



Washington State
Association of Counties
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LEGISLATIVE BULLETIN

Serving Washington's Counties



Washington Association of
County Officials
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<http://www.wacounties.org>

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EARTHSHAKING NEWS FOR STUDENTS!

The Washington Counties Scholarship Fund has more awards for children of county employees during the 2001/02 school year than ever!

NACo President Jane Hague, King County Council, has designated the Fund to select the recipients of two scholarships that are made available to her through the National Association of Counties (NACo) in recognition of her contributions to that Association.

In addition to the five \$1,500 awards made by the Washington Counties Scholarship Fund, President Hague has made \$14,000 in additional awards possible. The David Davenport Scholarship is a renewable scholarship for \$2,500 annually, totaling \$10,000 in four years. The student must maintain a GPA of 2.5 to qualify in successive years for the Davenport Scholarship. The CH2M Hill Scholarship awards a total of \$4,000 over 4 years, if the student remains in "good standing." Students in Washington's 39 counties are eligible for the Davenport and CH2M Hill Scholarships. In past years, some NACo presidents have limited the awards to children of their home counties. Further details of these awards will be included in future publications.

Eligible students include dependent children of county employees including children of county officials who are full-time students in a baccalaureate degree, associate degree, or vocational/technical certification program. The awards are for the 2001/02 school year.

Flyers and applications are being mailed to each county office. Please post the flyers and copy the applications. Encourage students you know to apply and soon.

An independent selection committee will make all awards in early to mid-May after intensive review. Applications must be postmarked no later than April 16, 2001 and must be accompanied by a personal statement, two references, a certified (sealed) copy of the student's most recent grades, and a separate sheet listing the student's honors and awards. Please call WACO at (360) 753-7319 or WSAC at (360) 753-1889 for applications or further information.

CUT-OFF FOR FISCAL BILLS AND RELOCATION DOMINATE POST-EARTHQUAKE

It has been a week like few others in Olympia. The House and Senate have been moved out of the Legislative Building into the Cherberg and O'Brien Buildings to complete committee action on fiscal bills. The cut-off was Thursday, March 08, 2001. They did this after the buildings were inspected for earthquake damage over the weekend. Then all of the senate and house offices in the Legislative Building were moved. The democratic senators were moved into quarters in the Cherberg Building and the republicans were moved into the Newhouse Building. Several of them have doubled up with other senators. The Senate Chambers are now located in Senate Hearing Room 4 and the gallery is in Senate Hearing Room 1 where you can observe deliberation on TV screens.

The Senate has held session each day this week and is passing many bills.

The House on the other hand, is still struggling to find a location to hold sessions. They have been meeting outside at the sundial between the Cherberg and O'Brien buildings to hold the constitutionally required pro forma sessions every two days. They will meet today in House Hearing Room A for the first full session since the earthquake. It is much more difficult for the House to

squeeze 98 members into existing hearing rooms than the 49 members of the Senate. It has still not been decided where more permanent house chambers can be found.

Clearly the stress of the earthquake will contribute to a more nerve-wracking situation for some members and already there is talk of limiting the number of bills that will be passed. This feeling is contributed to a number of bills dying in Appropriations, Finance and Capitol Budget this week.

In the meantime, the Legislative Building is being inspected and re-inspected for damage by engineers. However, there is no announced timetable for when the building can be occupied again.

TAXATION, BUDGET & FINANCE

PROPERTY TAX/GENERAL COMMENTS

Since yesterday was the final cutoff for bills to move out of the fiscal committees, there are several property tax measures that have died. If you have a concern on a particular measure, please check the bill status online at <http://www.wacounties.org/waco/leg.pdf>. Next week, we will be able to give you a specific listing of all the property tax bills that remain alive. At this point, all three of the assessors' recommendations remain alive in one form or another, and very few of the bills that have negative fiscal impacts on counties property tax remain alive.

TIMBER TAX

Thanks for your calls to the Senators on **SSB 5702**, Timber Tax Revisions. This bill moved to the calendar early this week and passed the Senate on Wednesday by a unanimous vote. We hope for favorable action in the House, as well.

