
HOUSE BILL 1456

State of Washington 58th Legislature 2003 Regular Session

By Representatives Upthegrove, Schual-Berke, Sullivan, Nixon and Wallace

Read first time 01/27/2003. Referred to Committee on Local Government.

1 AN ACT Relating to establishing the joint task force on essential
2 public facilities; creating new sections; providing an expiration date;
3 and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that current processes
6 for the siting of essential public facilities fail to ensure that the
7 costs and benefits of the facility are distributed in a fair and
8 equitable manner. Throughout the state there are proposals for siting
9 essential public facilities that will adversely impact surrounding
10 neighborhoods and communities while benefiting the larger region or the
11 entire state.

12 The legislature also finds that although the growth management act
13 requires that all local comprehensive plans include procedures for
14 identifying and siting essential public facilities, the current
15 requirements do not provide guidance as to mitigation responsibilities
16 when there are adverse impacts on host and neighboring communities.
17 The legislature further finds that county-wide planning policy
18 procedures and other mechanisms under the growth management act are

1 often inadequate to involve all the impacted and benefited communities
2 and jurisdictions to resolve both siting and mitigation
3 responsibilities.

4 Therefore, the legislature finds that there is a need to clarify
5 regional and state mitigation responsibilities and develop regional and
6 state mitigation tools to compensate host communities that are impacted
7 as a result of the siting of essential public facilities. The
8 legislature further finds that those mitigation tools need to be
9 incorporated into regional and statewide planning policies and
10 agreements.

11 NEW SECTION. **Sec. 2.** (1) The joint task force on essential public
12 facilities is created to consist of the following twelve legislative
13 members:

14 (a) Six members of the house of representatives from diverse
15 geographic locations, three from each of the two largest political
16 caucuses, appointed by the speaker of the house of representatives; and

17 (b) Six members of the senate from diverse geographic locations,
18 three from each of the two largest political caucuses, appointed by the
19 majority leader of the senate.

20 (2) The joint task force is cochaired by one senator and one
21 representative appointed by the senate majority leader and the speaker
22 of the house of representatives respectively.

23 (3) The cochairs of the joint task force shall appoint an advisory
24 committee of nonvoting advisors and experts to provide input on various
25 subjects. For purposes of this subsection, "advisors and experts"
26 includes, but is not limited to, representatives of: Cities, counties,
27 port districts, the office of the governor, and state agencies with
28 planning functions and permitting authority.

29 (4) Any final findings, conclusions, or recommendations of the
30 joint task force must be agreed to by a majority of the members;
31 however, minority findings, conclusions, or recommendations may be
32 included that are submitted by any member or group of members.

33 NEW SECTION. **Sec. 3.** (1) The joint task force on essential public
34 facilities shall:

35 (a) Evaluate and develop processes to define regional and state
36 mitigation responsibility resulting from the siting of essential public

1 facilities of regional and statewide significance. Issues the task
2 force shall consider include, but are not limited to, definitions of
3 essential public facilities; strategies for determining which
4 communities are adversely impacted; ways to quantify the adverse
5 impacts on communities; and ways to identify any regional or state
6 responsibilities for mitigation;

7 (b) Evaluate and develop funding options for state and regional
8 jurisdictions to pay for mitigation costs; and

9 (c) Consider options to incorporate regional and state mitigation
10 responsibilities and funding tools into regional and state planning
11 policies and agreements to ensure that regional and state mitigation
12 measures will be fully implemented.

13 (2) The joint task force on essential public facilities shall
14 commence by July 1, 2003. The joint task force shall present a final
15 report, including any legislative recommendations, to the legislature
16 no later than January 1, 2004.

17 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act expire June
18 1, 2004.

19 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and takes effect
22 immediately.

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