**1241-S.E AMS WAGO S2779.1 - NOT FOR FLOOR USE**

**ESHB 1241** - S AMD TO HLG COMM AMD (S-2308.1/21) **758**

By Senator Wagoner

**NOT CONSIDERED 04/26/2021**

On page 29, after line 38, insert the following:

"**Sec.**  RCW 36.70A.172 and 2010 c 211 s 3 are each amended to read as follows:

(1) In designating and protecting critical areas under this chapter, counties and cities shall include the best available science in developing policies and development regulations to protect the functions and values of critical areas. In addition, counties and cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

(2) If it determines that advice from scientific or other experts is necessary or will be of substantial assistance in reaching its decision, the growth management hearings board may retain scientific or other expert advice to assist in reviewing a petition under RCW 36.70A.290 that involves critical areas.

(3) To assist in reviewing a petition under RCW 36.70A.290 that involves critical areas, the growth management hearings board must allow the planning jurisdiction to retain and examine scientific experts or other expert witnesses to aid the board in understanding or determining facts in issue regarding policies or regulations. The board and any other party may retain and examine its own expert witnesses. All scientific or other expert witnesses must be established as experts by testifying to their knowledge, skill, experience, training, or education as established by the Washington rules of evidence pertaining to expert witnesses."

Renumber the remaining sections consecutively.

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**NOT CONSIDERED 04/26/2021**

On page 30, line 7, after "36.70A.190," strike "and 36.70A.210" and insert "36.70A.210, and 36.70A.172"

EFFECT: Allows planning jurisdictions to retain and examine scientific experts or other expert witnesses in petitions to the growth management hearings board involving critical areas. Provides that the board and any other party may retain and examine its own expert witnesses.