shall be commenced within thirty
26 days from the date of last newspaper publication of the subsequent
27 governmental action except (i) for projects to be performed by a
28 governmental agency or to be performed under governmental contract, or
29 (ii) for thermal power plant projects which shall be challenged within

1 ninety days from the date of last newspaper publication of the
2 subsequent governmental action, or be barred.

3 (3) The form for such notice of action shall be issued by the
4 department of social and health services and shall be made available by
5 the governmental agency taking an action subject to being publicized
6 pursuant to this section, by the county auditor, and/or the city clerk
7 to the project applicant or proposer. The form of such notice shall be
8 substantially as follows:

9 NOTICE OF ACTION BY

10

11 (Government agency or entity)

12 Pursuant to the provisions of chapter 43.... RCW (sections 1
13 through 24 of this act), notice is hereby given that:

14 The (Government agency or entity) did on
15 (date), take the action described below.

16 Any action to set aside, enjoin, review, or otherwise challenge
17 such action on the grounds of noncompliance with the provisions of
18 chapter 43.... RCW (sections 1 through 24 of this act), state social
19 and health services policy act, shall be commenced within days or
20 be barred.

21 The action taken by (Government agency or entity),
22 notice of which is hereby given, was as follows:

23 (1) (Here insert description of action taken such
24 as: Adoption Ordinance No.; Issued Building Permit; Approved
25 preliminary (or final) plat, etc.)

26 (2) (Here insert brief description of the complete
27 project or proposal.)

28 (3) Said action pertained to property commonly known as:

1
2
3
4

5 (Sufficient description to locate property, but complete legal
6 description not required)

7 (4) Pertinent documents may be examined during regular business
8 hours at the office of: located at:

9
10 (Location, including room number)

11
12 (Name of government agency, proponent, or applicant giving notice)

13 Filed by
14 (Signature of individual and capacity in which such individual is
15 signing)

16 NEW SECTION. **Sec. 10.** The department of social and health
17 services shall prepare a list of all filings required by section 9 of
18 this act each week and shall make such list available to any interested
19 party. The list of filings shall include a brief description of the
20 governmental action and the project involved in such action, along with
21 the location of where information on the project or action may be
22 obtained. Failure of the department to include any project or action
23 shall not affect the running of the statute of limitations provided in
24 section 9 of this act.

25 NEW SECTION. **Sec. 11.** In any action involving an attack on a
26 determination by a governmental agency relative to the requirement or
27 the absence of the requirement, or the adequacy of a "detailed

1 statement," the decision of the governmental agency shall be accorded
2 substantial weight.

3 NEW SECTION. **Sec. 12.** The rules promulgated under section 13 of
4 this act shall be accorded substantial deference in the interpretation
5 of this chapter.

6 NEW SECTION. **Sec. 13.** It shall be the duty and function of the
7 department of social and health services, which may utilize proposed
8 rules:

9 (1) To adopt and amend thereafter rules of interpretation and
10 implementation of this chapter, the state social and health services
11 policy act, subject to the requirements of chapter 34.05 RCW, for the
12 purpose of providing uniform rules and guidelines to all branches of
13 government including state agencies, political subdivisions, public and
14 municipal corporations, and counties. The proposed rules shall be
15 subject to full public hearings requirements associated with rule
16 promulgation. Suggestions for modifications of the proposed rules
17 shall be considered on their merits, and the department shall have the
18 authority and responsibility for full and appropriate independent
19 promulgation and adoption of rules, assuring consistency with this
20 chapter as amended and with the preservation of protections afforded by
21 this chapter. The rule-making powers authorized in this section shall
22 include, but shall not be limited to, the following phases of
23 interpretation and implementation of this chapter, the state social and
24 health services policy act:

25 (a) Categories of governmental actions that are not to be
26 considered as potential major actions significantly affecting the
27 social, health, or economic well-being of citizens. The types of
28 actions included as categorical exemptions in the rules shall be

1 limited to those types that are not major actions significantly
2 affecting the social, health, or economic well-being of citizens. The
3 rules shall provide for certain circumstances where actions that
4 potentially are categorically exempt require social, health, or
5 economic review.

6 (b) Rules for criteria and procedures applicable to the
7 determination of when an act of a branch of government is a major
8 action significantly affecting the social, health, or economic
9 well-being of citizens for which a detailed statement is required to be
10 prepared pursuant to section 3 of this act.

