

# SENATE BILL REPORT

## ESHB 2194

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As of March 31, 2005

**Title:** An act relating to public participation requirements of the growth management act.

**Brief Description:** Changing public participation requirements of the growth management act.

**Sponsors:** House Committee on Local Government (originally sponsored by Representatives Springer and Simpson).

**Brief History:** Passed House: 3/11/05, 91-2.

**Committee Activity:** Government Operations & Elections: 3/28/05, 3/31/05 [DP, DNP, w/oRec].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Kastama, Chair; Roach, Ranking Minority Member; Fairley, Haugen, Kline and Pridemore.

**Minority Report:** Do not pass.

Signed by Senator Mulliken.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Benton.

**Staff:** Genevieve Pisarski (786-7488)

**Background:** As amended in 2002, the state's Growth Management Act (GMA) establishes a seven year cycle and schedule of completion dates for review and revision (update) of policies and development regulations concerning critical areas and resource lands, in the case of all cities and counties, and of comprehensive plans and development regulations, in the case of cities and counties that plan under the GMA.

The GMA also establishes public participation requirements. There must be procedures that are reasonably calculated to notify property owners and other affected and interested parties, provide for early and continuous public participation, and broadly disseminate relevant information.

**Summary of Bill:** Counties with a population over two hundred thousand and cities with a population over five thousand must begin their public notice and participation processes no later than one year before the statutorily specified completion date of their GMA update. If the completion date is on or before December 1, 2005, they must begin the processes as soon as reasonably possible.

These requirements are prospective only. Failure to comply exactly does not make the comprehensive plan or development regulations invalid.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** These requirements go with another proposal to allow a one-year extension for updates. The public needs to be brought into the update process as early as possible to assure a better product. In the case of some updates, there was a perception, at least, that people were not heard. There are already extensive public participation provisions in the GMA. What is needed are changes to the GMA requirements that are being updated to allow more alternatives. There are at least ninety-nine cities that would have to do this. They may not be ready a year in advance. Perhaps some kind of general notice provision would be sufficient.

**Testimony Against:** None.

**Who Testified:** PRO: Rep. Springer, prime sponsor; Paul Parker, WSAC; Dave Williams, AWC.