

and by the legislative body of such city of the first class relating to such annexation.

Passed the House February 17, 1967.

Passed the Senate March 8, 1967.

Approved by the Governor March 21, 1967.

CHAPTER 74.

[Engrossed Substitute House Bill No. 78.]

STATE PLANNING AND COMMUNITY AFFAIRS AGENCY.

AN ACT relating to state government; creating a planning and community affairs agency and a director therefor and prescribing powers and duties; transferring certain powers and duties; and making an effective date.

Be it enacted by the Legislature of the State of Washington:

State planning and community affairs agency. Legislative findings.

Section 1. The legislature finds that (1) the rapid growth being experienced by many communities within the state presents new and significant problems for governmental units in providing the necessary public services and in planning and developing desirable living and working areas; (2) the full and effective use of the many programs of the federal government affecting community development necessitates full cooperation and coordination of existing state and local governmental agencies; (3) the coordination of existing state activities which affect the communities of the state requires the establishment of machinery within the state government to administer new and existing programs to meet these problems; (4) it is the urgent responsibility of the state to assist communities in meeting these problems in whatever way possible including technical and financial assistance. It is therefore the purpose of this act to establish a state agency for state planning, to aid in providing financial and technical as-

sistance to the communities of the state and to otherwise assist in such community planning and development in order to promote health and living standards and conditions that the welfare of the people of the state require.

Sec. 2. For the purposes of this act and unless the context shall clearly indicate otherwise: Definitions.

(1) "Agency" means the planning and community affairs agency as created in section 3 of this act.

(2) "Director" means the director of planning and community affairs as provided for in section 4 of this act.

Sec. 3. There is hereby established to carry out the purposes of this act a new agency of state government in the office of the governor to be known as the planning and community affairs agency. Creation.

Sec. 4. The executive head of the planning and community affairs agency shall be a director appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. He shall be paid a salary fixed by the governor in accordance with the provisions of RCW 43.03.040. He shall be bonded in an amount to be determined by the administrative board under the provisions of RCW 43.17.090, the cost of which shall be considered an office expense. Director.

Sec. 5. The director shall employ such personnel and prescribe their duties as may be necessary to implement the purposes of this act. Said employees shall be subject to those civil service and personnel policies established for state employees generally and shall be paid salaries at rates of pay comparable to those of state employees with equivalent responsibilities in other state agencies subject to the provisions of chapter 41.06 RCW. Employees—
Civil service.

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and duties.

Sec. 6. The director shall supervise and administer the activities of the planning and community affairs agency and shall advise the governor and the legislature with respect to matters affecting planning and community affairs generally and more especially on the extent the state should participate in such planning and community affairs.

The director may enter into contracts on behalf of the state to carry out the purposes of this act; he may act for the state in the initiation of or participation in any multi-governmental agency program relative to the purposes of this act; and he may accept gifts and grants, whether such grants be of federal or other funds. When federal or other funds are received by the agency they shall be promptly transferred to the state treasurer and thereafter expended only upon the approval of the director. The director shall prepare and submit for executive and legislative action thereon the budget for the planning and community affairs agency; he shall make an annual report to the governor and to the legislature on the activities of the office and the nature of existing community problems, and after consultation with and approval by the governor, submit such recommendations for legislative action as deemed necessary to further the purposes of this act; and he shall make such rules and regulations and do all other things necessary and proper to carry out the purposes of this act.

The director may delegate such of his functions, powers and duties to other officers and employees of the office as he deems expedient to the furtherance of the purposes of this act.

Planning func-
tions and re-
sponsibilities.

Sec. 7. The planning and community affairs agency shall have the following planning functions and responsibilities:

(1) Provide technical assistance to the governor and the legislature in identifying long range goals for the state.

(2) Prepare a state comprehensive plan as the state's long range public declaration of intent in developmental policy, for programming its facilities and services and for guidance of private activities and public programs at all levels of government. Plan elements may include but shall not be limited to transportation, scenic highways, public facilities, recreation, open spaces, natural resources, patterns of urban and rural development, and quality of the natural and man-made environment.

(3) Provide assistance and coordination to other state agencies for preparation of agency plans and programs.