COMPENSATING TAX/DEATH WINDOW

SHB 1450 remains in the Rules Committee and calls to members of the House Rules Committee would be helpful. The fact that it has not moved out of Rules is understandable since, due to the earthquake, the House has not been able to hold any floor sessions. When the House begins floor action again, there will be a Rules meeting and contacts made now will pay dividends in seeing **SHB 1450** move to the floor of the House.

DEPARTMENT OF REVENUE (DOR)/PROPERTY TAX BILLS

Although we continue to refer to **SHB 1202** as a DOR request bill, the fact that it contains the provisions to use three years worth of personal property data in calculation of personal property ratios makes it an Assessors' recommendation, as well. In addition to **SHB 1202**, **SHB 1467** is also on the House Calendar awaiting floor action. This bill contains a number of cleanups to the property tax statutes but probably the most important provision allows for the corrections to be made when there is an error in the levy setting process.

DAIRY FARMS/ANAEROBIC DIGESTERS/PROPERTY TAX EXEMPTION

As reported last week, **HB 1888** was heard in the House Finance Committee; however, as of the writing of this bulletin, it has not been scheduled for executive action and if that does not take place by the end of today, the House bill will die for the session. In the meantime, the Senate version, **SB 5947**, was heard in the Senate Ways & Means Committee and so far has not been scheduled for executive session.

FARM EQUIPMENT & MACHINERY EXEMPTION

HB 1906 has not been scheduled for executive session in the House Finance Committee and will be dead if it does not clear the committee by today. In the meantime, the Senate Ways & Means Committee also heard **SB 5668**, which does the same thing. This bill has not been scheduled for executive session in the Senate Ways & Means Committee, either. We will not know until tomorrow whether either of these bills remain alive for the session.

DEPARTMENT OF REVENUE REQUEST LEGISLATION

This week, the House Finance Committee and the Senate Ways & Means Committee heard **HB 2098** and **SB 6092**, respectively. These are revisions to the property tax exemption provisions for low-income housing. The measure clarifies the situation when units are not fully occupied on January 1, which would, in effect, allow an exemption in some cases to commence a year sooner. The bill also adds language that would allow mobile home parks that provide low income housing to receive the same benefit as a multi-unit building as provided under the current law.

PROPERTY TAX EXEMPTION FOR COMMUNITY RADIO STATIONS

HB 1219 was heard this week in the House Finance Committee. As reported last year, there are apparently three radio stations that would qualify under this exemption. It doesn't appear that there is any significant fiscal impact. The measure has passed the House in the last couple years, but never received a hearing in the Senate. Its fate in the Senate remains uncertain.

EXEMPTION FOR NEW OR REHABILITATED MULTI-UNIT BUILDINGS

HB 1708, which makes modifications to the existing provisions dealing with a 10-year exemption for low-income housing, received a hearing in the House Finance Committee. The measure is supported by the City of Seattle. Currently, all units have to be dedicated to low-income housing; in some cases, the buildings have been operated as a condominium and if an owner sells to someone who no longer qualifies for low-income exemption, the rest of their properties would lose their exemption as well. This is the same as **SB 5872** discussed in prior bulletins. It appears likely that one or the other of these bills will pass the legislature.

TAX INCREMENT FINANCING

HB 1418 has been heard in the House Finance Committee on Wednesday. Raising concerns with the measure were lobbyists from junior taxing districts, as well as Pierce County. There is a concern over the fact that it only takes a vote of the jurisdictions representing 60% of the levying capacity to be binding on all other taxing districts. In other words, part of a district's property tax levy can be taken away without them having a voice in the process. Those expressing concerns ask that their jurisdictions be included in the requirement for authorizing such action. Since this measure excludes the state levy, a city, along with some minor districts, could create such a district and capture any increase that would result from this improvement from the county's current expense levy or from the fire district.

AG BURNING EXEMPTION – EXPANSION FOR ORCHARDS

HB 2070 that was scheduled for hearing last week in the House Finance Committee was rescheduled for hearing on Thursday in the House Finance Committee. The measure would have to be heard and passed that day if it is to remain alive. Whether that occurs is yet to be determined.

SENIOR CITIZENS ADULT RESIDENTIAL CARE FACILITIES

HB 1438 received executive action in the House Finance Committee this week. This is a measure that allows those who are confined to an adult family home or other home that provides for enhanced adult residential care, to keep their senior citizen exemption. This is one of the bills that was heard on "Senior Citizen Day" in the House Finance Committee some time ago and is one of the two bills that was supported by the County Assessors' Association.

