

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1550**

58th Legislature  
2003 Regular Session

Passed by the House February 19, 2003  
Yeas 96 Nays 0

---

**Speaker of the House of Representatives**

Passed by the Senate April 10, 2003  
Yeas 46 Nays 0

---

**President of the Senate**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1550** as passed by the House of Representatives and the Senate on the dates hereon set forth.

---

**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

---

**SUBSTITUTE HOUSE BILL 1550**

---

Passed Legislature - 2003 Regular Session

**State of Washington                      58th Legislature                      2003 Regular Session**

**By** House Committee on State Government (originally sponsored by Representatives Linville, Armstrong, Haigh, Buck, Schual-Berke, McDermott and Conway)

READ FIRST TIME 02/18/03.

1            AN ACT Relating to ensuring that regulatory information and  
2 assistance is available to Washington citizens through an office of  
3 regulatory assistance; amending RCW 43.42.005, 43.42.010, 43.42.030,  
4 43.42.040, 43.131.401, and 43.131.402; and declaring an emergency.

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

6            **Sec. 1.** RCW 43.42.005 and 2002 c 153 s 1 are each amended to read  
7 as follows:

8            (1) The legislature finds that the health and safety of its  
9 citizens, natural resources, and the environment are vital interests of  
10 the state that must be protected to preserve the state's quality of  
11 life. The legislature also finds that the state's economic well-being  
12 is a vital interest that depends upon the development of fair,  
13 coordinated (~~environmental-permitting~~) regulatory processes that  
14 ensure that the state not only protects public health and safety and  
15 natural resources but also encourages appropriate activities that  
16 stimulate growth and development. The legislature further finds that  
17 Washington's (~~environmental-protection~~) regulatory programs have  
18 established strict standards to (~~reduce-pollution-and~~) protect public  
19 health and safety and the environment.

1 (2) The legislature also finds that, as the number of environmental  
2 and land use laws have grown in Washington, so have the number of  
3 permits required of business and government. The increasing number of  
4 individual permits and permit agencies has generated the potential for  
5 conflict, overlap, and duplication among various state, local, and  
6 federal permits. Lack of coordination in the processing of project  
7 applications may cause costly delays and frustration to applicants.

8 (3) The legislature further finds that not all project applicants  
9 require the same type of assistance. Applicants with small projects  
10 may merely need information about local and state permits and  
11 assistance in applying for those permits, while intermediate-sized  
12 projects may require a facilitated permit process, and large complex  
13 projects may need extensive coordination among local, state, and  
14 federal agencies and tribal governments.

15 (4) The legislature further finds that persons doing business in  
16 Washington state should have access to clear and appropriate  
17 information regarding state regulations, permit requirements, and  
18 agency rule-making processes.

19 (5) The legislature, therefore, finds that a range of assistance  
20 and coordination options should be available to project applicants from  
21 a state office independent of any local, state, or federal permit  
22 agency. The legislature finds that citizens, businesses, and project  
23 applicants should be provided with:

24 (a) A reliable and consolidated source of information concerning  
25 federal, state, and local environmental and land use laws and  
26 procedures that may apply to any given project;

27 (b) Facilitated interagency forums for discussion of significant  
28 issues related to the multiple permitting processes if needed for some  
29 project applicants; and

30 (c) Active coordination of all applicable regulatory and land use  
31 permitting procedures if needed for some project applicants.

32 ((+5+)) (6) The legislature declares that the purpose of this  
33 chapter is to transfer the existing permit assistance center in the  
34 department of ecology to a new office of permit assistance in the  
35 office of financial management to:

36 (a) Assure that citizens, businesses, and project applicants will  
37 continue to be provided with vital information regarding environmental

1 and land use laws and with assistance in complying with environmental  
2 and land use laws to promote understanding of these laws and to protect  
3 public health and safety and the environment;

4 (b) Ensure that facilitation of project permit decisions by permit  
5 agencies promotes both process efficiency and environmental protection;

6 (c) Allow for coordination of permit processing for large projects  
7 upon project applicants' request and at project applicants' expense to  
8 promote efficiency, ensure certainty, and avoid conflicts among permit  
9 agencies; and

10 (d) Provide these services through an office independent of any  
11 permit agency to ensure that any potential or perceived conflicts of  
12 interest related to providing these services or making permit decisions  
13 can be avoided.

14 ~~((+6+))~~ (7) The legislature also declares that the purpose of this  
15 chapter is to provide citizens of the state with access to information  
16 regarding state regulations, permit requirements, and agency rule-  
17 making processes in Washington state.

18 (8) The legislature intends that establishing an office of  
19 ~~((permit))~~ regulatory assistance will provide these services without  
20 abrogating or limiting the authority of any permit agency to make  
21 decisions on permits that it issues or any rule-making agency to make  
22 decisions on regulations. The legislature therefore declares that the  
23 office of ~~((permit))~~ regulatory assistance shall have authority to  
24 provide these services but shall not have any authority to make  
25 decisions on permits.

26 **Sec. 2.** RCW 43.42.010 and 2002 c 153 s 2 are each amended to read  
27 as follows:

28 (1) The office of ~~((permit))~~ regulatory assistance is created in  
29 the office of financial management and shall be administered by the  
30 office of the governor to assist citizens, businesses, and project  
31 applicants.

