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**SUBSTITUTE HOUSE BILL 1669**

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**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Trade & Economic Development (originally sponsored by Representatives Cantwell, R. Meyers, Jacobsen, Heavey, Roland, Ferguson, Hine, O'Brien, Rust, Betrozoff, Paris, Scott, Fraser and Wineberry).

Read first time March 6, 1991.

1            AN ACT Relating to growth strategies; amending RCW 36.70A.030,  
2 36.70A.020, 36.70A.070, 36.70A.080, 43.88.110, 66.08.190, 36.79.150,  
3 47.26.080, 47.26.084, and 82.46.035; adding new sections to chapter  
4 36.70A RCW; adding a new section to chapter 43.63A RCW; adding a new  
5 section to chapter 43.17 RCW; adding a new section to chapter 43.31  
6 RCW; adding a new section to chapter 19.85 RCW; adding a new section to  
7 chapter 82.14 RCW; adding a new section to chapter 82.36 RCW; adding a  
8 new section to chapter 82.08 RCW; and making appropriations.

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

10            **Sec. 1.** RCW 36.70A.030 and 1990 1st ex.s. c 17 s 3 are each  
11 amended to read as follows:

12            DEFINITIONS. Unless the context clearly requires otherwise, the  
13 definitions in this section apply throughout this chapter.

14            (1) "Adjacent jurisdictions" include contiguous counties, cities,  
15 and federally recognized Indian tribes.

1        (2) "Adopt a comprehensive land use plan" means to enact a new  
2 comprehensive land use plan or to update an existing comprehensive land  
3 use plan.

4        ~~((+2))~~ (3) "Agricultural land" means land primarily devoted to the  
5 commercial production of horticultural, viticultural, floricultural,  
6 dairy, apiary, vegetable, or animal products or of berries, grain, hay,  
7 straw, turf, seed, Christmas trees not subject to the excise tax  
8 imposed by RCW 84.33.100 through 84.33.140, or livestock, and that has  
9 long-term commercial significance for agricultural production.

10        ~~((+3))~~ (4) "Board" means the growth management board established  
11 to review plans and regulations established under this chapter.

12        (5) "City" means any city or town, including a code city.

13        ~~((+4))~~ (6) "Committee" means the interagency committee for outdoor  
14 recreation established under chapter 43.99 RCW.

15        (7) "Comprehensive land use plan," "comprehensive plan," or "plan"  
16 means a generalized coordinated land use policy statement of the  
17 governing body of a county or city that is adopted pursuant to this  
18 chapter.

19        ~~((+5))~~ (8) "Critical areas" include the following areas and  
20 ecosystems: (a) Wetlands; (b) areas with a critical recharging effect  
21 on aquifers used for potable water; (c) critical fish and wildlife  
22 habitat ~~((conservation areas))~~; (d) frequently flooded areas; and (e)  
23 geologically hazardous areas.

24        ~~((+6))~~ (9) "Department" means the department of community  
25 development.

26        ~~((+7))~~ (10) "Development regulations" means any controls placed on  
27 development or land use activities by a county or city, including, but  
28 not limited to, zoning ordinances, official controls, planned unit  
29 development ordinances, subdivision ordinances, and binding site plan  
30 ordinances.

1       (~~(8)~~) (11) "Forest land" means land primarily useful for growing  
2 trees, including Christmas trees subject to the excise tax imposed  
3 under RCW 84.33.100 through 84.33.140, for commercial purposes, and  
4 that has long-term commercial significance for growing trees  
5 commercially.

6       (~~(9)~~) (12) "Geologically hazardous areas" means areas that  
7 because of their susceptibility to erosion, sliding, earthquake, or  
8 other geological events, are not suited to the siting of commercial,  
9 residential, or industrial development consistent with public health or  
10 safety concerns.

11       (~~(10)~~) (13) "Long-term commercial significance" includes the  
12 growing capacity, productivity, and soil composition of the land for  
13 long-term commercial production, in consideration with the land's  
14 proximity to population areas, and the possibility of more intense uses  
15 of the land.

16       (~~(11)~~) (14) "Mineral(~~s~~) resource lands" include those lands  
17 identified and devoted to the long-term commercial extraction of  
18 gravel, sand, rock, and valuable metallic substances.

19       (~~(12)~~) (15) "Natural resource lands" means agricultural lands,  
20 forest lands, and mineral resource lands.

21       (16) "New community" means a comprehensive development providing  
22 for a mixture of land uses which includes the following: (a) A mix of  
23 jobs, housing, and public facilities needed for a self-contained  
24 community; (b) preservation of open spaces within and around the  
25 community; (c) an internal and external transportation system  
26 supportive of pedestrian access and mass transit; (d) the new  
27 infrastructure needed to serve the proposed community; and (e) the  
28 mitigation of off-site impacts.

29       (17) "Open space lands" include land areas, the protection of which  
30 would: (a) Conserve and enhance scenic, or viewshed resources; (b)

1 provide scenic amenities and community identity within and between  
2 areas of urban development; (c) protect physical and/or visual buffers  
3 within and between areas of urban and rural development, or along  
4 transportation corridors; (d) protect lakes, rivers, streams,  
5 watersheds, or water supply; (e) promote conservation of critical  
6 areas, natural resource lands, soils, geologically hazardous areas, or  
7 tidal marshes, beaches, or other shoreline areas; (f) enhance the value  
8 to the public of abutting or neighboring parks, forests, wildlife  
9 habitat, trails, or other open space; (g) enhance visual enjoyment and  
10 recreation opportunities, including public access to shoreline areas;  
11 (h) protect natural areas and environmental features with significant  
12 educational, scientific, wildlife habitat, historic, or scenic value;  
13 or (i) retain in its natural state tracts of land not less than five  
14 acres situated in an urban environment.

15       (18) "Public facilities" include streets, roads, highways,  
16 sidewalks, street and road lighting systems, traffic signals, domestic  
17 water systems, storm and sanitary sewer systems, parks and  
18 recreational facilities, and schools.

19       (~~(13)~~) (19) "Public services" include fire protection and  
20 suppression, law enforcement, public health, education, recreation,  
21 environmental protection, and other governmental services.

22       (~~(14)~~) (20) "Region" means one or more counties and the cities  
23 within the county or counties, including, as a local option,  
24 multicounty regions.

25       (21) "Special district" means every municipal and quasi-municipal  
26 corporation other than a county or city. Special districts shall  
27 include, but are not limited to: Water districts, sewer districts,  
28 public transportation benefit areas, fire protection districts, port  
29 districts, library districts, school districts, public utility  
30 districts, county park and recreation service areas, flood control zone

1 districts, irrigation districts, diking districts, and drainage  
2 improvement districts.

3 (22) "State agencies" means all departments, boards, commissions,  
4 institutions of higher education, and offices of state government,  
5 except those in the legislative or judicial branches, except to the  
6 extent otherwise required by law.

