

SENATE BILL REPORT

SB 5088

As Reported By Senate Committee On:
Natural Resources, Energy & Water, January 30, 2003

Title: An act relating to certain lands in Tacoma used for school and playground purposes.

Brief Description: Recognizing that the use of certain land in Tacoma for school purposes is valid and meets the requirements of section 2, chapter 123, Laws of 1907.

Sponsors: Senators Regala, Winsley, Franklin and Fraser.

Brief History:

Committee Activity: Natural Resources, Energy & Water: 1/29/03, 1/30/03 [DPS].

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Majority Report: That Substitute Senate Bill No. 5088 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Hewitt, Vice Chair; Doumit, Fraser, Hale, Hargrove, Honeyford, Oke and Regala.

Staff: Vic Moon (786-7469)

Background: The city of Tacoma has been asked by the Tacoma Public Schools to use part of land currently dedicated to the city for road and park purposes for a small part of a new school building. The specific section is approximately 90 feet of North Mason Avenue lying between 11th North and 13th North within the Plat of Section 36, Township 21 N, Range 2 E. The land was acquired by the city of Tacoma under House Bill 291 in 1907 for public purposes. The grant contains specific language to the effect that the property will automatically revert to the state of Washington without action by the state if the use changes. The language of the 1907 act must be modified to allow a different public use.

Summary of Substitute Bill: The Legislature finds that by legislative enactment in 1907, the state dedicated certain lands in the city of Tacoma for street, park and boulevard purposes. The Legislature further finds that the public schools plan to renovate Jefferson Elementary School and that the renovation will result in a small portion of the school buildings being located on lands that were dedicated by the state to the city of Tacoma for other purposes. The Legislature recognizes the request of the Tacoma Public Schools and finds that the renovation and uses of the lands dedicated to the city of Tacoma are fully consistent with the purposes of the dedication made by the Legislature in 1907. Public access and recreational use of school playgrounds continue to be provided. Chapter 123(2), Laws of 1907, is amended to allow an additional public use on block 279 only.

Substitute Bill Compared to Original Bill: The original bill was not considered. The substitute bill addresses public use and not reversionary right issues.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: A clarification of allowable land use is needed in order to build Jefferson School in Tacoma.

Testimony Against: None.

Testified: Richard Price, City of Tacoma; Jim Shoemaker and Peter Wall, Tacoma Public Schools.