

SB 5042 - H AMD 1327

By Representative Dye

NOT ADOPTED 03/03/2022

1 On page 2, after line 22, insert the following:

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3 "Sec. 3. RCW 36.70A.280 and 2011 c 360 s 17 are each amended to
4 read as follows:

5 (1) The growth management hearings board shall hear and
6 determine only those petitions alleging either:

7 (a) That, except as provided otherwise by this subsection, a
8 state agency, county, or city planning under this chapter is not in
9 compliance with the requirements of this chapter, chapter 90.58 RCW
10 as it relates to the adoption of shoreline master programs or
11 amendments thereto, or chapter 43.21C RCW as it relates to plans,
12 development regulations, or amendments, adopted under RCW 36.70A.040
13 or chapter 90.58 RCW. Nothing in this subsection authorizes the
14 board to hear petitions alleging noncompliance with *RCW 36.70A.5801;

15 (b) That the twenty-year growth management planning population
16 projections adopted by the office of financial management pursuant
17 to RCW 43.62.035 should be adjusted;

18 (c) That the approval of a work plan adopted under RCW 36.70A.
19 735(1)(a) is not in compliance with the requirements of the program
20 established under RCW 36.70A.710;

21 (d) That regulations adopted under RCW 36.70A.735(1)(b) are not
22 regionally applicable and cannot be adopted, wholly or partially, by
23 another jurisdiction; or

24 (e) That a department certification under RCW 36.70A.735(1)(c)
25 is erroneous.

26 (2) A petition may be filed only by: (a) The state, or a county
27 or city that plans under this chapter; (b) ~~((a person who has~~

1 ~~participated orally or in writing before the county or city~~
2 ~~regarding the matter on which a review is being requested; (c))~~ a
3 person who is certified by the governor within sixty days of filing
4 the request with the board; or ~~((d))~~ (c) a person qualified
5 pursuant to RCW 34.05.530.

6 (3) For purposes of this section "person" means any individual,
7 partnership, corporation, association, state agency, governmental
8 subdivision or unit thereof, or public or private organization or
9 entity of any character.

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

14 ~~(5))~~When considering a possible adjustment to a growth
15 management planning population projection prepared by the office of
16 financial management, the board shall consider the implications of
17 any such adjustment to the population forecast for the entire state.

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

21 If adjusted by the board, a county growth management planning
22 population projection shall only be used for the planning purposes
23 set forth in this chapter and shall be known as the "board adjusted
24 population projection." None of these changes shall affect the
25 official state and county population forecasts prepared by the
26 office of financial management, which shall continue to be used for
27 state budget and planning purposes."

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29 Correct the title.

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EFFECT: Adds a section that amends the Growth Management Act's (GMA) standing requirement to remove participation standing as a basis for standing to file a petition for review under the GMA.

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