32 (2) The office shall:

33 (a) Maintain and furnish information as provided in RCW 43.42.040;

34 (b) Furnish facilitation as provided in RCW 43.42.050;

35 (c) Furnish coordination as provided in RCW 43.42.060;

36 (d) Coordinate cost reimbursement as provided in RCW 43.42.070;

1 (e) Work with state agencies and local governments to continue to  
2 develop a range of permit assistance options for project applicants;

3 (f) Review initiatives developed by the transportation permit  
4 efficiency and accountability committee established in chapter 47.06C  
5 RCW and determine if any would be beneficial if implemented for other  
6 types of projects;

7 (g) Work to develop informal processes for dispute resolution  
8 between agencies and permit applicants;

9 (h) Conduct customer surveys to evaluate its effectiveness; and

10 (i) Provide the following biennial reports to the governor and the  
11 appropriate committees of the legislature:

12 (i) A performance report, based on the customer surveys required in  
13 (h) of this subsection;

14 (ii) A report on any statutory or regulatory conflicts identified  
15 by the office in the course of its duties that arise from differing  
16 legal authorities and roles of agencies and how these were resolved.  
17 The report may include recommendations to the legislature and to  
18 agencies; and

19 (iii) A report regarding use of outside independent consultants  
20 under RCW 43.42.070, including the nature and amount of work performed  
21 and implementation of requirements relating to costs.

22 (3) A director of the office shall be hired no later than June 1,  
23 2003.

24 (4) The office shall give priority to furnishing assistance to  
25 small projects when expending general fund moneys allocated to it.

26 **Sec. 3.** RCW 43.42.030 and 2002 c 153 s 4 are each amended to read  
27 as follows:

28 The definitions in this section apply throughout this chapter  
29 unless the context clearly requires otherwise.

30 (1) "Office" means the office of (~~permit~~) regulatory assistance  
31 in the office of financial management established in RCW 43.42.010.

32 (2) "Permit" means any permit, certificate, use authorization, or  
33 other form of governmental approval required in order to construct or  
34 operate a project in the state of Washington.

35 (3) "Permit agency" means any state or local agency authorized by  
36 law to issue permits.

1 (4) "Project" means any activity, the conduct of which requires a  
2 permit or permits from one or more permit agencies.

3 (5) "Project applicant" means a citizen, business, or any entity  
4 seeking a permit or permits in the state of Washington.

5 **Sec. 4.** RCW 43.42.040 and 2002 c 153 s 5 are each amended to read  
6 as follows:

7 (1) The office shall assist citizens, businesses, and project  
8 applicants by maintaining and furnishing information, including, but  
9 not limited to:

10 ~~((+1))~~ (a) To the extent possible, compiling and periodically  
11 updating one or more handbooks containing lists and explanations of  
12 permit laws, including all relevant local, state, federal, and tribal  
13 laws. In providing this information, the office shall seek the  
14 cooperation of relevant local, state, and federal agencies and tribal  
15 governments;

16 ~~((+2))~~ (b) Establishing and providing notice of a point of contact  
17 for obtaining information;

18 ~~((+3))~~ (c) Working closely and cooperatively with the business  
19 license center in providing efficient and nonduplicative service;

20 ~~((+4))~~ (d) Collecting and making available information regarding  
21 federal, state, local, and tribal government programs that rely on  
22 private professional expertise to assist agencies in project permit  
23 review; and

24 ~~((+5))~~ (e) Developing a call center and a web site.

25 (2) The office shall coordinate among state agencies to develop an  
26 office web site that is linked through the office of the governor's web  
27 site and that contains information regarding regulatory requirements  
28 for businesses and citizens in Washington state. At a minimum, the web  
29 site shall provide information or links to information on:

30 (a) Federal, state, and local rule-making processes and permit  
31 requirements applicable to Washington businesses and citizens;

32 (b) Federal, state, and local licenses, permits, and approvals  
33 necessary to start and operate a business or develop real property in  
34 Washington;

35 (c) State and local building codes;

36 (d) Federal, state, and local economic development programs that  
37 may be available to businesses in Washington; and

1 (e) State and local agencies regulating or providing assistance to  
2 citizens and businesses operating a business or developing real  
3 property in Washington.

4 (3) This section does not create an independent cause of action,  
5 affect any existing cause of action, or create any new cause of action  
6 regarding the application of regulatory or permit requirements.

7 **Sec. 5.** RCW 43.131.401 and 2002 c 153 s 13 are each amended to  
8 read as follows:

9 The office of (~~permit~~) regulatory assistance established in RCW  
10 43.42.010 and its powers and duties shall be terminated June 30, 2007,  
11 as provided in RCW 43.131.402.

12 **Sec. 6.** RCW 43.131.402 and 2002 c 153 s 14 are each amended to  
13 read as follows:

14 The following acts or parts of acts, as now existing or hereafter  
15 amended, are each repealed, effective June 30, 2008:

16 (1) RCW 43.42.005 and section 1 of this act & 2002 c 153 s 1;

17 (2) RCW 43.42.010 and section 2 of this act & 2002 c 153 s 2;

18 (3) RCW 43.42.020 and 2002 c 153 s 3;

19 (4) RCW 43.42.030 and section 3 of this act & 2002 c 153 s 4;

20 (5) RCW 43.42.040 and section 4 of this act & 2002 c 153 s 5;

21 (6) RCW 43.42.050 and 2002 c 153 s 6;

22 (7) RCW 43.42.060 and 2002 c 153 s 7;

23 (8) RCW 43.42.070 and 2002 c 153 s 8;

24 (9) (~~Section 9 of this act;~~

25 ~~(10)~~) RCW 43.42.905 and 2002 c 153 s 10;

26 (~~(11)~~) (10) RCW 43.42.900 and 2002 c 153 s 11; and

27 (~~(12)~~) (11) RCW 43.42.901 and 2002 c 153 s 12.

28 NEW SECTION. **Sec. 7.** Section 2 of this act is necessary for the  
29 immediate preservation of the public peace, health, or safety, or  
30 support of the state government and its existing public institutions,  
31 and takes effect immediately.

--- END ---