11 (c) Rules and procedures applicable to the preparation of detailed
12 statements and other social, health, or economic documents, including
13 but not limited to rules for timing of social, health, or economic
14 review, obtaining comments, data, and other information, and providing
15 for and determining areas of public participation which shall include
16 the scope and review of draft social, health, or economic impact
17 statements.

18 (d) Scope of coverage and contents of detailed statements assuring
19 that such statements are simple, uniform, and as short as practicable;
20 statements are required to analyze only reasonable alternatives and
21 probable adverse social, health, or economic impacts that are
22 significant, and may analyze beneficial impacts.

23 (e) Rules and procedures for public notification of actions taken
24 and documents prepared.

25 (f) Definition of terms relevant to the implementation of this
26 chapter including the establishment of a list of elements of the
27 social, health, or economic well-being of citizens. Analysis of
28 social, health, or economic considerations under section 3(2) of this
29 act may be required only for those subjects listed as elements of the
30 "natural" and "built" environment. The elements of the built

1 environment shall consist of public services and utilities, such as
2 water, sewer, schools, fire and police protection; transportation;
3 environmental health, such as explosive materials and toxic waste; and
4 land and shoreline use, including housing, and a description of the
5 relationships with land use and shoreline plans and designations,
6 including population.

7 (g) Rules for determining the obligations and powers under this
8 chapter of two or more branches of government involved in the same
9 project significantly affecting the social, health, or economic well-
10 being of citizens.

11 (h) Methods to assure adequate public awareness of the preparation
12 and issuance of detailed statements required by section 3(2)(c) of this
13 act.

14 (i) To prepare rules for projects setting forth the time limits
15 within which the governmental entity responsible for the action shall
16 comply with the provisions of this chapter.

17 (j) Rules for utilization of a detailed statement for more than one
18 action and rules improving social, health, or economic analysis of
19 nonproject proposals and encouraging better interagency coordination
20 and integration between this chapter and other social and health
21 services laws.

22 (k) Rules relating to actions that shall be exempt from the
23 provisions of this chapter in situations of emergency.

24 (l) Rules relating to the use of social, health, or economic
25 documents in planning and decision making and the implementation of the
26 substantive policies and requirements of this chapter, including
27 procedures for appeals under this chapter.

28 (2) In exercising its powers, functions, and duties under this
29 section, the department may:

1 (a) Consult with the state agencies and with representatives of
2 science, industry, agriculture, labor, social and health service
3 organizations, state and local governments and other groups, as it
4 deems advisable; and

5 (b) Utilize, to the fullest extent possible, the services,
6 facilities, and information, including statistical information, of
7 public and private agencies, organizations, and individuals, in order
8 to avoid duplication of effort and expense, overlap, or conflict with
9 similar activities authorized by law and performed by established
10 agencies.

11 (3) Rules adopted pursuant to this section shall be subject to the
12 review procedures of RCW 34.05.240.

13 NEW SECTION. **Sec. 14.** (1) All agencies of government of this
14 state are directed, consistent with rules and guidelines adopted under
15 section 13 of this act, including any revisions, to adopt rules
16 pertaining to the integration of the policies and procedures of this
17 chapter, the state social and health services policy act, into the
18 various programs under their jurisdiction for implementation.
19 Designation of policies under section 7 of this act and adoption of
20 rules required under this section shall take place not later than one
21 hundred eighty days after the effective date of rules and guidelines
22 adopted pursuant to section 13 of this act, or after the establishment
23 of an agency, whichever shall occur later.

24 (2) Rules adopted by state agencies under subsection (1) of this
25 section shall be adopted in accordance with the provisions of chapter
26 34.05 RCW and shall be subject to the review procedures of RCW
27 34.05.240.

28 (3) All public and municipal corporations, political subdivisions,
29 and counties of this state are directed, consistent with rules and

1 guidelines adopted under section 13 of this act, including any
2 revisions, to adopt rules, ordinances, or resolutions pertaining to the
3 integration of the policies and procedures of this chapter, the state
4 social and health services policy act, into the various programs under
5 their jurisdiction for implementation. Designation of policies under
6 section 7 of this act and adoption of the rules required under this
7 section shall take place not later than one hundred eighty days after
8 the effective date of rules and guidelines adopted pursuant to section
9 13 of this act, or after the establishment of the governmental entity,
10 whichever shall occur later.

11 (4) Ordinances or regulations adopted prior to the effective date
12 of rules and guidelines adopted pursuant to section 13 of this act
13 shall continue to be effective until the adoption of any new or revised
14 ordinances or regulations that may be required: PROVIDED, That
15 revisions required by this section as a result of rule changes under
16 section 13 of this act are made within the time limits specified by
17 this section.

