
ENGROSSED SUBSTITUTE HOUSE BILL 3207

State of Washington **59th Legislature** **2006 Regular Session**

By House Committee on Capital Budget (originally sponsored by Representative Santos)

READ FIRST TIME 2/7/06.

1 AN ACT Relating to community preservation; adding a new chapter to
2 Title 43 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** Major public facilities, public works, and
5 capital projects with significant public funding generally aim to
6 accrue broad benefits to the people of Washington. However, frequently
7 overlooked or inadequately addressed is the interest of the stakeholder
8 community that bears the disproportionate cost of the broad public
9 benefit by absorbing a deleterious impact upon itself. These impacts
10 may include dislocation, displacement, and the overall disintegration
11 of an identifiable existing community and its historical and cultural
12 character. The legislature finds that the preservation and restoration
13 of the character of such a community, and the community's historical
14 and cultural character, are important public policy goals that can be
15 achieved through the creation of community preservation authorities.

16 NEW SECTION. **Sec. 2.** The definitions in this section apply
17 throughout this chapter unless the context clearly requires otherwise.

1 (1) "Community" means a group of people who reside or work in a
2 well-defined geographic area and who currently or historically share a
3 distinct cultural identity or local history.

4 (2) "Community preservation authority" means an authority created
5 by members of an impacted community.

6 (3) "Impacted community" means a community that has been or has the
7 potential to be adversely impacted by the construction of, or ongoing
8 operation of, multiple major public facilities, public works, and
9 capital projects with significant public funding.

10 (4) "Major public facilities project, public works project, or
11 capital project with significant public funding" means any capital
12 project whose total cost exceeds ten million dollars.

13 (5) "Single point of contact" means a cabinet-level state agency
14 directed by the legislature to work with community preservation
15 authorities to ensure communication and consultation among state and
16 local governments and communities that may be impacted by future major
17 public facilities, public works, or capital projects with significant
18 public funding.

19 NEW SECTION. **Sec. 3.** (1) Community preservation authorities are
20 hereby created to restore or enhance the health, safety, and well-being
21 of communities adversely impacted by the construction of, or ongoing
22 operation of, multiple major public facilities, public works, and
23 capital projects with significant public funding.

24 (2) Community preservation authorities have the following purposes:

25 (a) To revitalize, enhance, and preserve the unique character of
26 impacted communities;

27 (b) To mitigate the adverse effects of multiple major public
28 facilities projects, public works projects, or capital projects with
29 significant public funding, or a secure community transition facility
30 as defined in RCW 71.09.020(14);

31 (c) To restore a local area's sense of community;

32 (d) To reduce the displacement of community members and businesses;

33 (e) To stimulate the community's economic vitality;

34 (f) To enhance public service provisions;

35 (g) To improve the standard of living of community members;

36 (h) To preserve historic buildings or areas by returning them to

1 economically productive uses that are compatible with or enhance their
2 historic character; and

3 (i) To raise the visibility of the consequences of public policy
4 decisions and actions.

5 NEW SECTION. **Sec. 4.** (1) Members of an impacted community may
6 propose formation of a community preservation authority to the state
7 legislative delegation representing the area in which the community is
8 located.

9 (2) The affairs of a community preservation authority must be
10 managed by a board of directors, including the following members:

11 (a) Two members who own, operate, or represent businesses within
12 the community;

13 (b) Two members who are involved in providing nonprofit community
14 or social services within the community;

15 (c) Two members who are involved in the arts and entertainment
16 within the community;

17 (d) Two members with significant knowledge of the community's
18 culture and history; and

19 (e) One member who is involved in a nonprofit or public planning
20 organization that directly serves the impacted community.

21 (3) In appointing members to the board of directors, preference
22 will be given to candidates who reside within the impacted community.

23 NEW SECTION. **Sec. 5.** Once constituted, a community preservation
24 authority shall:

25 (1) Solicit input from members of its community and develop a
26 capital projects plan to restore or enhance the health, safety, and
27 well-being of the impacted community and to preserve and recapture its
28 cultural and historical identity;

29 (2) Include within the plan a prioritized list of projects
30 identified and supported by the community, including capital or
31 operating components that address one or more of the purposes under
32 section 3 of this act;

33 (3) Work in partnership with a designated state agency to assist
34 organizations that serve the impacted community to identify and
35 successfully compete for local, state, federal, and private funding to
36 carry out projects that will benefit the impacted area; and

1 (4) Work with the single point of contact to ensure that state and
2 local government officials communicate and consult fully with the
3 impacted community and with each other prior to making siting, design,
4 and construction decisions for future public facilities, public works
5 projects, and capital projects with significant public funding. The
6 single point of contact must make every effort to ensure that the
7 cumulative effects of multiple projects upon the impacted community are
8 considered.

9 NEW SECTION. **Sec. 6.** The community preservation authority account
10 is created in the state treasury. Moneys in the account may be spent
11 only after appropriation. Expenditures from the account may be used
12 only for projects under this chapter.

13 NEW SECTION. **Sec. 7.** By November 15, 2006, the department of
14 community, trade, and economic development shall develop and report to
15 the appropriate committees of the legislature recommendations for a
16 community preservation authorities program. The department shall
17 develop the recommendations within existing resources and shall consult
18 with at least one community that has an interest in forming such an
19 authority. The recommendations must include statutory and budgetary
20 elements needed to support the program and must address operational
21 issues, including: (1) The appointing authority and process by which
22 community preservation authority board members are named; (2) state
23 agencies that should be considered for designation as the single point
24 of contact; (3) the means for establishing the authorities' eligibility
25 for grant and loan programs; (4) how the community preservation
26 authorities program should address the potential impacts of major
27 public facilities, public works, and capital projects sited within and
28 adjacent to the community's geographic boundaries; and (5) any other
29 issues that must be resolved in order to operate the program.

30 NEW SECTION. **Sec. 8.** Sections 1 through 6 of this act constitute
31 a new chapter in Title 43 RCW.

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