7 (23) "Urban growth" refers to growth that makes intensive use of  
8 land for the location of buildings, structures, and impermeable  
9 surfaces to such a degree as to be incompatible with the primary use of  
10 such land for the production of food, other agricultural products, or  
11 fiber, or the extraction of mineral resources. When allowed to spread  
12 over wide areas, urban growth typically requires urban governmental  
13 services. "Characterized by urban growth" refers to land having urban  
14 growth located on it, or to land located in relationship to an area  
15 with urban growth on it as to be appropriate for urban growth.

16 ~~((15))~~ (24) "Urban growth areas" means those areas designated by  
17 a county pursuant to RCW 36.70A.110.

18 ~~((16))~~ (25) "Urban governmental services" include those  
19 governmental services historically and typically delivered by cities,  
20 and include storm and sanitary sewer systems, domestic water systems,  
21 street cleaning services, fire and police protection services, public  
22 transit services, and other public utilities associated with urban  
23 areas and normally not associated with nonurban areas.

24 ~~((17))~~ (26) "Wetland" or "wetlands" means areas that are  
25 inundated or saturated by surface water or ground water at a frequency  
26 and duration sufficient to support, and that under normal circumstances  
27 do support, a prevalence of vegetation typically adapted for life in  
28 saturated soil conditions. Wetlands generally include swamps, marshes,  
29 bogs, and similar areas. Wetlands do not include those artificial  
30 wetlands intentionally created from nonwetland sites, including, but

1 not limited to, irrigation and drainage ditches, grass-lined swales,  
2 canals, detention facilities, wastewater treatment facilities, farm  
3 ponds, and landscape amenities. However, wetlands may include those  
4 artificial wetlands intentionally created from nonwetland areas created  
5 to mitigate conversion of wetlands, if permitted by the county or city.

6 PART I

7 PLANNING GOALS

8 **Sec. 2.** RCW 36.70A.020 and 1990 1st ex.s. c 17 s 2 are each  
9 amended to read as follows:

10 PLANNING GOALS. The following goals are adopted to guide the  
11 development and adoption of comprehensive plans and development  
12 regulations of those counties and cities that are required or choose to  
13 plan under RCW 36.70A.040. The following goals are not listed in order  
14 of priority and shall be used ((exclusively)) for the purpose of  
15 guiding the development of comprehensive plans and development  
16 regulations. However, plans, regulations, and actions, including  
17 expenditures of state-appropriated funds, of state agencies, counties,  
18 and cities required or choosing to plan, and special districts shall  
19 conform to and support these goals:

20 (1) Urban growth areas. ((Encourage)) Urban development shall  
21 occur in urban growth areas where adequate public facilities and  
22 services exist or can be provided in an efficient manner.

23 Urban growth areas should be compact, have concentrated employment  
24 centers, and provide opportunities for people to live in a variety of  
25 housing types close to where they work. Plans should ensure an  
26 adequate supply of land for projected jobs considering the nature and  
27 diversity of economic activity and for a variety of housing types.

1 Development densities should be sufficient to: (a) Protect open space,  
2 natural features and parks, natural resource lands and critical areas  
3 within and outside of urban growth areas; (b) promote affordable  
4 housing; and (c) promote transit. Large land areas characterized by  
5 significant natural limitations such as steep slopes, seismic hazard  
6 areas, flood plains, and wetlands should not be designated for urban  
7 growth.

8 New development should be designed to respect the planned and  
9 existing character of neighborhoods. Open spaces and natural features  
10 should be preserved within urban areas.

11 (2) Reduce sprawl. Reduce the inappropriate conversion of  
12 undeveloped land into sprawling, low-density development.

13 (3) Transportation. (~~Encourage~~) Develop efficient multimodal  
14 transportation systems that are based on regional priorities and  
15 coordinated with county and city comprehensive plans. Provide  
16 alternatives to single-occupant automobile travel in congested urban  
17 areas. Housing should be of sufficient density and employment centers  
18 should be concentrated to enable greater efficiency and affordability  
19 of transit service.

20 (4) Housing. Encourage (~~the availability of~~) and participate in  
21 making available affordable housing (~~to~~) for all economic segments of  
22 the population of this state, promote a variety of residential  
23 densities and housing types, (~~and~~) encourage preservation of existing  
24 housing stock, promote the state and federal fair housing goals, and  
25 provide for a fair share of housing needs.

26 (5) Economic development. Encourage economic development  
27 throughout the state that is consistent with adopted comprehensive  
28 plans, promote economic opportunity for all citizens of this state,  
29 especially for unemployed and for disadvantaged persons, build a  
30 network of strong regional economies, identify and focus assistance on

1 priority economic development areas where there is a need for growth  
2 and where there is the realistic capacity and broad local support for  
3 such growth, and encourage growth in areas experiencing insufficient  
4 economic growth, all within the capacities of the state's natural  
5 resources, public services, and public facilities.

6 (6) Property rights. Private property shall not be taken for  
7 public use without just compensation having been made. The property  
8 rights of landowners shall be protected from arbitrary and  
9 discriminatory actions.

10 (7) Permits. Applications for both state and local government  
11 permits should be processed in a timely and fair manner to ensure  
12 predictability.

13 (8) Natural resource industries. Maintain and enhance natural  
14 resource-based industries, including productive timber, agricultural,  
15 and fisheries industries. Encourage the conservation of productive  
16 forest lands and productive agricultural lands, and discourage  
17 incompatible uses.

18 (9) Open space and recreation. (~~Encourage the retention of open~~  
19 ~~space and development of recreational opportunities, conserve fish and~~  
20 ~~wildlife habitat, increase access to natural resource lands and water,~~  
21 ~~and develop parks.)) Protect open space and where possible link open  
22 space into regional and state-wide networks. Permanent open space  
23 networks should separate neighboring cities, where possible, and define  
24 distinct urban growth areas to prevent their merging into large  
25 continuous urban areas. Open space should be used to: Protect fish  
26 and wildlife habitat; protect environmentally sensitive land and water  
27 areas; provide park and outdoor recreational opportunities; protect  
28 scenic areas and viewsheds; accommodate nonmotorized recreational  
29 corridors and trails; and protect views and vistas within and around  
30 cities.~~

1 (10) Environment. Protect the environment and enhance the state's  
2 high quality of life, including air and water quality, and the  
3 availability of water.

4 (11) Citizen participation and coordination. (~~Encourage~~) Ensure  
5 the involvement of citizens in the planning process and ensure  
6 coordination between communities and jurisdictions to reconcile  
7 conflicts.

8 (12) Public facilities and services. Ensure that those public  
9 facilities and services necessary to support development shall be  
10 adequate to serve the development at the time the development is  
11 available for occupancy and use without decreasing current service  
12 levels below locally established minimum standards.

13 (13) Historic preservation. Identify and encourage the  
14 preservation of lands, sites, and structures, that have historical or  
15 archaeological significance.