18 NEW SECTION. **Sec. 15.** The department of social and health
19 services, in consultation with concerned state agencies, shall with the
20 assistance of the associations of county prosecutors and city
21 attorneys, the association of county elected officials, the Washington
22 state association of counties, and the association of cities, draft
23 model ordinances for use by counties, cities, and towns in drafting
24 their ordinances under this chapter.

25 NEW SECTION. **Sec. 16.** (1) All public and municipal corporations,
26 political subdivisions, and counties of the state are authorized to
27 adopt rules, ordinances, and resolutions which incorporate any of the

1 following by reference to the appropriate sections of the Washington
2 Administrative Code:

3 (a) Rules and guidelines adopted under section 13(1) of this act in
4 accordance with the administrative procedure act, chapter 34.05 RCW;

5 (b) Model ordinances adopted by the department of social and health
6 services under section 15 of this act in accordance with the
7 administrative procedure act, chapter 34.05 RCW.

8 (2) If any rule, ordinance, or resolution is adopted by reference
9 pursuant to subsection (1) of this section, any publication of such
10 rule, ordinance, or resolution shall be accompanied by a summary of the
11 contents of the sections of the Washington Administrative Code referred
12 to. Such summaries shall be provided to the adopting units of local
13 government by the department of social and health services: PROVIDED,
14 That any proposal for a rule, ordinance, or resolution which would
15 adopt by reference rules and guidelines or model ordinances pursuant to
16 this section shall be accompanied by the full text of the material to
17 be adopted which need not be published but shall be maintained on file
18 for public use and examination.

19 (3) Whenever any rule, ordinance, or resolution is adopted by
20 reference pursuant to subsection (1) of this section, the corporation,
21 political subdivision, or county of the state adopting the rule,
22 ordinance, or resolution shall maintain on file for public use and
23 examination not less than three copies of the sections of the
24 Washington Administrative Code referred to.

25 NEW SECTION. **Sec. 17.** In the implementation of chapter 90.62 RCW,
26 the environmental coordination procedures act of 1973, the department
27 of ecology, consistent with guidelines adopted by the council shall
28 adopt rules which insure that one detailed statement prepared under
29 section 3 of this act may be utilized by all branches of government

1 participating in the processing of a master application. Whenever the
2 procedures established pursuant to chapter 90.62 RCW are used, those
3 procedures shall be utilized wherever possible to satisfy the
4 procedural requirements of section 3(2)(c) of this act. The time
5 limits for challenges provided for in section 9(2) of this act shall be
6 applicable when such procedures are so utilized.

7 NEW SECTION. **Sec. 18.** The legislature may establish a council on
8 social and health services policy to review and assist in the
9 implementation of this chapter.

10 NEW SECTION. **Sec. 19.** The council may employ such personnel as
11 are necessary for the performances of its duties.

12 NEW SECTION. **Sec. 20.** This chapter does not apply to actions
13 authorized by RCW 43.37.215 and 43.37.220 that are undertaken during a
14 state of emergency declared by the governor under RCW 43.06.210.

15 NEW SECTION. **Sec. 21.** The incorporation of a city or town is
16 exempted from compliance with this chapter.

17 NEW SECTION. **Sec. 22.** Consolidations of cities or towns, and the
18 annexations of all of a city or town by another city or town, are
19 exempted from compliance with this chapter.

20 NEW SECTION. **Sec. 23.** This chapter does not apply to the
21 development or adoption of the plan required to be developed and
22 adopted under chapter 43.180 RCW.

1 NEW SECTION. **Sec. 24.** The department of social and health
2 services shall conduct annual state-wide workshops and publish an
3 annual state social and health services policy act handbook or
4 supplement to assist persons in complying with the provisions of this
5 chapter and the implementing rules. The workshops and handbook shall
6 include, but not be limited to, measures to assist in preparation,
7 processing, and review of social, health, or economic documents,
8 relevant court decisions affecting this chapter or rules adopted under
9 this chapter, legislative changes to this chapter, administrative
10 changes to the rules, and any other information that will assist in
11 orderly implementation of this chapter and rules.

12 The department shall develop the handbook and conduct the workshops
13 in cooperation with, but not limited to, state agencies, the
14 association of Washington cities, the Washington association of
15 counties, educational institutions, and other groups or associations
16 interested in the state social and health services policy act.

17 NEW SECTION. **Sec. 25.** Sections 1 through 24 of this act shall
18 constitute a new chapter in Title 43 RCW.