
SENATE BILL 6224

State of Washington

58th Legislature

2004 Regular Session

By Senators Mulliken, Morton, Swecker and Stevens

Read first time 01/14/2004. Referred to Committee on Land Use & Planning.

1 AN ACT Relating to requiring natural resource agencies to use
2 available federal standards in counties with very high unemployment
3 rates; adding a new section to chapter 43.21A RCW; adding a new section
4 to chapter 77.04 RCW; creating a new section; and declaring an
5 emergency.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that there are several
8 counties in the state that are characterized by very high levels of
9 unemployment and poverty. The legislature further finds that economic
10 stagnation is the primary cause of this high unemployment rate and
11 poverty; that the stagnation is often intensified by burdensome and
12 conflicting regulatory programs that prevent communities from being
13 economically competitive in the statewide, national, and global
14 economies; and that natural resource agencies, including the
15 departments of ecology and fish and wildlife, continue to develop and
16 adopt state rules, guidelines, permit conditions, and policies that
17 substantially differ from those that have already been adopted by
18 federal agencies.

1 For these reasons, the legislature intends to ensure that state
2 natural resource agencies, when acting in counties characterized by
3 very high levels of unemployment, do not exceed existing federal
4 requirements or policies when implementing programs for which federal
5 requirements or policies exist. The legislature declares that this
6 limited policy serves the vital public purpose of facilitating
7 employment opportunities and reducing poverty in distressed areas of
8 the state.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A RCW
10 to read as follows:

11 Regulatory activities undertaken by the department in counties in
12 which the commissioner of the employment security department finds that
13 the county unemployment rate is eight percent or more may not exceed
14 the standards required by federal law, regulations, or guidelines that
15 are applicable to the same activity or subject matter. Regulatory
16 activities covered by this section are those implementing a federal law
17 or regulation either delegated to the state or specifically required by
18 state law to be implemented by the department including: Issuing any
19 permit, condition, order, guideline, or policy or interpretive
20 statement; adopting any rule; or entering into any agreement or
21 contract to implement such regulatory actions.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.04 RCW
23 to read as follows:

24 Regulatory activities undertaken by the department in counties in
25 which the commissioner of the employment security department finds that
26 the county unemployment rate is eight percent or more may not exceed
27 the standards required by federal law, regulations, or guidelines that
28 are applicable to the same activity or subject matter. Regulatory
29 activities covered by this section are those implementing a federal law
30 or regulation either delegated to the state or specifically required by
31 state law to be implemented by the department including: Issuing any
32 permit, condition, order, guideline, or policy or interpretive
33 statement; adopting any rule; or entering into any agreement or
34 contract to implement such regulatory actions.

1 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

--- END ---