16 (14) Fair share. Ensure the siting of regional and state public  
17 facilities, so that each county and its cities accepts their fair share  
18 of public facilities and no community is overburdened.

19 (15) Water Resources. Land use planning and permit decisions that  
20 will both protect water and create demand for water must be compatible  
21 with water resource plans. New growth must be related to water  
22 availability. Each county and its cities must integrate water resource  
23 planning for consumptive and nonconsumptive uses into its land use  
24 plan. Water is key for fish, wildlife, domestic use, industrial use,  
25 power, agriculture, aesthetics, and recreation.

26 PART II

27 LOCAL PLANNING

1       **Sec. 3.** RCW 36.70A.070 and 1990 1st ex.s. c 17 s 7 are each  
2 amended to read as follows:

3       COMPREHENSIVE PLANS--MANDATORY ELEMENTS. The comprehensive plan of  
4 a county or city that is required or chooses to plan under RCW  
5 36.70A.040 shall consist of a map or maps, and descriptive text  
6 covering objectives, principles, and standards used to develop the  
7 comprehensive plan. The plan shall be an internally consistent  
8 document and all elements shall be consistent with the future land use  
9 map. A comprehensive plan shall be adopted and amended with public  
10 participation as provided in RCW 36.70A.140.

11       Each comprehensive plan shall include a plan, scheme, or design for  
12 each of the following:

13       (1) A land use element designating the proposed general  
14 distribution and general location and extent of the uses of land, where  
15 appropriate, for agriculture, timber production, housing, commerce,  
16 industry, recreation, open spaces, public utilities, public facilities,  
17 and other land uses. The land use element shall provide for sufficient  
18 developable land and densities for a range of housing types. The land  
19 use element shall include population densities, building intensities,  
20 and estimates of future population growth. The land use element shall  
21 include designation of natural resource lands and lands for outdoor  
22 recreation as provided in RCW 36.70A.060. Each county shall include  
23 urban growth areas as established in RCW 36.70A.110 in its  
24 comprehensive land use plan. The land use element shall provide for  
25 protection of the quality and quantity of ground and surface water used  
26 for public water supplies and shall recognize that water availability  
27 and quality are key factors in determining the extent, location,  
28 distribution, and intensity of land uses. Where applicable, the land  
29 use element shall review drainage, flooding, and storm water run-off in  
30 the area and nearby jurisdictions and provide guidance for corrective

1 actions to mitigate or cleanse those discharges that pollute waters of  
2 the state, including Puget Sound or waters entering Puget Sound.

3 (2) A housing element recognizing the vitality and character of  
4 established residential neighborhoods that: (a) Includes an inventory  
5 and analysis of existing and projected housing needs; (b) includes a  
6 statement of goals, policies, and objectives for the preservation,  
7 improvement, and development of housing and for meeting fair share  
8 housing obligations within the county and/or jurisdictions; (c)  
9 identifies sufficient land and densities for housing; (d) identifies  
10 the existing and projected fair share accommodation of low-income  
11 moderate-income housing, including, but not limited to, government-  
12 assisted housing, housing for low-income families, manufactured  
13 housing, multifamily housing, and group homes and foster care  
14 facilities; (~~(and (d))~~) (e) makes adequate provisions for existing and  
15 projected needs of all economic segments of the community; (f) promotes  
16 housing that is affordable; and (g) minimizes the displacement of  
17 residents from housing.

18 (3) A capital facilities plan element consisting of: (a) An  
19 inventory of existing capital facilities owned by public entities,  
20 showing the locations and capacities of the capital facilities; (b) a  
21 forecast of the future needs for such capital facilities; (c) the  
22 proposed locations and capacities of expanded or new capital  
23 facilities; (d) at least a six-year plan that will finance such capital  
24 facilities within projected funding capacities and clearly identifies  
25 sources of public money for such purposes; and (e) a requirement to  
26 reassess the land use element if probable funding falls short of  
27 meeting existing needs and to ensure that the land use element, capital  
28 facilities plan element, and financing plan within the capital  
29 facilities plan element are coordinated and consistent.

1 (4) A utilities element consisting of the general location,  
2 proposed location, and capacity of all existing and proposed utilities,  
3 including, but not limited to, electrical lines, telecommunication  
4 lines, and natural gas lines.

5 (5) Counties shall include a rural element including lands that  
6 are not designated for urban growth, agriculture, forest, or mineral  
7 resources. The rural element shall permit land uses that are  
8 compatible with the rural character of such lands and provide for a  
9 variety of rural densities and do not foster urban growth.

10 (6) A transportation element that implements, and is consistent  
11 with, the land use element. The transportation element shall include  
12 the following subelements:

13 (a) Land use assumptions used in estimating travel;

14 (b) Facilities and services needs, including:

15 (i) An inventory of air, water, and land transportation facilities  
16 and services, including transit alignments, to define existing capital  
17 facilities and travel levels as a basis for future planning;

18 (ii) Level of service standards for all arterials and transit  
19 routes to serve as a gauge to judge performance of the system. These  
20 standards should be regionally coordinated;

21 (iii) Specific actions and requirements for bringing into  
22 compliance any facilities or services that are below an established  
23 level of service standard;

24 (iv) Forecasts of traffic for at least ten years based on the  
25 adopted land use plan to provide information on the location, timing,  
26 and capacity needs of future growth;

27 (v) Identification of system expansion needs and transportation  
28 system management needs to meet current and future demands;

29 (c) Finance, including:

1 (i) An analysis of funding capability to judge needs against  
2 probable funding resources;

3 (ii) A multiyear financing plan based on the needs identified in  
4 the comprehensive plan, the appropriate parts of which shall serve as  
5 the basis for the six-year street, road, or transit program required by  
6 RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW  
7 35.58.2795 for public transportation systems;

8 (iii) If probable funding falls short of meeting identified needs,  
9 a discussion of how additional funding will be raised, or how land use  
10 assumptions will be reassessed to ensure that level of service  
11 standards will be met;

12 (d) Intergovernmental coordination efforts, including an assessment  
13 of the impacts of the transportation plan and land use assumptions on  
14 the transportation systems of adjacent jurisdictions;

15 (e) Demand-management strategies.

16 After adoption of the comprehensive plan by jurisdictions required  
17 to plan or who choose to plan under RCW 36.70A.040, local jurisdictions  
18 must adopt and enforce ordinances which prohibit development approval  
19 if the development causes the level of service on a transportation  
20 facility to decline below the standards adopted in the transportation  
21 element of the comprehensive plan, unless transportation improvements  
22 or strategies to accommodate the impacts of development are made  
23 concurrent with the development. These strategies may include  
24 increased public transportation service, ride sharing programs, demand  
25 management, and other transportation systems management strategies.  
26 For the purposes of this subsection (6) "concurrent with the  
27 development" shall mean that improvements or strategies are in place at  
28 the time of development, or that a financial commitment is in place to  
29 complete the improvements or strategies within six years.

