

2 SSB 6530 - H COMM AMD

3 By Committee on Government Operations

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 2.28.139 and Code 1881 s 2111 are each amended to
8 read as follows:

9 The county in which the court is held shall furnish the court
10 house, a jail or suitable place for confining prisoners, books for
11 record, stationery, lights, (~~wood, attendance,~~) and other incidental
12 expenses of the court house and court which are not paid by the United
13 States.

14 Sec. 2. RCW 36.70.040 and 1963 c 4 s 36.70.040 are each amended to
15 read as follows:

16 (1) By ordinance a board may, as an alternative to and in lieu of
17 the creation of a planning commission as provided in RCW 36.70.030,
18 create a planning department which shall be organized and function as
19 any other department of the county. When such department is created,
20 the board shall also create a planning commission which shall assist
21 the planning department in carrying out its duties, including
22 assistance in the preparation and execution of the comprehensive plan
23 and recommendations to the department for the adoption of official
24 controls and/or amendments thereto. To this end, the planning
25 commission shall conduct such hearings as are required by this chapter
26 and shall make findings and conclusions therefrom which shall be
27 transmitted to the department which shall transmit the same on to the
28 board with such comments and recommendations it deems necessary.

29 (2) As an alternative to the requirement of creating a planning
30 commission, a county planning under chapter 36.70A RCW may establish an
31 alternative method of soliciting assistance from the public in the
32 preparation and execution of a comprehensive plan and its implementing
33 rules consistent with RCW 36.70A.140.

1 **Sec. 3.** RCW 36.70A.040 and 1995 c 400 s 1 are each amended to read
2 as follows:

3 (1) Each county that has both a population of fifty thousand or
4 more and, until May 16, 1995, has had its population increase by more
5 than ten percent in the previous ten years or, on or after May 16,
6 1995, has had its population increase by more than seventeen percent in
7 the previous ten years, and the cities located within such county, and
8 any other county regardless of its population that has had its
9 population increase by more than twenty percent in the previous ten
10 years, and the cities located within such county, shall ~~((conform with
11 all of the requirements of this chapter))~~ plan under this section.
12 However, the county legislative authority of such a county with a
13 population of less than ~~((fifty))~~ seventy-five thousand population may
14 adopt a resolution removing the county, and the cities located within
15 the county, from the requirement~~((s of adopting comprehensive land use
16 plans and development regulations under this chapter))~~ to plan under
17 this section if this resolution is adopted and filed with the
18 department by December 31, ~~((1990, for counties initially meeting this
19 set of criteria))~~ 1996, or within sixty days of the date the office of
20 financial management certifies that a county meets this set of criteria
21 under subsection (5) of this section.

22 Once a county meets either of these sets of criteria and the county
23 has not followed this procedure to remove itself from the requirement
24 to plan under this section, the requirement to ~~((conform with all of
25 the requirements of this chapter))~~ plan under this section remains in
26 effect, even if the county no longer meets one of these sets of
27 criteria.

28 (2) The county legislative authority of any county that does not
29 ~~((meet either of the sets of criteria established))~~ plan under
30 ~~((subsection (1) of))~~ this section may adopt a resolution indicating
31 its intention ~~((to have subsection (1) of this section apply to))~~ that
32 the county plan under this section. Each city~~((r))~~ located in a county
33 that ~~((chooses to plan))~~ adopts a resolution under this subsection~~((r))~~
34 shall ~~((conform with all of the requirements of this chapter))~~ plan
35 under this section. Once such a resolution has been adopted, the
36 county and the cities located within the county remain subject to all
37 of the requirements of this ~~((chapter))~~ section. However, a county
38 with a population of seventy-five thousand or less that, before the
39 effective date of this act, adopted a resolution of intention under

1 this subsection to plan under this section may adopt a resolution
2 removing the county, and the cities located within the county, from the
3 requirement to plan under this section if the resolution is adopted and
4 filed with the department by December 31, 1996.

