

or part of the costs of the business assistance center in administering this program.

NEW SECTION. Sec. 6. The director of the business assistance center may enter into contracts with nongovernmental agencies to provide any of the services under section 4 of this act.

NEW SECTION. Sec. 7. A new section is added to chapter 42.17 RCW to read as follows:

Notwithstanding the provisions of RCW 42.17.260 through 42.17.340, no financial or proprietary information supplied by investors or entrepreneurs under chapter 43.31 RCW shall be made available to the public.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act are each added to chapter 43.31 RCW.

NEW SECTION. Sec. 9. A new section is added to chapter 43.170 RCW to read as follows:

Any innovation or inventor receiving assistance under this program shall be referred to the investment opportunities office operated by the department of trade and economic development.

NEW SECTION. Sec. 10. 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.

NEW SECTION. Sec. 11. The sum of one hundred fifteen thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of trade and economic development for the purposes of this act.

Passed the Senate April 23, 1989.

Passed the House April 23, 1989.

Approved by the Governor May 11, 1989.

Filed in Office of Secretary of State May 11, 1989.

## CHAPTER 313

[Substitute House Bill No. 2070]

### STATE BUILDING CODE—APPLICATION TO MOVED BUILDINGS

AN ACT Relating to the state building code; amending RCW 19.27.074; adding a new section to chapter 19.27 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. The legislature finds that moved buildings or structures can provide affordable housing for many persons of lower income; that many of the moved structures or buildings were legally built to the construction standards of their day; and that requiring the moved building

or structure to meet all new construction codes may limit their use as an affordable housing option for persons of lower income.

The legislature further finds that application of the new construction code standards to moved structures and buildings present unique difficulties and that it is the intent of the legislature that any moved structure or building that meets the codes at the time it was constructed does not need to comply with any updated state building code unless the structure is substantially remodeled or rebuilt.

**NEW SECTION.** Sec. 2. A new section is added to chapter 19.27 RCW to read as follows:

(1) Residential buildings or structures moved into or within a county or city are not required to comply with all of the requirements of the codes enumerated in chapters 19.27 and 19.27A RCW, as amended and maintained by the state building code council, if the original occupancy classification of the building or structure is not changed as a result of the move.

(2) This section shall not apply to residential structures or buildings that are substantially remodeled or rehabilitated, nor to any work performed on a new or existing foundation.

(3) For the purposes of determining whether a moved building or structure has been substantially remodeled or rebuilt, any cost relating to preparation, construction, or renovation of the foundation shall not be considered.

**\*Sec. 3. Section 2, chapter 360, Laws of 1985 and RCW 19.27.074 are each amended to read as follows:**

**(1) The state building code council shall:**

**(a) Maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council;**

**(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single family or multifamily residential buildings;**

**(c) As required by the legislature, develop and adopt any codes relating to buildings; ~~((and))~~**

**(d) Propose a budget for the operation of the state building code council to be submitted to the office of financial management pursuant to RCW 43.88.090, and**

**(e) Adopt rules pursuant to chapter 34.05 RCW for the purpose of this subsection.**

**(2) The state building code council may:**

**(a) Appoint technical advisory committees which may include members of the council;**

**(b) Employ permanent and temporary staff and contract for services; and**

***(c) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.***

***All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of state-wide applicability shall be pursuant to the administrative procedure act, chapter ((34.04)) 34.05 RCW.***

***All council decisions relating to the codes enumerated in RCW 19.27-.031 shall require approval by at least a majority of the members of the council.***

***All decisions to adopt or amend codes of state-wide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.***

\*Sec. 3 was vetoed, see message at end of chapter.

Passed the House April 19, 1989.

Passed the Senate April 7, 1989.

Approved by the Governor May 11, 1989, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 11, 1989.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 3, Substitute House Bill No. 2070 entitled:

"AN ACT Relating to the state building code."

The provisions of Substitute House Bill No. 2070 address problems arising from the application of the State Building Code to buildings and structures that are to be moved. Section 3 is not related to this issue in any way. The section would have the effect of requiring the State Building Code Council to adopt rules pursuant to RCW 34.05, the Administrative Procedure Act, for the purpose of proposing a biennial budget for submission to the Office of Financial Management.

This provision would impose an undue and unnecessary administrative burden on the State Building Code Council, the Department of Community Development, and the Office of Financial Management. The provision would not provide additional benefits to the public which would justify the additional administrative requirements. State agencies are not currently required to adopt administrative rules when proposing budgets, as required in this provision, and there is no compelling reason to establish extraordinary requirements to apply to the budget of the State Building Code Council.

The provision would also require the State Building Code Council to adopt rules pursuant to RCW 34.05, the Administrative Procedure Act, regarding changes to codes adopted or amended by the State Building Code and to consider local government amendments to the State Building Code with impact on residential buildings. This provision would be duplicative of provisions of section 3 of Substitute Senate Bill No. 5905, which I have signed and which has thereby been enacted into law.

With the exception of section 3, Substitute House Bill No. 2070, is approved."