1       The transportation element described in this subsection, and the  
2 six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for  
3 counties, and RCW 35.58.2795 for public transportation systems, must be  
4 consistent.

5       (7) A design element that enables communities to harmoniously fit  
6 new development with planned or existing community character and  
7 vision.

8       (8) An environmental management element that minimizes development  
9 and growth impacts on the environment and enhances the quality of air,  
10 water, and land resources.

11       (9) An open space and outdoor recreation element that provides for  
12 local and regional parks, outdoor recreation facilities, trails,  
13 resource conservation, natural vistas, and open space.

14       (10) An annexation element for cities and incorporation element  
15 for counties to clearly delineate a local government service delivery  
16 plan.

17       (11) A fair share element for siting state and regional public  
18 facilities.

19       (12) An economic development element that includes:

20       (a) An analysis of the economic patterns, potentials, strengths,  
21 and weaknesses;

22       (b) Methods to strengthen the economic base of the county or city,  
23 particularly the exporting of goods and services;

24       (c) An analysis of the need for sites of suitable sizes, types,  
25 locations, and service levels for industrial and commercial uses;

26       (d) Compatible uses on or near sites that are zoned for industrial  
27 or commercial activity;

28       (e) Integration of the economic development element with the land  
29 use element and other elements of the comprehensive plan, especially  
30 the capital financing plan;

1        (f) Efforts to encourage economic growth state-wide by establishing  
2 rural-urban links where appropriate;

3        (g) Consideration of matching the fiscal impact of the  
4 comprehensive plan with the resources available to the county or city;  
5 and

6        (h) Coordination of the economic development element of the  
7 comprehensive plan with the regional economic development plan.

8        (13) A private property element that establishes an orderly,  
9 consistent process that better enables government agencies to evaluate  
10 whether proposed regulatory or administrative actions may result in a  
11 taking of private property or violation of due process. It is not the  
12 purpose of this subsection to expand or reduce the scope of private  
13 property protections provided in the state and federal Constitutions.

14        **Sec. 4.** RCW 36.70A.080 and 1990 1st ex.s. c 17 s 8 are each  
15 amended to read as follows:

16        COMPREHENSIVE PLANS--OPTIONAL ELEMENTS. (1) A comprehensive plan  
17 may include additional elements, items, or studies dealing with other  
18 subjects relating to the physical development within its jurisdiction,  
19 including, but not limited to:

20        (a) Conservation;

21        (b) Solar energy; ((and))

22        (c) ((Recreation)) Human resource development;

23        (d) Historic preservation; and

24        (e) Cultural resources.

25        (2) A comprehensive plan may include, where appropriate, subarea  
26 plans, each of which is consistent with the comprehensive plan.

27        NEW SECTION. **Sec. 5.** REGIONAL PLANS. In counties that plan  
28 under the provisions of this chapter, a regional plan or strategy shall

1 be developed by the county and the cities within the county and as a  
2 tribal option any relevant tribal government to set major directions  
3 and policies for fair share siting of public facilities and for  
4 economic development by September 1, 1992. A regional plan or strategy  
5 for open space may be added at the option of the county and  
6 participating cities. State agencies shall participate in and  
7 cooperate with regional economic development, open space, and fair  
8 share planning processes to the maximum extent feasible. Counties may  
9 join together to develop multicounty regions for these planning  
10 purposes at the option of the county governing bodies of the  
11 participating counties. These policies shall be reflected in the  
12 individual county and city comprehensive plan elements on economic  
13 development, open space, and fair share siting. After the adoption of  
14 such plans, the comprehensive plans prepared under this chapter of  
15 participating counties and cities shall be consistent for the subjects  
16 covered by the plans.

17 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.63A RCW  
18 to read as follows:

19 REGIONAL ECONOMIC DEVELOPMENT PLANS. A regional economic  
20 development plan developed under section 5 of this act or developed  
21 voluntarily shall include, but is not limited to, the following  
22 contents:

23 (1) An economic profile and forecast of the region;

24 (2) A set of economic development goals, objectives, and policies  
25 for the region;

26 (3) An identification of priority development areas, as defined by  
27 the state agency coordination council created in section 8 of this act,  
28 where there is a need for economic growth and where there is the

1 physical capacity, realistic ability, and local support to attract such  
2 growth; and

3 (4) An identification of any economic development-related project  
4 of regional or state significance. When such a project is identified,  
5 the regional plan shall identify the financial impacts caused by the  
6 project and propose alternatives to address these impacts, including  
7 financing for infrastructure and transportation and public facilities  
8 necessitated by the project. The alternatives should include state  
9 assistance the region will seek to help offset the impacts of the  
10 project.

11 (5) A biennial regional economic development strategy that  
12 evaluates the results of the preceding economic development strategies;  
13 establishes short-term priorities; identifies tasks and  
14 responsibilities for implementation of adopted goals, objectives, and  
15 policies; and targets implementation efforts to priority development  
16 areas.

17 The plan element, including biennial strategy, must be developed  
18 with the full consultation, involvement, and support of cities,  
19 economic development organizations, and businesses within the region;  
20 and must be consistent with comprehensive plans required by counties  
21 and cities within the region. The department of trade and economic  
22 development shall adopt guidelines, definitions, and procedural rules,  
23 as necessary, to implement this section.

24 PART III

25 STATE ROLE

26 NEW SECTION. **Sec. 7.** STATE AGENCIES REQUIRED TO PLAN CONSISTENT  
27 WITH PLANNING GOALS. (1) State agencies proposing development shall:  
28 (a) Plan in conformance with the planning goals contained in RCW

1 36.70A.020; (b) notify the state agency coordinating council of the  
2 proposed development; (c) comply with local comprehensive plans and  
3 development regulations adopted pursuant to RCW 36.70A.040 and  
4 36.70A.120; (d) comply with amendments to comprehensive land use plans  
5 as provided for in RCW 36.70A.130; and (e) comply with development  
6 regulations adopted pursuant to RCW 36.70A.060 and section 10, chapter  
7 ... (HB 1025), Laws of 1991.

8 (2) The state shall also protect private property by evaluating  
9 whether proposed regulatory or administrative actions may result in a  
10 taking of private property or violation of due process. It is not the  
11 purpose of this subsection to expand or reduce the scope of private  
12 property protections provided in the state and federal Constitutions.

13 NEW SECTION. **Sec. 8.** STATE AGENCY COORDINATING COUNCIL CREATED.

14 (1) There is hereby created in the office of the governor the state  
15 agency coordinating council. The council shall be comprised of twelve  
16 members as follows:

- 17 (a) The secretary of transportation;
- 18 (b) The director of community development;
- 19 (c) The director of ecology;
- 20 (d) The director of trade and economic development;
- 21 (e) The director of agriculture;
- 22 (f) The commissioner of public lands;
- 23 (g) The commissioner of the parks and recreation commission;
- 24 (h) The director of the office of financial management;
- 25 (i) The director of wildlife;
- 26 (j) The state treasurer;
- 27 (k) The director of fisheries; and
- 28 (l) The governor, who shall chair the council.