5 (3) Any county or city that is initially required to (~~conform with~~
6 ~~all of the requirements of this chapter~~) plan under this section by
7 subsection (1) of this section, and, where applicable, the county
8 legislative authority has not adopted a resolution removing the county
9 from these requirements as provided in subsection (1) of this section,
10 shall take actions under this chapter as follows: (a) The county
11 legislative authority shall adopt a county-wide planning policy under
12 RCW 36.70A.210; (b) the county and each city located within the county
13 shall designate critical areas, agricultural lands, forest lands, and
14 mineral resource lands, and adopt development regulations conserving
15 these designated agricultural lands, forest lands, and mineral resource
16 lands and protecting these designated critical areas, under RCW
17 36.70A.170 and 36.70A.060; (c) the county shall designate and take
18 other actions related to urban growth areas under RCW 36.70A.110; (d)
19 if the county has a population of fifty thousand or more, the county
20 and each city located within the county shall adopt a comprehensive
21 plan under this chapter and development regulations that are consistent
22 with and implement the comprehensive plan on or before July 1, 1994,
23 and if the county has a population of less than fifty thousand, the
24 county and each city located within the county shall adopt a
25 comprehensive plan under this chapter and development regulations that
26 are consistent with and implement the comprehensive plan by January 1,
27 1995, but if the governor makes written findings that a county with a
28 population of less than fifty thousand or a city located within such a
29 county is not making reasonable progress toward adopting a
30 comprehensive plan and development regulations the governor may reduce
31 this deadline for such actions to be taken by no more than one hundred
32 eighty days. Any county or city subject to this subsection may obtain
33 an additional six months before it is required to have adopted its
34 development regulations by submitting a letter notifying the department
35 of community, trade, and economic development of its need prior to the
36 deadline for adopting both a comprehensive plan and development
37 regulations.

38 (4) Any county or city that is required to (~~conform with all the~~
39 ~~requirements of this chapter~~) plan under this section, as a result of

1 the county legislative authority adopting its resolution of intention
2 under subsection (2) of this section, and, where applicable, the county
3 legislative authority has not adopted a resolution removing the county
4 from these requirements as provided in subsection (2) of this section,
5 shall take actions under this chapter as follows: (a) The county
6 legislative authority shall adopt a county-wide planning policy under
7 RCW 36.70A.210; (b) the county and each city that is located within the
8 county shall adopt development regulations conserving agricultural
9 lands, forest lands, and mineral resource lands it designated under RCW
10 36.70A.060 within one year of the date the county legislative authority
11 adopts its resolution of intention; (c) the county shall designate and
12 take other actions related to urban growth areas under RCW 36.70A.110;
13 and (d) the county and each city that is located within the county
14 shall adopt a comprehensive plan and development regulations that are
15 consistent with and implement the comprehensive plan not later than
16 four years from the date the county legislative authority adopts its
17 resolution of intention, but a county or city may obtain an additional
18 six months before it is required to have adopted its development
19 regulations by submitting a letter notifying the department of
20 community, trade, and economic development of its need prior to the
21 deadline for adopting both a comprehensive plan and development
22 regulations.

23 (5) If the office of financial management certifies that the
24 population of a county that (~~previously had not been required to~~)
25 does not plan under (~~subsection (1) or (2) of~~) this section has
26 changed sufficiently to meet either of the sets of criteria specified
27 under subsection (1) of this section, and where applicable, the county
28 legislative authority has not adopted a resolution removing the county
29 from these requirements as provided in subsection (1) of this section,
30 the county and each city within such county shall take actions under
31 this chapter as follows: (a) The county legislative authority shall
32 adopt a county-wide planning policy under RCW 36.70A.210; (b) the
33 county and each city located within the county shall adopt development
34 regulations under RCW 36.70A.060 conserving agricultural lands, forest
35 lands, and mineral resource lands it designated within one year of the
36 certification by the office of financial management; (c) the county
37 shall designate and take other actions related to urban growth areas
38 under RCW 36.70A.110; and (d) the county and each city located within
39 the county shall adopt a comprehensive land use plan and development

1 regulations that are consistent with and implement the comprehensive
2 plan within four years of the certification by the office of financial
3 management, but a county or city may obtain an additional six months
4 before it is required to have adopted its development regulations by
5 submitting a letter notifying the department of community, trade, and
6 economic development of its need prior to the deadline for adopting
7 both a comprehensive plan and development regulations.

8 (6) A copy of each document that is required under this section
9 shall be submitted to the department at the time of its adoption.

