
HOUSE BILL 2192

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Smith, Hansen, Haler, Buys, Hayes, Parker, Short, Seaquist, Pike, Scott, Zeiger, Hargrove, Manweller, Holy, Magendanz, Vick, and Wilcox

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1 AN ACT Relating to promoting economic development through enhancing
2 transparency and predictability of state agency permitting and review
3 processes; amending RCW 43.17.385; and adding a new chapter to Title 43
4 RCW.

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

6 NEW SECTION. **Sec. 1.** On December 30, 2013, the Washington state
7 auditor's office issued a performance audit report, finding that state
8 agencies could shorten the time it takes to submit, review, and make
9 decisions on business permit applications through simple improvements.
10 In response to the performance audit findings, the legislature intends
11 to improve the predictability and efficiency of permit decisions by
12 making information about permitting assistance and timelines more
13 readily available to the public. The legislature finds that providing
14 citizens and businesses with better information about permit decisions
15 will assist their planning and decision making, promoting economic
16 development. Making permit performance data readily accessible to
17 citizens helps them hold government accountable to a high level of
18 service and timeliness. Finally, requiring agencies to track the time
19 it takes to issue permits equips agency leaders with key information

1 that can assist them in improving overall project schedules, better
2 allocating resources, and identifying additional opportunities to
3 better serve the public.

4 NEW SECTION. **Sec. 2.** As used in this chapter, "agency" includes
5 the following executive branch agencies and offices of statewide
6 elected officials:

- 7 (1) Department of agriculture;
- 8 (2) Department of archaeology;
- 9 (3) Department of ecology;
- 10 (4) Department of fish and wildlife;
- 11 (5) Gambling commission;
- 12 (6) Department of health;
- 13 (7) Department of labor and industries;
- 14 (8) Department of licensing;
- 15 (9) Liquor control board;
- 16 (10) Department of natural resources;
- 17 (11) Parks and recreation commission;
- 18 (12) Department of revenue;
- 19 (13) Department of transportation; and
- 20 (14) Utilities and transportation commission.

21 NEW SECTION. **Sec. 3.** Each agency shall track and record the time
22 it takes to make permitting decisions. Agencies are encouraged to
23 track all relevant information that can assist Washington businesses in
24 determining how long a permit process will take so that the businesses
25 may successfully plan their activities and make sound investment
26 choices, reduce permitting costs to the taxpayers in the form of
27 unnecessary or duplicate staff work, and avoid permitting decision
28 delays that can result in higher costs and lost revenue. At a minimum,
29 each agency shall track and record:

- 30 (1) The time from the initial submission of an application by an
31 entity seeking a permit to the time the agency has determined that the
32 application is complete; and
- 33 (2) The time from receipt of a complete application to the agency's
34 issuance of a decision approving or denying the permit.

1 NEW SECTION. Sec. 4. (1) To provide meaningful customer service
2 that informs project planning and decision making by the citizens and
3 businesses served, each agency must make available to permit applicants
4 the following information on the agency's web site:

5 (a) A list of the types of permit assistance available and how such
6 assistance may be accessed;

7 (b) An estimate of the time required by the agency to process a
8 permit application and issue a decision, based on the performance data
9 calculated under sections 3 and 5 of this act;

10 (c) Other tools to help applicants successfully complete a thorough
11 application, such as:

12 (i) Examples of model completed applications;

13 (ii) Examples of approved applications, appropriately redacted to
14 remove sensitive information; and

15 (iii) Checklists for ensuring a complete application.

16 (2) Each agency shall update at reasonable intervals the
17 information it posts pursuant to this section.

