

HOUSE BILL REPORT

SHB 1169

As Passed House:
March 15, 2005

Title: An act relating to including public school facilities as essential public facilities.

Brief Description: Including public school facilities as essential public facilities.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Quall, P. Sullivan, Talcott, Strow, Grant, Buri, Morrell, Miloscia, Dickerson, Morris, Lovick, Simpson, Tom, Chase, Kenney, O'Brien, Sells, Ormsby, Haigh and Santos).

Brief History:

Committee Activity:

Local Government: 1/24/05, 2/21/05 [DPS].

Floor Activity:

Passed House: 3/15/05, 95-1.

Brief Summary of Substitute Bill

- Adds "public school facilities" to the list of facilities categorized as essential public facilities under the Growth Management Act.
- Authorizes a school district to determine that a specific public school facility constitutes an essential public facility, but does not allow the district to specify the site for its location.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Simpson, Chair; Clibborn, Vice Chair; B. Sullivan and Takko.

Minority Report: Do not pass. Signed by 3 members: Representatives Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; and Woods.

Staff: Ethan Moreno (786-7386).

Background:

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. The GMA specifies numerous provisions for jurisdictions fully planning under the Act (planning

jurisdictions) and establishes a reduced number of compliance requirements for all local governments.

Among other requirements, planning jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. These comprehensive plans must include a process for identifying and siting essential public facilities. Although not expressly defined in statute, the GMA specifies that essential public facilities include those facilities that are typically difficult to site, such as:

airports; state education facilities; state and local correctional facilities; and solid waste handling facilities.

Summary of Substitute Bill:

"Public school facilities" are explicitly added to the list of facilities categorized as essential public facilities under the Growth Management Act.

A school district board of directors may, by resolution, declare a specific public school facility an essential public facility, but the board may not specify a site for its location.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill is necessary to address the problem of siting schools in heavily developed areas. Because of this problem, many schools are currently being built too far away from population centers. The bill would help solve this problem and may save school districts money. Also, the law should require that schools be included in the GMA planning process. The bill will specifically require that the siting of schools be included in long term planning. Current law does not allow schools to be included in such planning.

(With concerns) There are concerns about the bill because of a lack of clarity as to the intentions behind it and what effects it might have. Changing the criteria for the siting of schools might be burdensome on cities and towns and may add complexities and problems with respect to the GMA planning process.

Testimony Against: None.

Persons Testifying: (In support) Representative Quall, prime sponsor; Mark Leander; Liza Bott, Burlington Edison School District Board of Directors; and Barbara Mertens, Washington Association of School Administrators.

(With concerns) Dave Williams, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.