

CERTIFICATION OF ENROLLMENT

SENATE BILL 5507

Chapter 332, Laws of 2003

58th Legislature
2003 Regular Session

GROWTH MANAGEMENT HEARINGS BOARD--STANDING

EFFECTIVE DATE: 7/27/03

Passed by the Senate April 17, 2003
YEAS 47 NAYS 2

BRAD OWEN

President of the Senate

Passed by the House April 10, 2003
YEAS 95 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 16, 2003.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Milton H. Doumit, Jr., Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5507** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MILTON H. DOUMIT JR.

Secretary

FILED

May 16, 2003 - 3:45 p.m.

**Secretary of State
State of Washington**

SENATE BILL 5507

AS AMENDED BY THE HOUSE

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By Senators T. Sheldon and Mulliken

Read first time 01/28/2003. Referred to Committee on Land Use & Planning.

1 AN ACT Relating to standing before growth management hearings
2 boards; amending RCW 36.70A.280; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** This act is intended to codify the
5 Washington State Court of Appeals holding in *Wells v. Western*
6 *Washington Growth Management Hearings Board*, 100 Wn. App. 657 (2000),
7 by mandating that to establish participation standing under the Growth
8 Management Act, a person must show that his or her participation before
9 the county or city was reasonably related to the person's issue as
10 presented to the growth management hearings board.

11 **Sec. 2.** RCW 36.70A.280 and 1996 c 325 s 2 are each amended to read
12 as follows:

13 (1) A growth management hearings board shall hear and determine
14 only those petitions alleging either:

15 (a) That a state agency, county, or city planning under this
16 chapter is not in compliance with the requirements of this chapter,
17 chapter 90.58 RCW as it relates to the adoption of shoreline master

1 programs or amendments thereto, or chapter 43.21C RCW as it relates to
2 plans, development regulations, or amendments, adopted under RCW
3 36.70A.040 or chapter 90.58 RCW; or

4 (b) That the twenty-year growth management planning population
5 projections adopted by the office of financial management pursuant to
6 RCW 43.62.035 should be adjusted.

7 (2) A petition may be filed only by: (a) The state, or a county or
8 city that plans under this chapter; (b) a person who has participated
9 orally or in writing before the county or city regarding the matter on
10 which a review is being requested; (c) a person who is certified by the
11 governor within sixty days of filing the request with the board; or (d)
12 a person qualified pursuant to RCW 34.05.530.

13 (3) For purposes of this section "person" means any individual,
14 partnership, corporation, association, state agency, governmental
15 subdivision or unit thereof, or public or private organization or
16 entity of any character.

17 (4) To establish participation standing under subsection (2)(b) of
18 this section, a person must show that his or her participation before
19 the county or city was reasonably related to the person's issue as
20 presented to the board.

21 (5) When considering a possible adjustment to a growth management
22 planning population projection prepared by the office of financial
23 management, a board shall consider the implications of any such
24 adjustment to the population forecast for the entire state.

25 The rationale for any adjustment that is adopted by a board must be
26 documented and filed with the office of financial management within ten
27 working days after adoption.

28 If adjusted by a board, a county growth management planning
29 population projection shall only be used for the planning purposes set
30 forth in this chapter and shall be known as a "board adjusted
31 population projection". None of these changes shall affect the
32 official state and county population forecasts prepared by the office
33 of financial management, which shall continue to be used for state
34 budget and planning purposes.

Passed by the Senate April 17, 2003.

Passed by the House April 10, 2003.

Approved by the Governor May 16, 2003.

Filed in Office of Secretary of State May 16, 2003.