PARK MODEL MOBILE HOMES/REAL ESTATE EXCISE TAX VS. SALES TAX

HB 2184 received a hearing in the House Finance Committee this week. A park model mobile home does not meet the definition of mobile home for real estate excise tax purposes, so when a person sells a park model mobile home, they must pay the sales tax, rather than the real estate excise tax. This change was made some years ago for all other mobile homes, to try to treat them as conventional stick building homes. Mobile homes still pay sales tax on their original sale, but after that they pay the real estate excise tax. Whether the measure will clear the House Finance Committee by today's cutoff is yet uncertain.

FOREST FIRE PROTECTION

2SSB 5447, modifying the forest fire protection assessment, passed out of the Senate Ways and Means Committee on Wednesday, with an amendment to remove the null and void clause (which would have required an appropriation of \$4.4 million from the general fund).

TRANSPORTATION

TRANSPORTATION COMMITTEES CONTINUE WORK ON BRCT PACKAGE

Both the Senate and the House Transportation Committees resumed their schedules for public hearings and executive action this week. The Senate Committee actively considered most of the accountability efficiencies measures in a proposed substitute format. The House Committee decided to defer taking executive action on the BRCT package and procedurally determined that the package is related to the budget. This allows the House additional time to work on these bills until the budget cutoff date of April 13.

In the meantime, both houses are still considering various regional models that are proposed by business groups and others. Senators Horn and McDonald unveiled a bill (**SB 6140**) on March 7 that included sponsorship of many King and Snohomish County democrats as well as republicans. This bill creates a congestion relief board for the central Puget Sound region. Legislative districts define the regional boundary and three legislators from each of their respective legislative districts appoint the membership. The congestion relief board is empowered to institute and collect locally imposed taxes voted in by the people. Attached is a draft summary of the regional models that have been introduced.

As noted above the Senate Transportation Committee has taken a different approach to the BRCT bills dealing with accountability/efficiencies. The Senate Committee took executive action on the accountability/efficiencies bills just before the March 8th cutoff. In brief, the following summary describes what bills were adopted that impact counties.

- **SSB 5750**, funding right-of-way acquisitions. Creates an advance right-of-way revolving fund for cities and counties. The cap of \$5 million that was contained in the original bill was eliminated. The Transportation Improvement Board (TIB) administers the fund. The TIB in consultation with CRAB, AWC and WSAC adopt rules and develop policy to implement the program. Language to encourage joint trenching projects has been incorporated into this bill.
- **SSB 5755**, adjusting responsibilities of the transportation commission. This bill was substantially amended to include three sections: (a) places the secretary of transportation under the governor and eliminates the Transportation Commission (b) Creates the Transportation Funding Board (TFB) which oversees grant programs for local governments by consolidating TIB, FMSIB and the rural arterial program from CRAB. CRAB retains the current board structure, the County Arterial Preservation Program and the current functions related to information technology. All rules related to the grant programs will remain intact; (c) creates the Legislative Transportation Accountability Program (LTAP). The LTAP oversees the benchmarks and must serve as a single, independent, statewide point of accountability for monitoring the performance of the transportation system.
- **SSB 5764** maintaining and preserving transportation facilities and assets. This bill was substantially amended and includes WSAC's recommendations, as reported in last weeks bulletin. The amended bill requires the CRAB to establish a standard of good practice for maintenance of transportation system assets by December 31, 2006 and the board shall develop a model for use by all counties.
- **SSB 5765**, streamlining the environmental permits process for transportation projects. This bill attempts to create a one-stop permit shops in order to shorten the process time. Even though the committee adopted this bill, the chair and prime sponsor recognize that the bill is still a work in progress. WSAC will continue to work with staff and the members in order to improve this piece of legislation.

The package of twenty-seven BRCT bills has taken on a different shape than the original package. This package will continue to change as the session evolves.

For questions or comments, please contact Jackie White (WSAC staff).