10 **Sec. 4.** RCW 36.70A.300 and 1995 c 347 s 110 are each amended to
11 read as follows:

12 (1) The board shall issue a final order within one hundred eighty
13 days of receipt of the petition for review, or, when multiple petitions
14 are filed, within one hundred eighty days of receipt of the last
15 petition that is consolidated. Such a final order shall be based
16 exclusively on whether or not a state agency, county, or city is in
17 compliance with the requirements of this chapter, chapter 90.58 RCW as
18 it relates to adoption or amendment of shoreline master programs, or
19 chapter 43.21C RCW as it relates to plans, development regulations, and
20 amendments thereto, adopted under RCW 36.70A.040 or chapter 90.58 RCW.
21 In the final order, the board shall either: (a) Find that the state
22 agency, county, or city is in compliance with the requirements of this
23 chapter or chapter 90.58 RCW as it relates to the adoption or amendment
24 of shoreline master programs; or (b) find that the state agency,
25 county, or city is not in compliance with the requirements of this
26 chapter or chapter 90.58 RCW as it relates to the adoption or amendment
27 of shoreline master programs, in which case the board shall remand the
28 matter to the affected state agency, county, or city and specify a
29 reasonable time not in excess of one hundred eighty days within which
30 the state agency, county, or city shall comply with the requirements of
31 this chapter.

32 (2) A finding of noncompliance and an order of remand shall not
33 affect the validity of comprehensive plans and development regulations
34 during the period of remand, unless the board's final order also:

35 (a) Includes a determination, supported by findings of fact and
36 conclusions of law, that the continued validity of the plan or
37 regulation would substantially interfere with the fulfillment of the
38 goals of this chapter; and

1 (b) Specifies the particular part or parts of the plan or
2 regulation that are determined to be invalid, and the reasons for their
3 invalidity.

4 (3) A determination of invalidity shall:

5 (a) Be prospective in effect and shall not extinguish rights that
6 vested under state or local law before the date of the board's order;
7 and

8 (b) Subject any development application that would otherwise vest
9 after the date of the board's order to the local ordinance or
10 resolution that both is enacted in response to the order of remand and
11 determined by the board pursuant to RCW 36.70A.330 to comply with the
12 requirements of this chapter.

13 (4) If the ordinance that adopts a plan or development regulation
14 under this chapter includes a savings clause intended to revive prior
15 policies or regulations in the event the new plan or regulations are
16 determined to be invalid, the board shall determine under subsection
17 (2) of this section whether the prior policies or regulations are valid
18 during the period of remand. Comprehensive plans and development
19 regulations adopted by counties are not subject to a declaration of
20 invalidity under this section and all development permits filed with
21 counties shall vest under such comprehensive plans or development
22 regulations until new comprehensive plans or development regulations
23 are adopted.

24 (5) Any party aggrieved by a final decision of the hearings board
25 may appeal the decision to superior court as provided in RCW 34.05.514
26 or 36.01.050 within thirty days of the final order of the board.

27 **Sec. 5.** RCW 36.70A.330 and 1995 c 347 s 112 are each amended to
28 read as follows:

29 (1) After the time set for complying with the requirements of this
30 chapter under RCW 36.70A.300(1)(b) has expired, or at an earlier time
31 upon the motion of a county or city subject to a determination of
32 invalidity under RCW 36.70A.300, the board shall set a hearing for the
33 purpose of determining whether the state agency, county, or city is in
34 compliance with the requirements of this chapter.

35 (2) The board shall conduct a hearing and issue a finding of
36 compliance or noncompliance with the requirements of this chapter. A
37 person with standing to challenge the legislation enacted in response
38 to the board's final order may participate in the hearing along with

1 the petitioner and the state agency, city, or county. A hearing under
2 this subsection shall be given the highest priority of business to be
3 conducted by the board, and a finding shall be issued within forty-five
4 days of the filing of the motion under subsection (1) of this section
5 with the board.

6 (3) If the board finds that the state agency, county, or city is
7 not in compliance, the board shall transmit its finding to the
8 governor. The board may recommend to the governor that the sanctions
9 authorized by this chapter be imposed.

10 (4) Except in cases involving noncompliance by counties, the board
11 shall also reconsider its final order and decide:

12 (a) If a determination of invalidity has been made, whether such a
13 determination should be rescinded or modified under the standards in
14 RCW 36.70A.300(2); or

15 (b) If no determination of invalidity has been made, whether one
16 now should be made under the standards in RCW 36.70A.300(2).