1 (2) The council may create an advisory committee to represent the  
2 private sector, the environmental community, cities and counties, the  
3 general public, and others as determined by the council.

4 (3) The council shall form a subcommittee to address natural  
5 resources of state-wide significance. The subcommittee shall include  
6 the directors of wildlife, fisheries, ecology, and community  
7 development, and the commissioners of public lands and the parks and  
8 recreation commission. The subcommittee shall include one  
9 representative from the association of Washington cities appointed by  
10 the association, one representative of the Washington state association  
11 of counties appointed by the association, one representative of the  
12 tribes appointed by the governor, and three representatives of the  
13 general public appointed by the governor. This subcommittee shall:

14 (a) Establish criteria for identifying natural resources of state-  
15 wide significance; and

16 (b) Establish minimum standards for protection of natural resources  
17 of state-wide significance.

18 The nonstate members of the subcommittee shall have  
19 responsibilities associated with the subcommittee only, and may be  
20 reimbursed for travel expenses as provided in RCW 43.03.050 and  
21 43.03.060.

22 (4) Staffing shall be provided by the state agencies on the  
23 council. Staffing shall be coordinated by the chair.

24 NEW SECTION. **Sec. 9.** STATE AGENCY COORDINATING COUNCIL--DUTIES.  
25 The state agency coordinating council, in addition to its duties under  
26 section 8(3) of this act, shall:

27 (1) Make recommendations to the legislature and governor regarding:

28 (a) Developing a capital investment strategy that can coordinate  
29 the infrastructure planning and financing of all state agencies based

1 on defined state policies and criteria, and coordinating state  
2 infrastructure planning and financing with regional organizations and  
3 local governments;

4 (b) Adopting a state policy of catching up and keeping up with  
5 infrastructure needs to sustain a healthy economy and a high quality of  
6 life. Given limited resources, the state should ensure that public  
7 infrastructure spending is efficient and serves desired growth  
8 strategies;

9 (c) Changing state agency programs and existing funds to  
10 reprioritize these programs and funds once a state capital investment  
11 strategy is adopted;

12 (d) Creating a new growth management financing account which would  
13 finance infrastructure needs based on regional economic planning under  
14 section 6 of this act;

15 (e) Providing incentives to counties and cities to comply with  
16 growth management requirements, including counties and cities not  
17 required to plan under this chapter; and

18 (2) Make agencies more responsive to businesses by directing and  
19 advising state agencies on improving the state permit process.  
20 Specific timeframes should be established by rule for the processing of  
21 permits.

22 (3) Identify priority development areas for the purposes of  
23 regional planning under section 6 of this act, and coordinate state  
24 assistance to economic development-related projects of regional or  
25 state significance under section 6(4) of this act.

26 (4) Coordinate state agencies in delivering economic development  
27 services and in enacting regulations so that the services and  
28 regulations are provided or enacted consistently and efficiently across  
29 agency lines. This shall include attempting to balance the state's

1 need for environmental protection through regulation with the economic  
2 development needs of the state and counties and cities.

3 (5) Advise the governor on growth management issues, particularly  
4 ensuring that state agencies comply with section 7 of this act.

5 (6) Mediate issues or disputes among state agencies regarding the  
6 siting of regional and state public facilities.

7 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.17 RCW  
8 to read as follows:

9 REGULATORY AGENCY STAFF DESIGNATIONS. (1) All state agencies shall  
10 designate a staff person within the agency who is knowledgeable  
11 regarding the agency's regulations that affect businesses. When  
12 requested, this designated staff person shall provide a list of all  
13 applicable agency regulations that apply to a specific business. The  
14 designated staff person shall, upon request, provide a written  
15 statement listing all requirements that must be satisfied to obtain a  
16 specified permit or other approval.

17 (2) The designated staff person under subsection (1) of this  
18 section shall provide a list of agency regulations that apply to a  
19 specific business to the business assistance center when so requested  
20 by the business assistance center.

21 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.31 RCW  
22 to read as follows:

23 REGULATION LISTS BY THE BUSINESS ASSISTANCE CENTER. The business  
24 assistance center shall coordinate the provision of better and more  
25 reliable information by state agencies regarding state regulations that  
26 affect specific businesses. When requested, the business assistance  
27 center shall compile a list of specific regulations that apply to a

1 specific business by obtaining a list from designated staff persons,  
2 under section 10 of this act, in each applicable agency.

3 NEW SECTION. **Sec. 12.** A new section is added to chapter 19.85 RCW  
4 to read as follows:

5 BUSINESS INPUT IN AGENCY RULEMAKING. When any rule is proposed for  
6 which a small business economic impact statement is required, the  
7 agency shall:

8 (1) Give notice to small businesses of the proposed rule through  
9 direct notification of known interested small businesses affected by  
10 the proposed rule, notice to business or trade organizations, and  
11 publication of a general notice of the proposed rule in a publication  
12 likely to be obtained by businesses of the type affected by the  
13 proposed rule; and

14 (2) Appoint a committee, as provided in RCW 34.05.310, to comment  
15 on the proposed rule before the publication of the notice of proposed  
16 rule adoption under RCW 34.05.320.

17 PART IV

18 GROWTH MANAGEMENT HEARINGS BOARD

19 NEW SECTION. **Sec. 13.** BOARD ESTABLISHED--MEMBERSHIP--CHAIR--  
20 QUORUM FOR DECISION--EXPENSES OF MEMBERS. (1) The growth management  
21 hearings board is a quasi-judicial board hereby established within the  
22 environmental hearings office under RCW 43.21B.005. The board shall  
23 consist of five members, three full time and two part time members:

24 (a) The full-time members shall be appointed by the governor and  
25 subject to confirmation by the senate. Initial members shall be  
26 appointed to staggered terms as follows: One member shall be appointed

1 to a four-year term and two members to six-year terms. Thereafter,  
2 members shall be appointed to six-year terms. The governor shall  
3 appoint one of the full-time members as chairperson. The governor may  
4 remove a member only for cause.

5 (b) The part-time members shall be selected on a rotating basis by  
6 the board chairperson from a list provided by the applicable  
7 associations. One part-time member shall represent counties or cities,  
8 and the other part-time member shall represent the private sector or  
9 the general public.

10 (2) Any member or members of the board, or other person or persons  
11 designated by the chairperson, may hold hearings and take testimony so  
12 long as a full and complete record is transmitted to the board as  
13 required under RCW 34.05.461. In addition to the board's staff, the  
14 chairperson may designate a list of presiding officers who are  
15 qualified to hold such hearings.

