

SENATE BILL REPORT

SB 5141

As Reported By Senate Committee On:
Human Services & Corrections, January 28, 1997

Title: An act relating to siting of work release facilities.

Brief Description: Revising the procedure for siting work release facilities.

Sponsors: Senators Long, Hargrove, Franklin and Winsley; by request of Department of Corrections.

Brief History:

Committee Activity: Human Services & Corrections: 1/23/97, 1/28/97 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl, Schow and Stevens.

Staff: Andrea McNamara (786-7483)

Background: In 1994, the Legislature enacted procedures that the Department of Corrections (DOC) and other state agencies must follow when attempting to site a work release facility.

The procedures include mandatory public notification and local public hearings about the proposed sites in the communities under consideration.

Current law specifies to whom notices must be given, including: (a) the local newspapers, radio, television stations, and cable networks; (b) school districts, private schools, kindergartens, city and county libraries; (c) the chamber of commerce, and local economic development agencies; and (d) any other local organizations that request such notification.

In addition, notice must be given to all local government offices within a one-half mile radius of the proposed site, and written notice must be provided to all residents and/or property owners within a one-half mile radius of the proposed site.

Summary of Bill: The Department of Corrections (DOC) and other state agencies with responsibility for siting work release facilities are exempt from the required siting procedures under limited circumstances.

The work release siting procedure requirements do not apply when local government entities propose sites that satisfy DOC's guidelines. Local government entities may utilize their own local zoning procedures and issue a permit to DOC upon conclusion of a public hearing, after due consideration of all the evidence presented.

A technical change is made deleting an obsolete effective date.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The current siting requirements for work release facilities is sometimes unnecessarily onerous, especially when a local community has identified and proposed a particular site to the department. The bill would allow local jurisdictions to have more control and flexibility as well as more accountability in the siting process. The bill preserves the requirement for public involvement but allows it to be done under the process familiar to the local community.

Testimony Against: None.

Testified: Robert Moore, Assistant Dir., Division of Community Corrections, Department of Corrections (pro); Michael Shaw, Washington State Association of Counties; Kathy Gerke, Association of Cities.