17 The board shall schedule additional hearings as appropriate
18 pursuant to subsections (1) and (2) of this section.

19 NEW SECTION. **Sec. 6.** It is the intent of the legislature that the
20 authority given to growth management hearings boards in chapter 347,
21 Laws of 1995 to determine that a plan or regulation adopted by a county
22 is invalid is null and void. Any such determination of invalidity made
23 at any time is null, void, and of no effect. The legislature intends
24 that this act have retroactive application and apply to determinations
25 made before, on, and after the effective date of this act.

26 **Sec. 7.** RCW 36.81.121 and 1994 c 179 s 2 and 1994 c 158 s 8 are
27 each reenacted and amended to read as follows:

28 (1) Before (~~July 1st of~~) the adoption of the budget each year,
29 the legislative authority of each county, after one or more public
30 hearings thereon, shall prepare and adopt a comprehensive
31 transportation program for the ensuing six calendar years. If the
32 county has adopted a comprehensive plan pursuant to chapter 35.63 or
33 36.70 RCW, the inherent authority of a charter county derived from its
34 charter, or chapter 36.70A RCW, the program shall be consistent with
35 this comprehensive plan.

36 The program shall include proposed road and bridge construction
37 work and other transportation facilities and programs deemed

1 appropriate, and for those counties operating ferries shall also
2 include a separate section showing proposed capital expenditures for
3 ferries, docks, and related facilities. Copies of the program shall be
4 filed with the county road administration board and with the state
5 secretary of transportation not more than thirty days after its
6 adoption by the legislative authority. The purpose of this section is
7 to assure that each county shall perpetually have available advanced
8 plans looking to the future for not less than six years as a guide in
9 carrying out a coordinated transportation program. The program may at
10 any time be revised by a majority of the legislative authority but only
11 after a public hearing thereon.

12 (2) Each six-year transportation program forwarded to the secretary
13 in compliance with subsection (1) of this section shall contain
14 information as to how a county will expend its moneys, including funds
15 made available pursuant to chapter 47.30 RCW, for nonmotorized
16 transportation purposes.

17 (3) Each six-year transportation program forwarded to the secretary
18 in compliance with subsection (1) of this section shall contain
19 information as to how a county shall act to preserve railroad right-of-
20 way in the event the railroad ceases to operate in the county's
21 jurisdiction.

22 (4) The six-year plan for each county shall specifically set forth
23 those projects and programs of regional significance for inclusion in
24 the transportation improvement program within that region.

25 **Sec. 8.** RCW 36.87.030 and 1963 c 4 s 36.87.030 are each amended to
26 read as follows:

27 On the filing of the petition and bond (~~(and on being satisfied~~
28 ~~that))~~ the county road engineer shall determine whether the petition
29 satisfies RCW 36.87.020 and whether the petition has been signed by
30 petitioners residing in the vicinity of the county road or portion
31 thereof(, the board shall direct the county road engineer to report
32 upon such vacation and abandonment)). Upon making a finding that the
33 petition is satisfactory, the county road engineer shall prepare an
34 engineering report in accordance with RCW 36.87.040 and submit the
35 report to the county legislative authority. Upon receipt of a
36 satisfactory petition and the county road engineer's report, the county
37 legislative authority shall hold a public hearing in accordance with
38 RCW 36.87.050 and 36.87.060.

1 **Sec. 9.** RCW 36.87.040 and 1963 c 4 s 36.87.040 are each amended to
2 read as follows:

3 (~~When directed by the board~~) The county road engineer shall
4 examine any county road or portion thereof proposed to be vacated and
5 abandoned and report his opinion as to whether the county road should
6 be vacated and abandoned, whether the same is in use or has been in
7 use, the condition of the road, whether it will be advisable to
8 preserve it for the county road system in the future, whether the
9 public will be benefited by the vacation and abandonment, and all other
10 facts, matters, and things which will be of importance to the board,
11 and also file his cost bill.

12 **Sec. 10.** RCW 36.88.010 and 1985 c 400 s 3 and 1983 c 369 s 7 are
13 each reenacted and amended to read as follows:

14 All counties have the power to create county road improvement
15 districts for the acquisition of rights of way and improvement of
16 county road(~~s~~) systems, existing private roads that will become
17 county roads as a result of this improvement district process and, with
18 the approval of the state department of transportation, state highways;
19 for the construction or improvement of necessary drainage facilities,
20 bulkheads, retaining walls, and other appurtenances therefor, bridges,
21 culverts, sidewalks, curbs and gutters, escalators, or moving
22 sidewalks; and for the draining or filling of drainage potholes or
23 swamps. Such counties have the power to levy and collect special
24 assessments against the real property specially benefited thereby for
25 the purpose of paying the whole or any part of the cost of such
26 acquisition of rights of way, construction, or improvement.

