
HOUSE BILL 2653

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Haugen, Wilson, Spanel and Jones

Read first time 01/23/92. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to local government regulation of oil transmission;
2 and amending RCW 80.50.110.

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

4 **Sec. 1.** RCW 80.50.110 and 1975-'76 2nd ex.s. c 108 s 37 are each
5 amended to read as follows:

6 (1) If any provision of this chapter is in conflict with any other
7 provision, limitation, or restriction which is now in effect under any
8 other law of this state, or any rule or regulation promulgated
9 thereunder, this chapter shall govern and control and such other law or
10 rule or regulation promulgated thereunder shall be deemed superseded
11 for the purposes of this chapter.

12 (2) The state hereby preempts the regulation and certification of
13 the location, construction, and operational conditions of certification

1 of the energy facilities included under RCW 80.50.060 as now or
2 hereafter amended.

3 (3) RCW 36.70A.103 in part reverses the preemption and supersession
4 of local planning and regulatory control over energy plants that is
5 included in subsection (1) of this section by requiring state agencies
6 to comply with the new comprehensive plans and development regulations
7 that are adopted in accordance with chapter 36.70A RCW by a county,
8 city, or town that is required or chooses to plan under RCW 36.70A.040.
9 This reversal of authority was provided after carefully balancing the
10 interests of the state and local governments.

11 In further recognition of this reversal of authority, the remaining
12 preemption and supersession of county, city, and town planning and
13 regulatory authority that exists under subsection (1) of this section
14 is eliminated for purposes of the siting and regulating oil
15 transmission lines in a county, city, or town that is required or
16 chooses to plan under RCW 36.70A.040.