

SENATE BILL REPORT

ESB 6628

As Passed Senate, February 12, 1996

Title: An act relating to property rights dispute resolution.

Brief Description: Providing for property rights dispute resolution.

Sponsors: Senators Haugen, Winsley, McCaslin, Heavey, Sheldon, Wood, Hale, Drew, Rasmussen, Loveland and Oke.

Brief History:

Committee Activity: Government Operations: 1/26/96, 2/2/96 [DP].
Passed Senate, 2/12/96, 40-7.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey and Winsley.

Staff: Diane Smith (786-7410)

Background: In resolving disagreements about project permit approvals, private property owners find an imbalance between their resources and governments. This has resulted in a perception of property owners that government has the advantage which cannot be overcome without a massive commitment of time and money on the part of the property owner.

While recent statutory changes have encouraged cooperation among the various governmental agencies responsible for permit approvals, there is no certainty that an applicant will receive the permits necessary to develop his or her project.

Summary of Bill: The Land Use Study Commission must consider how best to avoid land use conflicts and how to encourage settlement of those conflict that cannot be avoided by means of alternative dispute resolution methodologies. The commission must report its progress to the Legislature by July 1, 1997.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a way to give a citizen the assurance that if he or she is willing to negotiate in good faith, the agencies will also have to negotiate in good faith.

Testimony Against: The Land Use Study Commission was told to take a look at the permit assistance centers and give them a year or so to give the process a chance to work. The centers are volunteer and locally based. They do not have the capacity to fill this role.

Testified: Numerous people.