TRANSPORTATION BILLS OTHER THAN THE BRCT PACKAGE

SB 5733 - An act relating to county road construction projects. Current law permits counties to utilize day labor to construct or improve county roads that are limited to no more that the annual county road construction budget or a specific dollar amount. The percentage and the dollar amount vary depending on the total annual county road construction budget. The Senate Transportation Committee took positive action on **SSB 5733**, which would allow this annual limit to be increased by 10 percent in counties with a population of less that 50,000 people.

HB 1394 - Clarifying the use of county road funds in salmon recovery projects. The use of county road funds is restricted to county road purposes. Any county road dollars that are expended on areas outside of county road purposes may be considered a diversion of county road dollars. **HB 1394** clarifies that county road moneys may be expended for the purposes of removing barriers to fish passage without creating a diversion. This may include engineering services, stream bank stabilization, stream restoration, or channel modification. The language clearly states that the local legislative authority makes this determination.

LAW & JUSTICE

LAW ENFORCEMENT

Thank you to all of the sheriffs who have contacted their Rules Committee members. Sheriff's Legislative Priority - **HB 1560**, restricting the use of the term "sheriff" and "sheriffs posse" needs to be pulled one more time, and then it will go to the House Floor for a vote. If you haven't contacted your Rules Committee members please contact them soon! The members on the House Rules Committee are as follows: Democrats – Frank Chopp, Co-Chair, Bill Grant, Kathy Haigh, Christopher Hurst, Lynn Kessler, Steve Kirby, Val Ogden, Erik Poulsen, Aaron Reardon, and Sharon Tomiko Santos. Republicans – Clyde Ballard, Co-Chair, Jim Buck, Roger Bush, Shirley Hankins, Kathy Lambert, Barbara Lisk, Dave Mastin, John Pennington, Mark Schoesler and Beverly Woods.

NONPARTISAN SHERIFFS

SB 5141, the Sheriffs' recommendation requiring the office of county sheriff to be nonpartisan, passed the Senate Friday morning, 29 yes 20 no. All 39 county sheriffs support this measure.

NEW HOUSE RESOLUTION WOULD ESTABLISH JAIL STUDY

Emerging just before the fiscal committee deadline is **House Concurrent Resolution 4412**, which would create a joint select committee on local jail facilities. The resolution passed out of the House Capital Budget Committee March 8 and by all reports is on a fast track in House Rules.

The joint select committee, composed of six House members and six Senate members, would: (1) review alternatives to address capacity needs through local and regional jails; (2) review funding options for jail construction and renovation; and (3) review funding options for operating jail facilities. The committee would report its findings and recommendations to the 2002 Legislature.

The resolution acknowledges that local governments are facing serious problems in constructing and operating adequate jail facilities, and that the Legislature has periodically provided assistance to local governments for jail construction and renovation.

Sponsors of the resolution are House Capital Budget Committee co-chairs Gary Alexander (R) and Ed Murray (D).

OTHER JAIL BILLS LOCKED UP IN COMMITTEE

HB 1262, **HB 1263**, **SB 5427** and **SB 5428**, which would help with jail operational costs by requiring state payment for state prisoners, did not pass out of the fiscal committees by the March 8 deadline.

While these bills theoretically could still be resurrected, such a miracle appears unlikely. The bills had broad-based sponsorship, but legislators balked at the hefty price tags. State payment for the time DOC-bound inmates spend in the county jails would amount to about \$30 million per year. State payment for state agency arrestees in county jails could be even more.

E-911 BILLS STILL ALIVE

Three E-911 bills have survived the fiscal cutoff – but some are in better health than others.

SB 5335, which continues state E-911 operational assistance to counties, has passed the Senate and is poised for hearing in the House Technology, Telecommunications and Energy Committee. However, the House Technology Committee declined to pass out a companion bill, **HB 1181**, and could have reservations about the Senate bill. County officials are encouraged to contact committee members as well as co-chairs Larry Crouse (R) and Erik Poulsen (D) to urge their support of **SB 5335**.

HB 1477, which would authorize an additional local one-tenth of one percent sales tax for emergency communications, had not passed out of the Finance Committee as of late March 8 – the deadline for action in the fiscal committees. However, because it authorizes new taxing authority, it could be deemed “necessary to implement the budget” and thus exempt from the fiscal deadline. Stay tuned on this one.

