
SENATE BILL 5194

State of Washington 60th Legislature 2007 Regular Session

By Senators Kohl-Welles, Swecker, Fairley, Sheldon and Rasmussen

Read first time 01/12/2007. 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; and providing an expiration date.

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. In some cases the public entity planning the facility
12 may not be directly accountable through democratic processes to the
13 neighborhoods and communities that will be adversely impacted.

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

1 procedures and other mechanisms under the growth management act are
2 often inadequate to involve all the impacted and benefited communities
3 and jurisdictions to resolve both siting and mitigation
4 responsibilities in a collaborative, regional manner.

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

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

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

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

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

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

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

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

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

30 (2) The joint task force is chaired by a legislator selected by the
31 legislators appointed to the task force.

32 (3) The chair of the joint task force may appoint an advisory
33 committee of nonvoting advisors and experts to provide input on various
34 subjects. For purposes of this subsection, "advisors and experts"
35 includes, but is not limited to, representatives of: Cities, counties,
36 port districts, other special purpose districts, the office of the

1 governor, and state agencies with planning functions and permitting
2 authority.

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

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

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

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

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

22 (6) The joint task force on essential public facilities shall
23 commence by September 1, 2007. The joint task force shall present a
24 final report, including any legislative recommendations, to the
25 legislature no later than December 1, 2008.

26 (7) The powers and duties of the task force are terminated January
27 1, 2009.

28 NEW SECTION. **Sec. 3.** This act expires June 1, 2009.

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