

SSB 5372 - S AMD TO S AMD (S-2726.1/07) 210
By Senator Holmquist

NOT ADOPTED 03/10/2007

1 On page 5, beginning on line 33 of the amendment, after "(g)"
2 strike all material through "chapter;" on line 34, and insert
3 "Consistent with the limitations in subsection (9) of this section,
4 adopt procedural rules consistent with chapter 34.05 RCW necessary to
5 implement this chapter;"

6 On page 7, line 20, after "(9)" insert "The agency shall not have
7 rule-making authority under chapter 34.05 RCW except for procedural
8 rules to address public document, meeting, personnel, and related
9 matters.

10 (10)"

11 On page 19, after line 13, insert the following:

12 "(7) The 2020 plan and action agenda and associated recommendations
13 may not:

14 (a) Create mandatory duties or considerations concerning the review
15 or approval of permits or adoption of plans and regulations, or create
16 governmental actions requiring rule making governing agency actions for
17 the purposes of RCW 34.05.010(3) or chapter 43.21C RCW;

18 (b) Authorize any rule making as defined in RCW 34.05.010 (16) and
19 (18) or 34.05.328, except as may pertain to statements concerning only
20 the internal management of an agency and not affecting private rights
21 or procedures available to the public; or

22 (c) Be subject to review under the provisions of chapter 43.21C
23 RCW."

EFFECT: Clarifies that the action agenda is not an "agency
action" affecting both private permits and licenses, requiring agency

rule making, creating substantive land use requirements, or requiring consideration or enforcement through rule making, or consideration and potential substantive action through SEPA, or a best available science consideration through GMA and critical area requirements.

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