SB 6034, which would establish a new wireless phone tax to implement wireless E-911 service, has been under intense discussion by representatives of the wireless industry and counties. WSAC opposed the original bill, which favored reimbursing the industry over cost-recovery for counties. A workable compromise may be near. This bill, because of the tax implications, also may be deemed “necessary to implement the budget” and exempt from the fiscal deadline. The House companion bill, **HB 2150**, has not had a hearing.

COURTS

TAX WARRANTS

SSB 5115, Tax warrants, is on the Senate Floor Calendar and ready for a vote of the entire Senate. Upon passage of the Senate, **SSB 5115** will be referred to the House where the process begins again in a policy committee, most like Judiciary. **SHB 1793**, the House companion bill, was referred to the House Appropriations Committee for reasons no one can determine. Efforts were made to move **SHB 1793** out of the Appropriations but they appear unsuccessful. **SHB 1793** can be considered dead. County Clerks should continue to contact their Senators to keep **SSB 5115** moving.

FAMILY LAW COURT FILES

HB 1864 and **SB 5975**, Family Law Court Files, are in the House and Senate Rules Committees respectively as well. These bills accomplish the goal set by County Clerks in the 2000 session to remove financial and personal information from public view of family law files in order to thwart identity theft. Please contact your members on the respective Rules Committee to ask that **HB 1864** and **SB 5975** be “pulled.”

ENVIRONMENT, LAND USE & RESOURCES

GMA TIMELINE BILL

As reported in last weeks bulletin, the Washington State Association of Counties (WSAC) and the Association of Washington Cities (AWC) is advocating for amendments to the current statues that now require all GMA planning jurisdictions to review and update if necessary, local GMA plans and development regulations by September 2002. **HB 1588** and the companion bill **SB 5841** would have established new deadlines beginning in 2004 over a 4-year period. Both bills have been given public hearings but did pass either the House or the Senate Committees. However, the Senate committee amended **SSB 6070**, a GMA-related bill to include language that would extend the GMA timelines beginning September 1, 2004 over a 3-year period. We understand that even though the House did not take action on this measure before the scheduled cut-off period that they are still planning to address this issue along with critical area timelines and the Shoreline Management Act.

Please contact WSAC staff, Jackie White for questions or comments.

REALTORS ASSOCIATION CONTINUES TO ADVANCE ECONOMIC DEVELOPMENT USING GMA AS THE TOOL

The Washington Realtors Association continues to advance an amendment to the growth management act (GMA) would make substantial changes to the in order to promote economic development. This measure was amended in the Senate State and Local Government Committee and now contains requirements to include mandatory Economic Development elements to updated local GMA plans, as well as some new requirements to address housing and employment issues in any modified countywide planning policy.

The house bill (**HB 2056**) failed to be considered for executive action before the scheduled cut-off date in the House Local Government Committee.

Please contact Jackie White, WSAC staff, for more information or comments.

RURAL COUNTIES MAY DEVELOP ALTERNATIVES TO GMA

SB 5107 passed by the Senate State and Local Government Committee this week would allow rural counties to develop alternative methods of achieving GMA planning goals. The bill defines a rural county as a county with a population density of less than 100 persons per square mile. The alternative may not be used to change the authority of GMA hearings boards regarding designation and protection of critical areas and natural resource lands, siting of essential public facilities, and adoption of a capital facilities plan element.

SHORELINES RULE LIMITATION MOVES FORWARD IN SENATE

A bill directing some counties – and their cities -- to move forward with implementing the new shorelines rules while allowing many to remain planning under the “old” shorelines rules continues to move forward in the Senate. On Monday, upon a motion by Senator Jim Hargrove (D- Grays Harbor County), the Senate Natural Resources, Parks and Shorelines Committee stripped the language from **SB 5458** and hung it as a striking amendment on **SB 5378**.

Substitute SB 5378 allows counties with 75% or more of the county land base in natural resource production, preservation, or open space – and with a comprehensive plan and shoreline master program in place -- to continue using the old shorelines rules. **SSB 5378** requires those counties (and their cities) not meeting the qualifications above to revise shoreline master programs within 36 to 72 months after full funding is provided to them to amend their shorelines programs.