18 NEW SECTION. Sec. 5. (1) By January 31, 2015, and by January 31st
19 every year thereafter, each agency shall report to the legislature the
20 following performance data tracked under section 3 of this act:

21 (a) For all permit applications completed and decisions issued in
22 the previous calendar year:

23 (i) The median time;

24 (ii) The maximum time; and

25 (iii) The average time required to issue a decision for ninety
26 percent of applications, excluding the five percent that took the
27 shortest and longest; and

28 (b) The list of permits for which the agency has posted processing
29 times on the agency's web site as required by section 4 of this act
30 and, if any permits do not have processing times posted, an explanation
31 for why the agency has not yet posted the times.

32 (2) By January 31, 2016, and except as provided in subsection (3)
33 of this section, every four years thereafter, each agency shall report
34 to the legislature:

35 (a) The permit issuance times calculated under this section;

36 (b) A list of the permits whose processing and decision times have
37 improved relative to the previous reporting period;

1 (c) A list of permits that the agency has identified, based on
2 performance data collected under this section, as taking longer than
3 two weeks from initial application to completion of application, or
4 longer than two weeks from completion of application to issuance of a
5 final decision; and

6 (d) For each permit listed under (c) of this subsection, a
7 statement explaining how the agency intends to use performance data to
8 identify and resolve performance issues, including a description of any
9 permit process improvements the agency has already implemented or
10 identified for implementation.

11 (3) The following agencies that issue a high number of business
12 permits shall prepare the report required under subsection (2) of this
13 section and report it to the legislature by January 31st of each even-
14 numbered year:

15 (a) Department of ecology;

16 (b) Department of labor and industries;

17 (c) Department of health; and

18 (d) Department of transportation

19 **Sec. 6.** RCW 43.17.385 and 2005 c 384 s 3 are each amended to read
20 as follows:

21 (1) Each state agency shall, within available funds, develop and
22 implement a quality management, accountability, and performance system
23 to improve the public services it provides.

24 (2) Each agency shall ensure that managers and staff at all levels,
25 including those who directly deliver services, are engaged in the
26 system and shall provide managers and staff with the training necessary
27 for successful implementation.

28 (3) Each agency shall, within available funds, ensure that its
29 quality management, accountability, and performance system:

30 (a) Uses strategic business planning to establish goals,
31 objectives, and activities consistent with the priorities of
32 government, as provided in statute;

33 (b) Engages stakeholders and customers in establishing service
34 requirements and improving service delivery systems;

35 (c) Includes clear, relevant, and easy-to-understand measures for
36 each activity;

37 (d) Gathers, monitors, and analyzes activity data;

1 (e) Uses the data to evaluate the effectiveness of programs to
2 manage process performance, improve efficiency, and reduce costs;

3 (f) Establishes performance goals and expectations for employees
4 that reflect the organization's objectives; and provides for regular
5 assessments of employee performance;

6 (g) Uses activity measures to report progress toward agency
7 objectives to the agency director at least quarterly;

8 (h) Where performance is not meeting intended objectives, holds
9 regular problem-solving sessions to develop and implement a plan for
10 addressing gaps; and

11 (i) Allocates resources based on strategies to improve performance.

12 (4) Each agency shall conduct a yearly assessment of its quality
13 management, accountability, and performance system.

14 (5) State agencies whose chief executives are appointed by the
15 governor shall report to the governor on agency performance at least
16 quarterly. The reports shall be included on the agencies', the
17 governor's, and the office of financial management's web sites.

18 (6) The governor shall report annually to citizens on the
19 performance of state agency programs. The governor's report shall
20 include:

21 (a) Progress made toward the priorities of government as a result
22 of agency activities; and

23 (b) Improvements in agency quality management systems, fiscal
24 efficiency, process efficiency, asset management, personnel management,
25 statutory and regulatory compliance, and management of technology
26 systems.

27 (7) Each state agency shall integrate efforts made under this
28 section with other management, accountability, and performance systems,
29 including procedures implemented under chapter 43.--- RCW (the new
30 chapter created in section 7 of this act), undertaken under executive
31 order or other authority.

32 NEW SECTION. Sec. 7. Sections 1 through 5 of this act constitute
33 a new chapter in Title 43 RCW.

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