

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1017

Chapter 129, Laws of 2017
(partial veto)

65th Legislature
2017 Regular Session

SCHOOL SITING--RURAL AREAS--GROWTH MANAGEMENT ACT

EFFECTIVE DATE: 7/23/2017

Passed by the House April 18, 2017
Yeas 81 Nays 15

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 11, 2017
Yeas 31 Nays 17

CYRUS HABIB

President of the Senate

Approved April 26, 2017 9:40 AM with
the exception of Section 1, which is
vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1017** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 26, 2017

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1017

AS AMENDED BY THE SENATE

Passed Legislature - 2017 Regular Session

State of Washington 65th Legislature 2017 Regular Session

By House Environment (originally sponsored by Representatives McCaslin, Barkis, Blake, Holy, Pettigrew, Haler, Taylor, Shea, Harris, Chandler, Smith, Muri, Stokesbary, Nealey, Stambaugh, Griffey, Vick, Buys, Dye, Short, Pike, Wilcox, Van Werven, Hargrove, Young, Klippert, Kilduff, and Sawyer)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to the siting of schools and school facilities;
2 adding new sections to chapter 36.70A RCW; and providing an
3 expiration date.

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

5 ****NEW SECTION. Sec. 1. A new section is added to chapter 36.70A***
6 ***RCW to read as follows:***

7 ***(1) This chapter does not prohibit a county planning under RCW***
8 ***36.70A.040 from authorizing the extension of public facilities and***
9 ***utilities to serve a school sited in a rural area that serves***
10 ***students from a rural area and an urban area so long as the following***
11 ***requirements are met:***

12 ***(a) The applicable school district board of directors has adopted***
13 ***a policy addressing school service area and facility needs and***
14 ***educational program requirements;***

15 ***(b) The applicable school district has made a finding, with the***
16 ***concurrence of the county legislative authority and the legislative***
17 ***authorities of any affected cities, that the district's proposed site***
18 ***is suitable to site the school and any associated recreational***
19 ***facilities that the district has determined cannot reasonably be***
20 ***colocated on an existing school site, taking into consideration the***
21 ***policy adopted in (a) of this subsection and the extent to which***

1 vacant or developable land within the growth area meets those
2 requirements;

3 (c) The county and any affected cities agree to the extension of
4 public facilities and utilities to serve the school sited in a rural
5 area that serves urban and rural students at the time of concurrence
6 in (b) of this subsection;

7 (d) If the public facility or utility is extended beyond the
8 urban growth area to serve a school, the public facility or utility
9 must serve only the school and the costs of such extension must be
10 borne by the applicable school district based on a reasonable nexus
11 to the impacts of the school, except as provided in subsection (3) of
12 this section; and

13 (e) Any impacts associated with the siting of the school are
14 mitigated as required by the state environmental policy act, chapter
15 43.21C RCW.

16 (2) This chapter does not prohibit either the expansion or
17 modernization of an existing school in the rural area or the
18 placement of portable classrooms at an existing school in the rural
19 area.

20 (3) Where a public facility or utility has been extended beyond
21 the urban growth area to serve a school, the public facility or
22 utility may, where consistent with RCW 36.70A.110(4), serve a
23 property or properties in addition to the school if a property owner
24 so requests, provided that the county and any affected cities agree
25 with the request and provided that the property is located no further
26 from the public facility or utility than the distance that, if the
27 property were within the urban growth area, the property would be
28 required to connect to the public facility or utility. In such an
29 instance, the school district may, for a period not to exceed twenty
30 years, require reimbursement from a requesting property owner for a
31 proportional share of the construction costs incurred by the school
32 district for the extension of the public facility or utilities.

*Sec. 1 was vetoed. See message at end of chapter.

33 NEW SECTION. Sec. 2. A new section is added to chapter 36.70A
34 RCW to read as follows:

35 (1) A county may authorize the siting in a rural area of a school
36 that serves students from an urban area, even where otherwise
37 prohibited by a multicounty planning policy, under the following
38 circumstances:

1 (a) The county has a population of more than eight hundred forty
2 thousand but fewer than one million five hundred thousand and abuts
3 at least six other counties;

4 (b) The county must have adopted in its comprehensive plan a
5 policy concerning the siting of schools in rural areas;

6 (c) Any impacts associated with the siting of such a school are
7 mitigated as required by the state environmental policy act, chapter
8 43.21C RCW; and

9 (d) The county must be a participant in a multicounty planning
10 policy as described in RCW 36.70A.210.

11 (2) A multicounty planning policy in which any county referenced
12 in subsection (1) of this section is a participant must be amended,
13 at its next regularly scheduled update, to include a policy that
14 addresses the siting of schools in rural areas of all counties
15 subject to the multicounty planning policy.

16 (3) A school sited under this section may not collect or impose
17 the impact fees described in RCW 82.02.050.

18 (4) This section expires June 30, 2031.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A
20 RCW to read as follows:

21 In a county that chooses to site schools under section 2 of this
22 act, each school district within the county must participate in the
23 county's periodic updates required by RCW 36.70A.130(1)(b) by:

24 (1) Coordinating its enrollment forecasts and projections with
25 the county's adopted population projections;

26 (2) Identifying school siting criteria with the county, cities,
27 and regional transportation planning organizations;

28 (3) Identifying suitable school sites with the county and cities,
29 with priority to siting urban-serving schools in existing cities and
30 towns in locations where students can safely walk and bicycle to the
31 school from their homes and that can effectively be served with
32 transit; and

33 (4) Working with the county and cities to identify school costs
34 and funding for the capital facilities plan element required by RCW
35 36.70A.070(3).

Passed by the House April 18, 2017.

Passed by the Senate April 11, 2017.

Approved by the Governor April 26, 2017, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State April 26, 2017.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 1, Engrossed Substitute House Bill No. 1017 entitled:

"AN ACT Relating to the siting of schools and school facilities."

Engrossed Substitute House Bill 1017 seeks to address the important and complicated subject of siting schools outside of Urban Growth Areas. While this bill adequately addresses many aspects of the issue, I remained concerned about three items that I would like to resolve with the legislature during the special session.

First, any extension of urban services to serve a rural school must be limited to the size and scale needed to support the long-term needs of the school. Second, the land surrounding a new rural school must maintain its rural character and housing density as specified in RCW 36.70A.070(5). Finally, in order for schools to be sited outside the Urban Growth Boundary Line, school districts must demonstrate that there is no suitable land available within the Urban Growth Area.

For these reasons I have vetoed Section 1 of Engrossed Substitute House Bill No. 1017.

With the exception of Section 1, Engrossed Substitute House Bill No. 1017 is approved."

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