16 (3) The board may authorize by rule initial orders to be entered by  
17 those presiding officers who are not members of the board. The board  
18 may also provide by rule that initial orders in specified classes of  
19 cases may become final without further board action. However, if a  
20 member of the board determines that an initial order should be  
21 reviewed, or a party to the proceedings files a petition for  
22 administrative review of the initial order, the initial order shall not  
23 become final until the board has approved it.

24 (4) Three or more members of the board shall constitute a quorum  
25 for issuance of final orders by the board. A decision of the board  
26 must be agreed to by at least three members to be final.

27 (5) Board members shall receive compensation, travel, and  
28 subsistence expenses as provided in RCW 43.03.050 and 43.03.060.

1        NEW SECTION.    **Sec. 14.**    MATTERS SUBJECT TO BOARD REVIEW--FINAL

2    ORDERS.    (1) The board shall review the following matters if requested  
3    by the governor, a regional planning organization, or a county or city  
4    that plans under this chapter:

5        (a) The consistency of plans and development regulations subject to  
6    this chapter with the goals and requirements of this chapter, and the  
7    rules adopted under this chapter;

8        (b) Compliance by counties, cities, special districts, and state  
9    agencies with the interjurisdictional requirements under this chapter,  
10   including interjurisdictional consistency, and designation of urban  
11   growth areas;

12       (c) Compliance by counties, cities, special districts, or state  
13   agencies with the requirements of this chapter, including deadlines and  
14   other matters relating to implementation; and

15       (d) Determination of issues related to consistency of state agency  
16   or special district proposals to locate facilities with plans and  
17   development regulations subject to this chapter. Any decisions by the  
18   board relating to location of state facilities shall require  
19   consistency to the maximum extent practicable, as determined by the  
20   board.

21       (2) The board shall also review the requests by:

22       (a) Any person requesting review of any matter in subsection (1) of  
23   this section if that person testified orally or in writing to a local  
24   government regarding the matter on which a review is being requested;

25       (b) Any person requesting review of any matter in subsection (1) of  
26   this section if the governor certifies the request within thirty days  
27   of the filing of the request with the board. The person requesting  
28   board review under this subsection shall file a copy of the request  
29   with the board and the governor within thirty days of the action on  
30   which a board review is requested; or

1 (c) Any person aggrieved by the granting, denying, or rescinding of  
2 a permit based on rules adopted under this chapter.

3 (3) The board shall review the matter brought before it, as  
4 provided in this section, and issue a final order, as appropriate,  
5 affirming, reversing, or remanding the plan, regulation, or other  
6 decision subject to review under this chapter. The board shall issue  
7 a final order within one hundred eighty days of a request for review,  
8 unless an extension is justified for reasons beyond the control of the  
9 board. Such a final order shall be based exclusively on whether the  
10 plan, regulation, or other decision subject to review under this  
11 chapter is consistent with the goals and requirements of this chapter.

12 (4) The board, when appropriate, shall consolidate all requests for  
13 review for each plan and for development regulations.

14 (5) The review proceedings authorized in this section are subject  
15 to the provisions of chapter 34.05 RCW pertaining to procedures in  
16 adjudicative proceedings.

17 (6) Unless clearly contrary to sections 13 and 14 of this act, the  
18 following are applicable to the board created in section 13 of this  
19 act: RCW 43.21B.040, 43.21B.060, 43.21B.090, and 43.21B.100.

20 PART V

21 SANCTIONS FOR NONCOMPLIANCE

22 NEW SECTION. **Sec. 15.** NONCOMPLIANCE AND SANCTIONS. (1) The  
23 department may find a county, city, or state agency in noncompliance  
24 if:

25 (a) A county or city that is required to plan under RCW 36.70A.040  
26 does not complete its comprehensive land use plan by the dates required  
27 or by the department's schedule for submittal; or

1 (b) The board has heard an appeal and issued a final order on a  
2 county's or city's comprehensive plan, development regulations, or a  
3 state agency's plans or actions, and the county, city, or state agency  
4 has not complied with the order within one year. If the department  
5 finds a county, city, or state agency in noncompliance, the department  
6 may request the governor to invoke one or more of the sanctions  
7 provided in subsection (2) of this section. The department shall  
8 attempt to resolve issues causing noncompliance prior to requesting the  
9 governor to invoke one or more of the sanctions.

10 (2) If requested, the governor may either:

11 (a) Notify and direct the director of the office of financial  
12 management to revise allotments in appropriation levels;

13 (b) Notify and direct the state treasurer to withhold the portion  
14 of revenues to which the county or city is entitled under one or more  
15 of the following: The motor vehicle fuel tax, as provided in chapter  
16 82.36 RCW; the transportation improvement account as provided in RCW  
17 47.26.084; the urban arterial trust account as provided in RCW  
18 47.26.080; the rural arterial trust account as provided in RCW  
19 36.79.150; the sales and use tax, as provided in chapter 82.14 RCW; the  
20 liquor profit tax, as provided in RCW 66.08.190; and the liquor excise  
21 tax, as provided in RCW 82.08.170; or

22 (c) File a notice of noncompliance with the secretary of state and  
23 the county or city, which shall temporarily rescind the county or  
24 city's authority to collect the real estate excise tax under RCW  
25 82.46.030 until the governor files a notice rescinding the notice of  
26 noncompliance.

27 **Sec. 16.** RCW 43.88.110 and 1987 c 502 s 5 are each amended to read  
28 as follows:

1 EXPENDITURE PROGRAMS--ALLOTMENTS--RESERVES. This section sets  
2 forth the expenditure programs and the allotment and reserve procedures  
3 to be followed by the executive branch for public funds. Allotments of  
4 an appropriation for any fiscal period shall conform to the terms,  
5 limits, or conditions of the appropriation.

6 (1) The director of financial management shall provide all agencies  
7 with a complete set of instructions for preparing a statement of  
8 proposed expenditures at least thirty days before the beginning of a  
9 fiscal period. The set of instructions need not include specific  
10 appropriation amounts for the agency.