27 **Sec. 11.** RCW 41.14.080 and 1980 c 108 s 1 are each amended to read
28 as follows:

29 All appointments to and promotions to positions in the classified
30 civil service of the office of county sheriff shall be made solely on
31 merit, efficiency, and fitness, which shall be ascertained by open
32 competitive examination and impartial investigation(~~(: PROVIDED, That~~
33 ~~before June 30, 1981,)~~). However, employees in an existing county
34 personnel system in which appointments have been made on merit may be
35 transferred to newly created and classified positions within such
36 county's sheriff's office, in order to permanently transfer the
37 functions of these positions, without meeting the open competitive

1 examination requirements of this section if the transfer is approved by
2 the civil service commission created in RCW 41.14.030, and the persons
3 to be transferred shall satisfy the specific appointment requirements
4 of such sheriff's office. No person in the classified civil service
5 shall be reinstated in or transferred, suspended, or discharged from
6 any such place, position, or employment contrary to the provisions of
7 this chapter.

8 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.21C
9 RCW to read as follows:

10 The department of ecology shall adopt rules increasing categorical
11 exemptions for minor new construction and minor land use decisions
12 within the county's portion of the urban growth area designated under
13 RCW 36.70A.110.

14 At a minimum, the increase in categorical exemptions for minor new
15 construction and minor land use decisions within the county's portion
16 of an urban growth area shall include approvals of the: (1)
17 Construction of or location of any residential structures of ten or
18 fewer dwelling units; (2) construction of an office, school,
19 commercial, recreational, service, or storage building with eight
20 thousand or fewer square feet of gross floor area, and with associated
21 parking facilities; (3) construction of a parking lot designed for
22 forty or fewer automobiles; and (4) division of land into ten or fewer
23 lots or parcels.

24 **Sec. 13.** RCW 58.17.020 and 1995 c 32 s 2 are each amended to read
25 as follows:

26 As used in this chapter, unless the context or subject matter
27 clearly requires otherwise, the words or phrases defined in this
28 section shall have the indicated meanings.

29 (1) "Subdivision" is the division or redivision of land into five
30 or more lots, tracts, parcels, sites or divisions for the purpose of
31 sale, lease, or transfer of ownership, except as provided in subsection
32 (6) of this section.

33 (2) "Plat" is a map or representation of a subdivision, showing
34 thereon the division of a tract or parcel of land into lots, blocks,
35 streets and alleys or other divisions and dedications.

36 (3) "Dedication" is the deliberate appropriation of land by an
37 owner for any general and public uses, reserving to himself no other

1 rights than such as are compatible with the full exercise and enjoyment
2 of the public uses to which the property has been devoted. The
3 intention to dedicate shall be evidenced by the owner by the
4 presentment for filing of a final plat or short plat showing the
5 dedication thereon; and, the acceptance by the public shall be
6 evidenced by the approval of such plat for filing by the appropriate
7 governmental unit.

8 A dedication of an area of less than two acres for use as a public
9 park may include a designation of a name for the park, in honor of a
10 deceased individual of good character.

11 (4) "Preliminary plat" is a neat and approximate drawing of a
12 proposed subdivision showing the general layout of streets and alleys,
13 lots, blocks, and other elements of a subdivision consistent with the
14 requirements of this chapter. The preliminary plat shall be the basis
15 for the approval or disapproval of the general layout of a subdivision.

16 (5) "Final plat" is the final drawing of the subdivision and
17 dedication prepared for filing for record with the county auditor and
18 containing all elements and requirements set forth in this chapter and
19 in local regulations adopted under this chapter.

20 (6) "Short subdivision" is the division or redivision of land into
21 four or fewer lots, tracts, parcels, sites or divisions for the purpose
22 of sale, lease, or transfer of ownership(~~(:—PROVIDED, That))~~ or nine
23 or fewer lots, tracts, parcels, sites or divisions for the purpose of
24 sale, lease, or transfer of ownership if the lots, tracts, or parcels
25 are within a county's portion of the urban growth area or the
26 legislative authority of any city or town ((may)) has by local
27 ordinance increased the number of lots, tracts, or parcels to be
28 regulated as short subdivisions ((~~to a maximum of nine~~)).