(4) Provide general coordination and review of plans in functional areas of state government as may be necessary for receipt of federal or state funds.

(5) Participate with other states or subdivisions thereof in interstate planning, and assist cities, counties, municipal corporations, governmental conferences or councils and regional planning commissions to participate with other states or their subdivisions in planning.

(6) Assist the central budget agency in capital improvement programming and other programming activities.

(7) Encourage educational and research programs that further planning and community development, and provide administrative and technical services therefor.

Sec. 8. The planning and community affairs agency shall have the following community affairs functions and responsibilities:

(1) Administration or coordination of state programs and projects relating to community affairs for

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the planning and carrying out of the acquisition, preservation, use and development of land and provision of public facilities and services for fully carrying out the state's role in related federal grant or loan programs.

(a) Where not otherwise authorized by state law, authorize state financial participation with cities, towns, counties, and other municipal corporations in financing public works projects and service programs. The assisted projects and programs shall be consistent with local, regional and state comprehensive plans and policies.

(b) All applications for federal grants and/or loans for this purpose shall be submitted to the planning and community affairs agency for recommendation as to consistency with, state, regional, local or other plans or policies and for duplication or conflicts so as to maximize federal benefits available to the state.

(c) The director shall approve or disapprove state grants administered by the planning and community affairs agency to apply toward the nonfederal share of project costs in conformity with the provisions of this act. Such approval may be conditional upon approval of a governmental conference or council, or regional planning agency, which provides review of federal aid applications within its regional area, and upon subsequent approval of the project by an appropriate federal agency for federal grant funds. Upon approval of the application the director shall transmit it to the appropriate federal agency. Any application disapproved by the director shall be returned to the applicant with written notice of modification necessary to make the project eligible in terms of state or federal policies.

(2) Cooperate with and provide technical and financial assistance to counties, cities, municipal corporations, governmental conferences or councils, re-

gional planning commissions, parks or recreation boards, community development groups, community action agencies, Indian tribes, and similar agencies created for the purposes of aiding and encouraging an orderly productive and coordinated development of the state, and to strengthen local planning responsibility and capability.

(3) Assist the governor in coordinating the activities of state agencies which have an impact on the solution of community development problems and the implementation of community plans.

(4) Encourage and, when requested, assist the efforts of local governments to develop mutual and cooperative solutions to their common problems.

(5) Study existing legal provisions that affect the structure and financing of local government and those state activities which involve significant relations with local governmental units and recommend to the governor and the legislature such changes in these provisions and activities as may seem necessary to strengthen local government.

(6) Serve as a clearinghouse for information, data, and other materials which may be helpful or necessary to local governments to discharge their responsibilities. The clearinghouse should also provide information on available federal and state financial and technical assistance.

(7) Carry out continuing studies and analyses of the problems faced by communities within the state and develop such recommendations for administrative or legislative action as would appear necessary. In carrying out such studies and analyses, particular attention should be paid to the problems of regional, metropolitan, urban, suburban, rural, and other areas in which economic and population factors are rapidly changing.

(8) Develop and/or test model or demonstration programs and projects, which may include contract-

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ing to administer certain functions or services within a community of the state for such purposes, and otherwise provide a program of practical research in the solution of community problems.

(9) Carry out the provisions of RCW 43.31.200 through 43.31.230; RCW 35.13.171 (3) relating to annexation review board responsibilities; and that portion of RCW 58.16.110 relating to state review of subdivision regulations. The department of commerce and economic development shall transfer all records, books, documents, papers, files, or other writings, all cabinets, furniture, office equipment and other tangible property, and all funds in custody or under control or use by the department and any other pertinent information relative to the business being carried on thereunder to the agency as soon as practicable after the effective date of this act and give such other assistance to the director of the planning and community affairs agency as essential to carrying out the purposes of this act. The transfer of powers and duties as provided in this subsection shall not affect the validity of any acts performed by such agency or any officer or employee thereof before taking effect of this chapter. All matters relating to functions transferred under the provisions of this subsection which at the time of transfer have not been completed may be undertaken and completed by the director of the planning and community affairs agency, who is authorized, empowered, and directed to promulgate any and all orders, rules and regulations necessary to accomplish this purpose.