11 (2) Within forty-five days after the beginning of the fiscal period  
12 or within forty-five days after the governor signs the omnibus biennial  
13 appropriations act, whichever is later, all agencies shall submit to  
14 the governor a statement of proposed expenditures at such times and in  
15 such form as may be required by the governor. If at any time during  
16 the fiscal period the governor projects a cash deficit as defined by  
17 RCW 43.88.050, the governor shall make across-the-board reductions in  
18 allotments so as to prevent a cash deficit, unless the legislature has  
19 directed the liquidation of the cash deficit over one or more fiscal  
20 periods. Except for the legislative and judicial branches and other  
21 agencies headed by elective officials, the governor shall review the  
22 statement of proposed expenditures for reasonableness and conformance  
23 with legislative intent. Once the governor approves the statements of  
24 proposed expenditures, further revisions shall be made only at the  
25 beginning of the second fiscal year and must be initiated by the  
26 governor. However, changes in appropriation level authorized by the  
27 legislature, changes required by across-the-board reductions mandated  
28 by the governor, ~~((and))~~ changes caused by executive increases to  
29 spending authority, and changes caused by executive decreases to  
30 spending authority for failure to comply with the provisions of chapter

1 36.70A RCW may require additional revisions. Revisions shall not be  
2 made retroactively. Revisions caused by executive increases to spending  
3 authority shall not be made after June 30, 1987. However, the governor  
4 may assign to a reserve status any portion of an agency appropriation  
5 withheld as part of across-the-board reductions made by the governor  
6 and any portion of an agency appropriation conditioned on a contingent  
7 event by the appropriations act. The governor may remove these amounts  
8 from reserve status if the across-the-board reductions are subsequently  
9 modified or if the contingent event occurs. The director of financial  
10 management shall enter approved statements of proposed expenditures  
11 into the state budgeting, accounting, and reporting system within  
12 forty-five days after receipt of the proposed statements from the  
13 agencies. If an agency or the director of financial management is  
14 unable to meet these requirements, the director of financial management  
15 shall provide a timely explanation in writing to the legislative fiscal  
16 committees.

17 (3) It is expressly provided that all agencies shall be required to  
18 maintain accounting records and to report thereon in the manner  
19 prescribed in this chapter and under the regulations issued pursuant to  
20 this chapter. Within ninety days of the end of the fiscal year, all  
21 agencies shall submit to the director of financial management their  
22 final adjustments to close their books for the fiscal year. Prior to  
23 submitting fiscal data, written or oral, to committees of the  
24 legislature, it is the responsibility of the agency submitting the data  
25 to reconcile it with the budget and accounting data reported by the  
26 agency to the director of financial management. The director of  
27 financial management shall monitor agency expenditures against the  
28 approved statement of proposed expenditures and shall provide the  
29 legislature with quarterly explanations of major variances.

1 (4) The director of financial management may exempt certain public  
2 funds from the allotment controls established under this chapter if it  
3 is not practical or necessary to allot the funds. Allotment control  
4 exemptions expire at the end of the fiscal biennium for which they are  
5 granted. The director of financial management shall report any  
6 exemptions granted under this subsection to the legislative fiscal  
7 committees.

8 **Sec. 17.** RCW 66.08.190 and 1988 c 229 s 4 are each amended to read  
9 as follows:

10 LIQUOR REVOLVING FUND--DISBURSEMENT OF EXCESS FUNDS TO STATE,  
11 COUNTIES AND CITIES. When excess funds are distributed, all moneys  
12 subject to distribution shall be disbursed as follows:

13 (1) Three-tenths of one percent to the department of community  
14 development to be allocated to border areas under RCW 66.08.195; and

15 (2) From the amount remaining after distribution under subsection  
16 (1) of this section, fifty percent to the general fund of the state,  
17 ten percent to the counties of the state, and forty percent to the  
18 incorporated cities and towns of the state.

19 (3) The governor may notify and direct the state treasurer to  
20 withhold the revenues to which the counties and cities are entitled  
21 under this section if the counties or cities are found to be in  
22 noncompliance pursuant to section 15 of this act.

23 **Sec. 18.** RCW 36.79.150 and 1983 1st ex.s. c 49 s 15 are each  
24 amended to read as follows:

25 RURAL ARTERIAL TRUST ACCOUNT. (1) Whenever the board approves a  
26 rural arterial project it shall determine the amount of rural arterial  
27 trust account funds to be allocated for such project. The allocation  
28 shall be based upon information contained in the six-year plan

1 submitted by the county seeking approval of the project and upon such  
2 further investigation as the board deems necessary. The board shall  
3 adopt reasonable rules pursuant to which rural arterial trust account  
4 funds allocated to a project may be increased upon a subsequent  
5 application of the county constructing the project. The rules adopted  
6 by the board shall take into account, but shall not be limited to, the  
7 following factors: ~~((+1))~~ (a) The financial effect of increasing the  
8 original allocation for the project upon other rural arterial projects  
9 either approved or requested; ~~((+2))~~ (b) whether the project for which  
10 an additional allocation is requested can be reduced in scope while  
11 retaining a usable segment; ~~((+3))~~ (c) whether the original cost of  
12 the project shown in the applicant's six-year program was based upon  
13 reasonable engineering estimates; and ~~((+4))~~ (d) whether the requested  
14 additional allocation is to pay for an expansion in the scope of work  
15 originally approved.

16 (2) The board shall not allocate funds, nor make payments under RCW  
17 36.79.160, to any county or city identified by the governor as not  
18 being in compliance with section 15 of this act.

19 **Sec. 19.** RCW 47.26.080 and 1988 c 167 s 13 are each amended to  
20 read as follows:

21 URBAN ARTERIAL TRUST ACCOUNT. There is hereby created in the motor  
22 vehicle fund the urban arterial trust account. All moneys deposited in  
23 the motor vehicle fund to be credited to the urban arterial trust  
24 account shall be expended for the construction and improvement of city  
25 arterial streets and county arterial roads within urban areas, for  
26 expenses of the transportation improvement board, or for the payment of  
27 principal or interest on bonds issued for the purpose of constructing  
28 or improving city arterial streets and county arterial roads within  
29 urban areas, or for reimbursement to the state, counties, cities, and

1 towns in accordance with RCW 47.26.4252 and 47.26.4254, the amount of  
2 any payments made on principal or interest on urban arterial trust  
3 account bonds from motor vehicle or special fuel tax revenues which  
4 were distributable to the state, counties, cities, and towns.

5 The board shall not allocate funds, nor make payments of the funds  
6 under RCW 47.26.260, to any county or city identified by the governor  
7 as not being in compliance with section 15 of this act.

8 **Sec. 20.** RCW 47.26.084 and 1988 c 167 s 2 are each amended to read  
9 as follows:

10 TRANSPORTATION IMPROVEMENT ACCOUNT--ALLOCATION OF FUNDS. The  
11 transportation improvement account is hereby created in the motor  
12 vehicle fund. The board shall adopt rules and procedures which shall  
13 govern the allocation of funds in the transportation improvement  
14 account at such time as funds become available.

15 The board shall allocate funds from the account by June 30 of each  
16 year for the ensuing fiscal year and shall endeavor to provide  
17 geographical diversity in selecting improvement projects to be funded  
18 from the account.

19 Of the amount made available to the transportation improvement  
20 board from the transportation improvement account for improvement  
21 projects:

22 (1) Eighty-seven percent shall be allocated to counties, to cities  
23 with a population of over five thousand, and to transportation benefit  
24 districts. Improvement projects may include, but are not limited to,  
25 multi-agency and suburban arterial improvement projects.