29 (7) "Binding site plan" means a drawing to a scale specified by
30 local ordinance which: (a) Identifies and shows the areas and
31 locations of all streets, roads, improvements, utilities, open spaces,
32 and any other matters specified by local regulations; (b) contains
33 inscriptions or attachments setting forth such appropriate limitations
34 and conditions for the use of the land as are established by the local
35 government body having authority to approve the site plan; and (c)
36 contains provisions making any development be in conformity with the
37 site plan.

38 (8) "Short plat" is the map or representation of a short
39 subdivision.

1 (9) "Lot" is a fractional part of divided lands having fixed
2 boundaries, being of sufficient area and dimension to meet minimum
3 zoning requirements for width and area. The term shall include tracts
4 or parcels.

5 (10) "Block" is a group of lots, tracts, or parcels within well
6 defined and fixed boundaries.

7 (11) "County treasurer" shall be as defined in chapter 36.29 RCW or
8 the office or person assigned such duties under a county charter.

9 (12) "County auditor" shall be as defined in chapter 36.22 RCW or
10 the office or person assigned such duties under a county charter.

11 (13) "County road engineer" shall be as defined in chapter 36.40
12 RCW or the office or person assigned such duties under a county
13 charter.

14 (14) "Planning commission" means that body as defined in chapters
15 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to
16 perform a planning function or that body assigned such duties and
17 responsibilities under a city or county charter.

18 (15) "County commissioner" shall be as defined in chapter 36.32 RCW
19 or the body assigned such duties under a county charter.

20 **Sec. 14.** RCW 70.48.100 and 1990 c 3 s 130 are each amended to read
21 as follows:

22 (1) A department of corrections or chief law enforcement officer
23 responsible for the operation of a jail shall maintain a jail register
24 which can be kept electronically, open to the public, into which shall
25 be entered in a timely basis:

26 (a) The name of each person confined in the jail with the hour,
27 date and cause of the confinement; and

28 (b) The hour, date and manner of each person's discharge.

29 (2) Except as provided in subsection (3) of this section the
30 records of a person confined in jail shall be held in confidence and
31 shall be made available only to criminal justice agencies as defined in
32 RCW 43.43.705; or

33 (a) (~~For use in inspections made pursuant to RCW 70.48.070;~~
34 ~~(b)~~) In jail certification proceedings;

35 (~~(e)~~) (b) For use in court proceedings upon the written order of
36 the court in which the proceedings are conducted; or

37 (~~(d)~~) (c) Upon the written permission of the person.

1 (3)(a) Law enforcement may use booking photographs of a person
2 arrested or confined in a local or state penal institution to assist
3 them in conducting investigations of crimes.

4 (b) Photographs and information concerning a person convicted of a
5 sex offense as defined in RCW 9.94A.030 may be disseminated as provided
6 in RCW 4.24.550, 9A.44.130, 9A.44.140, 10.01.200, 43.43.540, 43.43.745,
7 46.20.187, 70.48.470, 72.09.330, and section 401, chapter 3, Laws of
8 1990.

9 NEW SECTION. **Sec. 15.** A new section is added to chapter 36.115
10 RCW to read as follows:

11 (1) There is hereby created a commission on county services and
12 sources, referred to in this section and section 16 of this act as "the
13 commission."

14 (2) The commission shall consist of voting members appointed as
15 follows:

16 (a) Four members of the state legislature, two appointed by the
17 speaker of the house of representatives, two appointed by the president
18 of the senate, one from each caucus of the respective house;

19 (b) Two members from the office of financial management and the
20 department of community, trade, and economic development;

21 (c) Four members from the Washington state association of counties,
22 appointed jointly by the speaker of the house of representatives and
23 the president of the senate;

24 (d) Two members from the association of Washington cities,
25 appointed jointly by the speaker of the house of representatives and
26 the president of the senate;

27 (e) One member from the Washington state association of sewer and
28 water districts, appointed jointly by the speaker of the house of
29 representatives and the president of the senate;

30 (f) One member from the Washington state fire commissioners
31 association, appointed jointly by the speaker of the house of
32 representatives and the president of the senate; and

33 (g) The lieutenant governor, who shall serve as chair of the
34 commission.

35 (3) Staff for the commission shall be provided by the finance
36 committees of the house of representatives and the senate, the office
37 of financial management, the department of revenue, and the Washington

1 state association of counties. Other state agencies and local
2 governments shall provide assistance as needed.

