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**SUBSTITUTE HOUSE BILL 3207**

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**State of Washington**                      **59th Legislature**                      **2006 Regular Session**

**By** House Committee on Capital Budget (originally sponsored by Representative Santos)

READ FIRST TIME 2/7/06.

1            AN ACT Relating to community preservation; adding a new chapter to  
2 Title 43 RCW; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.** Major public facilities, public works, and  
5 capital projects with significant public participation generally aim to  
6 accrue broad benefits to the people of Washington. However, frequently  
7 overlooked or inadequately addressed is the interest of the stakeholder  
8 community that bears the disproportionate cost of the broad public  
9 benefit by absorbing a deleterious impact upon itself. These impacts  
10 may include dislocation, displacement, and the overall disintegration  
11 of an identifiable existing community and its historical and cultural  
12 character. The legislature finds that the preservation and restoration  
13 of the character of such a community, and the community's historical  
14 and cultural character, are important public policy goals that can be  
15 achieved through the creation of community preservation authorities.

16            NEW SECTION.    **Sec. 2.** The definitions in this section apply  
17 throughout this chapter unless the context clearly requires otherwise.

1 (1) "Community" means a group of people with a distinct cultural  
2 identity or shared history who reside or work in a well-defined  
3 geographic area that currently contains, or historically contained, a  
4 high percentage of minority or low-income individuals.

5 (2) "Community preservation authority" means an authority created  
6 by members of an impacted community.

7 (3) "Impacted community" means a community that has been negatively  
8 impacted by the construction of major public facilities, public works,  
9 and capital projects with significant public participation.

10 (4) "Major public facilities project, public works project, or  
11 capital project with significant public participation" means any  
12 capital project whose cost exceeds ten million dollars.

13 NEW SECTION. **Sec. 3.** (1) Community preservation authorities are  
14 hereby created to restore or enhance the health, safety, and well-being  
15 of communities negatively impacted by the construction of major public  
16 facilities, public works, and capital projects with significant public  
17 participation.

18 (2) Community preservation authorities have the following purposes:

19 (a) To revitalize, enhance, and preserve the unique character of  
20 impacted communities;

21 (b) To mitigate the negative effects of several major public  
22 facilities projects, public works projects, or capital projects with  
23 significant public participation, or a secure community transition  
24 facility as defined in RCW 71.09.020(14);

25 (c) To restore a local area's sense of community;

26 (d) To reduce the displacement of community members and businesses;

27 (e) To stimulate the community's economic vitality;

28 (f) To enhance public service provisions;

29 (g) To improve the standard of living of community members;

30 (h) To preserve historic buildings or areas by returning them to  
31 economically productive uses that are compatible with or enhance their  
32 historic character; and

33 (i) To raise the visibility of the consequences of public actions.

34 NEW SECTION. **Sec. 4.** (1) Members of an impacted community may  
35 propose formation of a community preservation authority to the state

1 legislative delegation representing the area in which the community is  
2 located.

3 (2) The affairs of a community preservation authority must be  
4 managed by a board of directors, including the following members:

5 (a) The state legislative delegation representing the district in  
6 which the impacted community is located;

7 (b) One representative each of the county council or commission and  
8 the city council in which the impacted community is located;

9 (c) Two members who own or operate businesses within the community;

10 (d) Two members who are involved in providing nonprofit community  
11 or social services within the community;

12 (e) Two members who are involved in the arts and entertainment  
13 within the community; and

14 (f) Two members with significant knowledge of the community's  
15 culture and history.

16 NEW SECTION. **Sec. 5.** Once constituted, a community preservation  
17 authority shall:

18 (1) Develop a capital projects plan to restore or enhance the  
19 health, safety, and well-being of the impacted community and to  
20 preserve and recapture its cultural and historical identity;

21 (2) Include within the plan a prioritized list of projects with  
22 both capital and operating components that address one or more of the  
23 purposes under section 3 of this act;

24 (3) Assist organizations that serve the impacted community to  
25 identify and successfully compete for local, state, federal, and  
26 private funding to carry out projects that will benefit the impacted  
27 area.

28 NEW SECTION. **Sec. 6.** The community preservation authority account  
29 is created in the state treasury. Moneys in the account may be spent  
30 only after appropriation. Expenditures from the account may be used  
31 only for projects under this chapter.

32 NEW SECTION. **Sec. 7.** By August 1, 2006, legislators and staff  
33 from the appropriate committees of the house of representatives and the  
34 senate, together with representatives of the governor's office and the  
35 department of community, trade, and economic development, shall

1 recommend to the legislature statutory and budget actions to support  
2 implementation of a community preservation authorities program  
3 beginning with the 2007-2009 biennium.

4 NEW SECTION. **Sec. 8.** Sections 1 through 6 of this act constitute  
5 a new chapter in Title 43 RCW.

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