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**SENATE BILL 5639**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Brown, Becker, and Wilson, L.

Read first time 01/25/19. Referred to Committee on Local Government.

1 AN ACT Relating to the growth management hearings board; and  
2 amending RCW 36.70A.172.

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

4 **Sec. 1.** RCW 36.70A.172 and 2010 c 211 s 3 are each amended to  
5 read as follows:

6 (1) In designating and protecting critical areas under this  
7 chapter, counties and cities shall include the best available science  
8 in developing policies and development regulations to protect the  
9 functions and values of critical areas. In addition, counties and  
10 cities shall give special consideration to conservation or protection  
11 measures necessary to preserve or enhance anadromous fisheries.

12 (~~(If it determines that advice from scientific or other~~  
13 ~~experts is necessary or will be of substantial assistance in reaching~~  
14 ~~its decision, the growth management hearings board may retain~~  
15 ~~scientific or other expert advice)) To assist in reviewing a petition  
16 under RCW 36.70A.290 that involves critical areas, the growth  
17 management hearings board must allow the planning jurisdiction to  
18 retain and examine scientific experts or other expert witnesses to  
19 aid the board in understanding or determining facts in issue  
20 regarding policies or regulations. The growth management hearings  
21 board and any other party may retain and examine its own expert~~

1 witnesses. All scientific or other expert witnesses must be  
2 established as experts by testifying to their knowledge, skill,  
3 experience, training, or education as required by the Washington  
4 rules of evidence pertaining to expert witnesses.

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