26 To be eligible to receive these funds, a project must be (a)  
27 consistent with state, regional, and local transportation plans and  
28 consideration shall be given to the project's relationship, both actual  
29 and potential, with rapid mass transit and at such time as a rail plan

1 is developed by the rail development commission, projects must be  
2 consistent therewith, (b) necessitated by existing or reasonably  
3 foreseeable congestion levels attributable to economic development or  
4 growth, and (c) partially funded by local government or private  
5 contributions, or a combination of such contributions. The board  
6 shall, for those projects meeting the eligibility criteria, determine  
7 what percentage of each project is funded by local and/or private  
8 contribution. Priority consideration shall be given to those projects  
9 with the greatest percentage of local and/or private contribution.

10 Within one year after board approval of an application for funding,  
11 a county, city, or transportation benefit district shall provide  
12 written certification to the board of the pledged local and/or private  
13 funding. Funds allocated to an applicant that does not certify its  
14 funding within one year after approval may be reallocated by the board.

15 (2) Thirteen percent shall be allocated by the board to cities with  
16 a population of five thousand or less for street improvement projects  
17 in a manner determined by the board.

18 The board shall not allocate funds, nor make payments of the funds  
19 under RCW 47.26.265, to any county or city identified by the governor  
20 as not being in compliance with section 15 of this act. The board  
21 shall reduce its allocation of funds to any public benefit district in  
22 proportion to the proportion of improvements being made to the roads of  
23 any county or the streets of any city which is identified by the  
24 governor as not being in compliance with section 15 of this act.

25 **Sec. 21.** RCW 82.46.035 and 1990 1st ex.s. c 17 s 38 are each  
26 amended to read as follows:

27 ADDITIONAL TAX--CERTAIN COUNTIES--BALLOT PROPOSITION--USE LIMITED  
28 TO CAPITAL PROJECTS. (1) The governing body of any county or any city  
29 that plans under RCW 36.70A.040(1) may impose an additional excise tax

1 on each sale of real property in the unincorporated areas of the county  
2 for the county tax and in the corporate limits of the city for the city  
3 tax at a rate not exceeding one-quarter of one percent of the selling  
4 price. Any county choosing to plan under RCW 36.70A.040(2) and any  
5 city within such a county may only adopt an ordinance imposing the  
6 excise tax authorized by this section if the ordinance is first  
7 authorized by a proposition approved by a majority of the voters of the  
8 taxing district voting on the proposition at a general election held  
9 within the district or at a special election within the taxing district  
10 called by the district for the purpose of submitting such proposition  
11 to the voters.

12 (2) Revenues generated from the tax imposed under subsection (1) of  
13 this section shall be used by such counties and cities solely for  
14 financing capital projects specified in a capital facilities plan  
15 element of a comprehensive plan.

16 (3) Revenues generated by the tax imposed by this section shall be  
17 deposited in a separate account.

18 (4) As used in this section, "city" means any city or town.

19 (5) When the governor files a notice of noncompliance based on  
20 section 15 of this act with the secretary of state and the appropriate  
21 county or city, the county or city's authority to impose the additional  
22 excise tax under this section shall be temporarily rescinded until the  
23 governor files a subsequent notice rescinding the notice of  
24 noncompliance.

25 NEW SECTION. Sec. 22. A new section is added to chapter 82.14 RCW  
26 to read as follows:

27 WITHHOLDING REVENUE--NONCOMPLIANCE. The governor may notify and  
28 direct the state treasurer to withhold the revenues to which the county

1 or city is entitled under this chapter if a county or city is found to  
2 be in noncompliance pursuant to section 15 of this act.

3 NEW SECTION. **Sec. 23.** A new section is added to chapter 82.36 RCW  
4 to read as follows:

5 WITHHOLDING REVENUE--NONCOMPLIANCE. The governor may notify and  
6 direct the state treasurer to withhold the revenues to which the county  
7 or city is entitled under this chapter if a county or city is found to  
8 be in noncompliance pursuant to section 15 of this act.

9 NEW SECTION. **Sec. 24.** A new section is added to chapter 82.08 RCW  
10 to read as follows:

11 WITHHOLDING REVENUE--NONCOMPLIANCE. The governor may notify and  
12 direct the state treasurer to withhold the revenues to which the  
13 counties and cities are entitled under RCW 82.08.170 if the counties or  
14 cities are found to be in noncompliance pursuant to section 15 of this  
15 act.

16 NEW SECTION. **Sec. 25.** BOARD MAY ADOPT PROCEDURAL RULES. The  
17 board may adopt rules under chapter 34.05 RCW governing the  
18 administrative practice and procedure in and before the board.

19 NEW SECTION. **Sec. 26.** OTHER APPEAL RIGHTS. (1) Any party  
20 aggrieved by a final decision of the hearings board may appeal the  
21 decision to Thurston county superior court, or to the court of appeals  
22 or the supreme court if these courts agree to hear the appeal.

23 (2) Failing to obtain review under this chapter of a plan,  
24 regulation, or amendment thereto, development action, or other matter  
25 concerning compliance with the requirements of this chapter, rules

1 adopted under this chapter, or order of the board shall not affect  
2 other appeal rights otherwise available by law.

3 PART VI

4 APPROPRIATIONS

5 NEW SECTION. **Sec. 27.** RURAL-URBAN LINKS. The sum of one million  
6 eighty thousand dollars, or as much thereof as may be necessary, is  
7 appropriated for the biennium ending June 30, 1993, from the general  
8 fund to the department of community development for the rural-urban  
9 links grant program created pursuant to RCW 43.63A.560.

10 NEW SECTION. **Sec. 28.** ASSOCIATE DEVELOPMENT ORGANIZATIONS. The  
11 sum of five hundred thousand dollars, or as much thereof as may be  
12 necessary, is appropriated for the biennium ending June 30, 1993, from  
13 the general fund to the department of trade and economic development to  
14 enhance current level grants to associate development organizations.  
15 Associate development organizations who receive grants from the  
16 department shall use the grants to build local capacity, to build  
17 rural-urban links, and to implement RCW 43.31.097. The department  
18 shall award the enhancements based on the following criteria: (1) Need  
19 and available resources; (2) encouraging growth in areas experiencing  
20 little or no growth; and (3) establishing rural-urban links.

21 NEW SECTION. **Sec. 29.** GROWTH MANAGEMENT HEARINGS BOARD. The sum  
22 of one million five hundred ninety-six thousand dollars, or as much  
23 thereof as may be necessary, is appropriated for the biennium ending  
24 June 30, 1993, from the general fund to the environmental hearings  
25 office for the growth management hearings board created in section 13  
26 of this act.

PART VII

OTHER PROVISIONS

1  
2  
3       NEW SECTION.   **Sec. 30.**   HEADINGS.   Part and section headings as  
4 used in this act do not constitute any part of the law.

5       NEW SECTION.   **Sec. 31.**   Sections 5, 7 through 9, 13 through 15, 25,  
6 26, and 30 of this act are each added to chapter 36.70A RCW.