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SENATE BILL 5148

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State of Washington

56th Legislature

1999 Regular Session

By Senators B. Sheldon, Morton and Fraser; by request of Department of Ecology

Read first time 01/14/1999. Referred to Committee on Environmental Quality & Water Resources.

1 AN ACT Relating to the permit assistance center; amending RCW  
2 90.60.020, 90.60.030, and 90.60.100; repealing RCW 43.131.387 and  
3 43.131.388; providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 90.60.020 and 1995 c 347 s 602 are each amended to  
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in  
8 this section apply throughout this chapter.

9 (1) "Center" means the permit assistance center established in the  
10 (~~commission~~[department]) department by RCW 90.60.030.

11 (2) "Coordinating permit agency" means the permit agency that has  
12 the greatest overall jurisdiction over a project.

13 (3) "Department" means the department of ecology.

14 (4) "Participating permit agency" means a permit agency, other than  
15 the coordinating permit agency, that is responsible for the issuance of  
16 a permit for a project.

17 (5) "Parties" collectively means the coordinating permit agency,  
18 permit agency, and participating permit agency.

1       (6) "Permit" means any license, certificate, registration, permit,  
2 or other form of authorization required by a permit agency to engage in  
3 a particular activity.

4       (~~(6)~~) (7) "Permit agency" means:

5       (a) The department of ecology, an air pollution control authority,  
6 the department of natural resources, the department of fish and  
7 wildlife, and the department of health; and

8       (b) Any other state or federal agency or county, city, or town that  
9 participates at the request of the permit applicant and upon the  
10 agency's agreement to be subject to this chapter.

11       (~~(7)~~) (8) "Project" means an activity, the conduct of which  
12 requires permits from one or more permit agencies.

13       **Sec. 2.** RCW 90.60.030 and 1997 c 429 s 35 are each amended to read  
14 as follows:

15       The permit assistance center is established within the department.  
16 The center shall:

17       (1) Publish and keep current one or more handbooks containing lists  
18 and explanations of all permit laws. To the extent possible, the  
19 handbook shall include relevant federal and tribal laws. A state  
20 agency or local government shall provide a reasonable number of copies  
21 of application forms, statutes, ordinances, rules, handbooks, and other  
22 informational material requested by the center and shall otherwise  
23 fully cooperate with the center. The center shall seek the cooperation  
24 of relevant federal agencies and tribal governments;

25       (2) Establish, and make known, a point of contact for distribution  
26 of the handbook and advice to the public as to its interpretation in  
27 any given case;

28       (3) Work closely and cooperatively with the business license center  
29 in providing efficient and nonduplicative service to the public;

30       (4) Seek the assignment of employees from the permit agencies  
31 (~~listed under RCW 90.60.020(6)(a)~~) as defined in this chapter to  
32 serve on a rotating basis in staffing the center;

33       (5) Collect and disseminate information to public and private  
34 entities on federal, state, local, and tribal government programs that  
35 rely on private professional expertise to assist governmental agencies  
36 in project permit review; and

1 (6) Provide (~~(an annual)~~) a periodic report to the legislature (~~(on~~  
2 ~~potential conflicts and perceived inconsistencies among existing~~  
3 ~~statutes)~~) that:

4 (a) Provides policy and operational recommendations for  
5 streamlining and coordinating environmental permitting in Washington;  
6 and

7 (b) Summarizes the results of the center's efforts to measure  
8 center performance and outcomes over time. (~~(The first report shall be~~  
9 ~~submitted to the appropriate standing committees of the house of~~  
10 ~~representatives and senate by December 1, 1996.)~~)

11 **Sec. 3.** RCW 90.60.100 and 1995 c 347 s 610 are each amended to  
12 read as follows:

13 (1) The (~~(coordinating permit agency)~~) parties may enter into a  
14 written cost-reimbursement agreement with the applicant to recover from  
15 the applicant the reasonable costs incurred by the (~~(coordinating~~  
16 ~~permit agency)~~) parties in carrying out the requirements of this  
17 chapter, as well as the requirements of other relevant laws, as they  
18 relate to permit coordination, environmental review, application  
19 review, and permit processing.

20 (2) The (~~(coordinating permit agency may recover only the costs of~~  
21 ~~performing those coordinated permit services and)~~) written cost-  
22 reimbursement agreement shall be negotiated with the permit applicant  
23 (~~(in)~~) following the meeting required pursuant to RCW 90.60.070. The  
24 billing process shall provide for accurate time and cost accounting and  
25 may include a billing cycle that provides for progress payments.

26 NEW SECTION. **Sec. 4.** The following acts or parts of acts are each  
27 repealed:

28 (1) RCW 43.131.387 and 1995 c 347 s 617; and

29 (2) RCW 43.131.388 and 1995 c 347 s 618.

30 NEW SECTION. **Sec. 5.** Section 4 of this act is necessary for the  
31 immediate preservation of the public peace, health, or safety, or  
32 support of the state government and its existing public institutions,  
33 and takes effect June 29, 1999.

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