(10) Carry out the provisions of RCW 43.62.010 through 43.62.050. The state census board shall transfer all records, books, documents, papers, files or other writings, all cabinets, furniture, office equipment and other tangible property, and all funds in custody or under control or use by the

board and any other pertinent information relative to the business being carried on thereunder to the agency as soon as practicable after the effective date of this act and give such other assistance to the director of the planning and community affairs agency as essential to carrying out the purposes of this act. The transfer of powers and duties as provided in this subsection shall not affect the validity of any acts performed by such agency or any officer or employee thereof before taking effect of this chapter. All matters relating to functions transferred under the provisions of this subsection which at the time of transfer have not been completed may be undertaken and completed by the director of the planning and community affairs agency, who is authorized, empowered, and directed to promulgate any and all orders, rules and regulations necessary to accomplish this purpose.

(11) Review all proposals for the location of capital improvements by any state agency to be located within any city or within any urbanized area not located within a city, and advise and make recommendations concerning location of such capital improvements.

The office shall, in carrying out its functions, consult with local and federal officials, private groups and individuals, and with officials of other states, and may, if the director deems it desirable, hold public hearings to obtain information for the purpose of carrying out the purposes of this act. All state agencies and their officials and the officials of any political subdivision of the state shall cooperate with and give such assistance to the office, including the submission of requested information as to allow the office to carry out its purposes under this act.

Sec. 9. All employees of the department of commerce and economic development and of the state census board who are employed exclusively or prin-

Transfer of
employees.

Transfer of employees of commerce and economic development to planning and community affairs agency—Preservation of civil service rights.

cipally in performing the powers, duties and functions transferred by this act to the office of community affairs shall, upon July 1, 1967, be transferred to the office of community affairs. All such employees so transferred shall continue to be governed by the provisions of chapter 41.06 RCW, the state civil service law, without any loss of rights granted by said law.

Legislative declaration.

Sec. 10. The legislature hereby declares that the successful execution of the purposes of this act is dependent upon all activities and programs of those state agencies which might have an impact on community affairs being fully coordinated with the planning and community affairs agency.

Review of comprehensive plans of governmental units.

Sec. 11. All comprehensive plans, or amendments thereto, being considered by any county, city, municipal corporations, governmental conference or council, or regional planning commission must be filed with the planning and community affairs agency for the purpose of review and recommendation prior to adoption. The planning and community affairs agency shall communicate its comments and recommendations to the proponent within thirty days following receipt of such plans or amendments by the agency unless the submitting body shall authorize a longer time. Such comments and recommendations shall be advisory only. Failure of any county, city, or any other municipal corporation to comply with the provisions of this section, shall not invalidate any comprehensive plan or any amendments thereto, otherwise enacted according to law.

Planning advisory committee—Creation—Membership.

Sec. 12. A state planning advisory council of not to exceed fifteen members shall be appointed by the governor to advise the director and the governor on policy matters as specified in this act. The council shall be composed of residents of the state from such geographical areas as the governor shall deter-

mine will best further the purposes of this act: *Provided*, That there shall be at least one member from each congressional district. Members shall serve at the pleasure of the governor and shall receive twenty-five dollars per diem for each day or major portion thereof plus reimbursement for actual travel expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW now or hereafter amended.

Sec. 13. The director or the governor may establish such additional advisory or coordinating groups with the legislature or legislative council, within state government, with state and other governmental units or in specialized subject areas as may be necessary to carry out the purposes of this act. Tenure and compensation for expenses shall be the same as for the state planning advisory council.

Additional advisory or coordinating groups.

Sec. 14. Moneys may be appropriated to carry out the purposes of this act.

Authority to appropriate moneys.

Sec. 15. This act shall take effect on July 1, 1967.

Effective date.

Sec. 16. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Severability.

Sec. 17. The enactment of this act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at date this act becomes effective.

Construction of provisions.

NOTE: See also section 3, chapter 42, Laws of 1967 ex. sess.

Passed the House February 24, 1967.

Passed the Senate March 7, 1967.

Approved by the Governor March 21, 1967.