

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5748**

Chapter 404, Laws of 2019

66th Legislature  
2019 Regular Session

MILITARY INSTALLATIONS--INCOMPATIBLE DEVELOPMENT--ACCOUNT

EFFECTIVE DATE: July 28, 2019

Passed by the Senate April 26, 2019  
Yeas 45 Nays 1

CYRUS HABIB

**President of the Senate**

Passed by the House April 15, 2019  
Yeas 97 Nays 1

FRANK CHOPP

**Speaker of the House of Representatives**

Approved May 13, 2019 4:55 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5748** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

**Secretary**

FILED

May 16, 2019

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5748**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Conway, O'Ban, Frockt, Rolfes, Randall, and Zeiger)

READ FIRST TIME 02/19/19.

1 AN ACT Relating to creating an account to support necessary  
2 infrastructure nearby military installations; and adding new sections  
3 to chapter 43.330 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.330  
6 RCW to read as follows:

7 (1) The defense community compatibility account is created in the  
8 state treasury. Revenues to the account consist of appropriations by  
9 the legislature, private contributions, and all other sources  
10 deposited in the account.

11 (2)(a) Expenditures from the account may only be used for grants  
12 to local governments or entities who have entered into an agreement  
13 with a military installation in the state under the United States  
14 department of defense readiness and environmental protection  
15 integration program for purposes of the programs established in  
16 subsection (3) of this section, including administrative expenses.  
17 Priority must be given for grant applications accompanied by express  
18 support from nonprofit community or neighborhood-based organizations,  
19 public development authorities, federally recognized Indian tribes in  
20 the state, or other community partners. Only the director or the  
21 director's designee, may authorize expenditures. In order for the

1 director or the director's designee to authorize an expenditure for  
2 the purpose identified in subsection (3) of this section, both  
3 federal and applicant funds must be committed to the same purposes or  
4 project as the state expenditure.

5 (b) An applicant must submit an application to the department in  
6 order to be eligible for funding under this subsection, and the  
7 department may not expend money on a project for which an applicant  
8 has not applied to the department to carry out the project.

9 (3)(a) The department may expend moneys from the account to  
10 provide state funds for projects identified by applicants to address  
11 incompatible development connected to Washington state military  
12 installations. For purposes of this section, "incompatible  
13 development" includes land development and military operations that  
14 impact the economy, environment, or quality of life opportunities for  
15 local communities.

16 (b) The department must evaluate and rank applications using  
17 objective criteria such as a community cost-benefit analysis, must  
18 consider recommendations from a citizens advisory commission  
19 comprised of representatives of community stakeholders impacted by  
20 military installations or their operations, must hold public hearings  
21 at least ninety days prior to any funding decision, and may consider  
22 the degree to which each project is compatible with the criteria  
23 established in the United States department of defense's readiness  
24 and environmental protection integration program.

25 (c) Eligible projects may include:

26 (i) Acquisition of real property or real property interests to  
27 eliminate an existing incompatible use;

28 (ii) Projects to jointly assist in the recovery or protection of  
29 endangered species dependent on military installation property for  
30 habitat;

31 (iii) Projects or programs to increase the availability of  
32 housing affordable to enlisted military personnel and nonmilitary  
33 residents in the local community;

34 (iv) Projects to retrofit existing uses to increase their  
35 compatibility with existing or future military operations;

36 (v) Projects to enable local communities heavily dependent on a  
37 nearby military installation to diversify the local economy so as to  
38 reduce the economic dependence on the military base;

39 (vi) Projects that aid communities to replace jobs lost in the  
40 event of a reduction of the military presence; and

1 (vii) Projects that improve or enhance aspects of the local  
2 economy, environment, or quality of life impacted by the presence of  
3 military activities.

4 (4) The department may adopt rules to implement this section.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.330  
6 RCW to read as follows:

7 (1) The department must produce a biennial report identifying a  
8 list of projects to address incompatible developments near military  
9 installations.

10 (a) The list must include a description of each project, the  
11 estimated cost of the project, the amount of recommended state  
12 funding, and the amount of any federal or local funds documented to  
13 be available to be used for the project.

14 (b) Projects on the list must be prioritized with consideration  
15 given to:

16 (i) The recommendations of the recent United States department of  
17 defense base realignment and closure (BRAC) processes, joint land use  
18 studies, or other federally initiated land use processes; and

19 (ii) Whether a branch of the United States armed forces has  
20 identified the project as increasing the viability of military  
21 installations for current or future missions.

22 (c) The department may consult with the commanders of United  
23 States military installations in Washington to understand impacts and  
24 identify the viability of community identified projects to reduce  
25 incompatibility.

26 (2) The department must submit the report to appropriate  
27 committees of the house of representatives and the senate, including  
28 the joint committee on veterans' and military affairs and the house  
29 of representatives capital budget committee, by January 1, 2020, and  
30 every two years thereafter.

Passed by the Senate April 26, 2019.

Passed by the House April 15, 2019.

Approved by the Governor May 13, 2019.

Filed in Office of Secretary of State May 16, 2019.

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