
SENATE BILL 5690

State of Washington

59th Legislature

2005 Regular Session

By Senators Kohl-Welles, Poulsen, Kastama and Jacobsen

Read first time 02/02/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to establishing the joint task force on siting of
2 essential public facilities; adding a new section to chapter 36.70A
3 RCW; creating a new section; providing an expiration date; and
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that current processes
7 for the siting of essential public facilities fail to ensure that the
8 costs and benefits of the facility are distributed in a fair and
9 equitable manner. Throughout the state there are proposals for siting
10 essential public facilities that will adversely impact surrounding
11 neighborhoods and communities while benefiting the larger region or the
12 entire state. In some cases the public entity planning the facility
13 may not be directly accountable through democratic processes to the
14 neighborhoods and communities that will be adversely impacted.

15 The legislature also finds that although the growth management act
16 requires that all local comprehensive plans include procedures for
17 identifying and siting essential public facilities, the current
18 requirements do not provide guidance as to mitigation responsibilities
19 when there are adverse impacts on host and neighboring communities.

1 The legislature further finds that countywide planning policy
2 procedures and other mechanisms under the growth management act are
3 often inadequate to involve all the impacted and benefited communities
4 and jurisdictions to resolve both siting and mitigation
5 responsibilities in a collaborative, regional manner.

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

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A RCW
14 to read as follows:

15 (1) The joint task force on essential public facilities is created
16 to consist of the following twelve members:

17 (a) Four members of the house of representatives from diverse
18 geographic locations, two from each of the two largest political
19 caucuses, appointed by the speaker of the house of representatives;

20 (b) Four members of the senate from diverse geographic locations,
21 two from each of the two largest political caucuses, appointed by the
22 president of the senate;

23 (c) Four members representing local governments as follows:

24 (i) One member representing cities, to be selected by the
25 association of Washington cities;

26 (ii) One member representing counties, to be selected by the
27 Washington state association of counties;

28 (iii) Two members representing the interests of general purpose and
29 special purpose districts, selected jointly by the speaker of the house
30 of representatives and the president of the senate.

31 (2) The joint task force is cochaired by one senator and one
32 representative appointed by the president of the senate and the speaker
33 of the house of representatives, respectively.

34 (3) The cochairs of the joint task force may appoint an advisory
35 committee of nonvoting advisors and experts to provide input on various
36 subjects. For purposes of this subsection, "advisors and experts"
37 includes, but is not limited to, representatives of: Cities, counties,

1 port districts, other special purpose districts, the office of the
2 governor, and state agencies with planning functions and permitting
3 authority.

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

8 (5) The joint task force on essential public facilities shall:

9 (a) Evaluate and develop processes to define regional and state
10 mitigation responsibility resulting from the siting of essential public
11 facilities of regional and statewide significance. Issues the task
12 force shall consider include, but are not limited to: Definitions of
13 essential public facilities, strategies for determining which
14 communities are adversely impacted, ways to quantify the adverse
15 impacts on communities, and ways to identify any regional or state
16 responsibilities for mitigation;

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

19 (c) Consider options to incorporate regional and state mitigation
20 responsibilities and funding tools into regional and state planning
21 policies and agreements to ensure that regional and state mitigation
22 measures will be fully implemented.

23 (6) The joint task force on essential public facilities shall
24 commence by June 1, 2005. The joint task force shall present a final
25 report, including any legislative recommendations, to the legislature
26 no later than January 1, 2006.

27 (7) The powers and duties of the task force are terminated June 1,
28 2006.

29 NEW SECTION. **Sec. 3.** This act expires June 1, 2006.

30 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the
32 state government and its existing public institutions, and takes effect
33 immediately.

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