3 (4) No member of the association of Washington cities, Washington
4 state association of counties, Washington association of sewer and
5 water districts, or Washington state fire commissioners association may
6 serve on the commission if at any time within the preceding twenty-four
7 months the association either: (a) Employed more than one employee who
8 engaged in lobbying activities; or (b) contributed money or allowed its
9 facilities to be used for campaign purposes in a manner that facilities
10 of a public office are prohibited from being used for campaigned
11 purposes under RCW 42.17.130.

12 As used in this subsection, the "lobbying activities" means any
13 oral or written communication, including electronic communication, to
14 members of the legislature or legislative staff with regard to the
15 advocacy of, or opposition to, the formulation, modification, or
16 adoption of state legislation or other legislative proposal, and
17 includes motivating others to contact members of the legislature or
18 legislative staff with regard to the advocacy of, or opposition to, the
19 formulation, modification, or adoption of state legislation or other
20 legislative proposal. "Lobbying activities" does not include providing
21 factual information to members of the legislature or legislative staff
22 in response to a request made by a member of the legislature or
23 legislative staff.

24 NEW SECTION. **Sec. 16.** A new section is added to chapter 36.115
25 RCW to read as follows:

26 (1) The commission shall make a report to the speaker of the house
27 of representatives, the president of the senate, and the governor by
28 January 1, 1997.

29 (2) The report must evaluate the current ability of county
30 government to maintain its status as both a regional service provider
31 and agent of the state. The report must contain an analysis of and
32 recommendations on the following items:

33 (a) Services that county governments are required to provide under
34 state or federal law and current costs of those services in each
35 county;

36 (b) Services other than those in (a) of this subsection currently
37 provided by one or more county governments and their respective costs
38 in the counties offering them;

1 (c) Services that county governments are authorized to provide
2 under state law but that are not being offered currently;

3 (d) Services that might be consolidated and offered on a regional
4 basis for greater efficiency and their potential funding sources;

5 (e) Federal, state, and local revenues currently received by
6 counties, including taxes and fees;

7 (f) Identification of which county revenues may be used at the
8 discretion of the county legislative authority and which are dedicated
9 to specific uses;

10 (g) The effect of annexations and incorporations on the county tax
11 base;

12 (h) The relationship between the county's tax base and the state's;

13 (i) As information becomes available, issues raised during the
14 process mandated by the local service agreement act, as well as
15 solutions developed through the process, that are likely to require
16 legislative action; and

17 (j) Such other matters as the commission may deem necessary.

18 **Sec. 17.** RCW 84.48.028 and 1994 c 124 s 28 are each amended to
19 read as follows:

20 The (~~board~~) county legislative authority may appoint a clerk of
21 the board and any assistants the board might need, all to serve at the
22 pleasure of the (~~members of the board~~) county legislative authority,
23 and the clerk or assistant shall attend all sessions (~~thereof~~) of the
24 county board of equalization, and shall keep the record. Neither the
25 assessor nor any of the assessor's staff may serve as clerk.

26 **Sec. 18.** RCW 84.48.032 and 1994 c 124 s 29 are each amended to
27 read as follows:

28 The (~~board~~) county legislative authority may hire one or more
29 appraisers accredited by the department of revenue or certified by the
30 Washington state department of licensing, society of real estate
31 appraisers, American institute of real estate appraisers, or
32 international association of assessing officers, and not otherwise
33 employed by the county, and other necessary personnel for the purpose
34 of aiding the board and carrying out its functions and duties. In
35 addition, the boards of the various counties may make reciprocal
36 arrangements for the exchange of the appraisers with other counties.
37 Such appraisers need not be residents of the county."

1 **SSB 6530** - H COMM AMD
2 By Committee on Government Operations

3

4 On page 1, line 1 of the title, after "counties;" strike the
5 remainder of the title and insert "amending RCW 2.28.139, 36.70.040,
6 36.70A.040, 36.70A.300, 36.70A.330, 36.87.030, 36.87.040, 41.14.080,
7 58.17.020, 70.48.100, 84.48.028, and 84.48.032; reenacting and amending
8 RCW 36.81.121 and 36.88.010; adding a new section to chapter 43.21C
9 RCW; adding new sections to chapter 36.115 RCW; and creating a new
10 section."

--- END ---