SSB 5378 also coordinates the planning schedules for GMA critical areas revisions and shorelines programs. Current law requires critical areas review and revision by September 1, 2002. Under **SSB 5378**, counties engaged in buildable lands analysis shall complete critical areas revisions by September 1, 2004; counties not subject to RCW 36.70A.215 that adopted a GMA comprehensive plan between 1992 and 1997 would complete critical areas review and revision by September 1, 2006; and all other counties would complete critical areas review and revision by September 1, 2008.

SSB 5378 is now in Senate Rules. It is very important that WSAC members call their Senators and ask that **SSB 5378** be moved over to the House. No shorelines legislation has survived the House cut-offs.

As for funding, there is every indication that the Senate budget will include money for the first phase of local implementation of the new shorelines rules.

NEW AG MARKET DEVELOPMENT GRANT AVAILABLE

A new Value Added Agricultural Product Market Development Grant has just been announced (on Tuesday of this week). The Program is under Rural Development, Rural Business and Cooperative Services, and is a national competition. The grant has a very short time frame, but is very flexible and accommodating.

The grants are to encourage independent producers of agricultural products to further refine the products and as a result create one that is "value-added". The grants can be used for things such as feasibility studies, to develop business and marketing plans, or other types of studies. They can also be used to establish working capital accounts to fund operations prior to obtaining sufficient cash flow from the value added operations. The funds can pay salaries, purchase office equipment, computers, supplies, and to finance other related activities necessary to establish alliances or business ventures that allow producers to compete better in domestic and international markets. To access information on this new program go to the following web site:

<http://www.rurdev.usda.gov/rbs/coops/indepen.htm>

HEALTH, PUBLIC HEALTH & SOLID WASTE

Number of Public Health and Solid Waste bills remaining has reduced considerably. Following is a summary of some of the bills of interest that have died and some that are still alive.

SSB 5483 and **SB 6040** which placed onerous requirements upon landfills with no enhanced public health benefit have died in their policy committees. These bills, attempting to target the 304th Street Landfill in Pierce County, also would have impacted other large landfills on the west side. **HB 1003** (the companion to **SB 5483**) also died in Committee without receiving a hearing.

HB 1710 which restricted the use of solid waste franchise fees, potentially impacted solid waste programs throughout the state – depending upon the interpretation of “franchise fee”. This bill died in House Local Government & Housing.

HB 1794 which would have required all cities and counties represented on local boards to health to ratify any rule or regulation passed by the local board of health died in the House Local Government and Housing Committee.

House Local Government & Housing also saw the demise of **HB 1087** - the WSAC supported bill that would have allowed health districts to levy civil penalties for violations of environmental health statutes, rules and regulations.

SSB 5716 – the Comprehensive Recycling Bill did not receive a hearing in Senate Ways and Means so has died. **SHB 1907**, the House companion, was heard in House Appropriations, but did not make it out.

Tobacco Bills – Many tobacco bills died along the way. Of those remaining, two are of particular note. **SSB 5993** is in Senate Rules. This bill is a compromise bill between the Restaurant Association and the tobacco control and prevention advocates. The bill prohibits smoking in public places where minors are permitted. While not lifting preemption of local control, this bill is seen as a positive step forward in the battle against exposure of children and youth to the effects of tobacco. **SB 5296**, the Youth Access to Tobacco bill, is moving. This bill provides additional protection against children’s access to tobacco products.

SSB 5679 is in Senate Rules. This bill calls for a Committee to study the AIDS Omnibus law and make recommendations for needed changes. The original bill had no representation from local public health departments – even though local public health was charged with implementing the AIDS Omnibus Act. The bill was successfully amended to include three representatives from local public health. Thanks to Senator Deccio for sponsoring the amendment and to members of the Health and Long Term Care Committee for recognizing the importance of including local public health by supporting the amendment and for passing the bill out of Committee. The face of HIV/AIDS has changed since the passage of the AIDS Omnibus legislation and it is time to review the law.

SHB 2082 is a bill that creates the rebuttable presumption that a child has suffered negligent treatment or maltreatment if the child is found where methamphetamine is being manufactured. Meth labs create an extremely unhealthy environment. **SHB 2082** is in House Rules.

SSB 5837 would establish a pilot project culturing shellfish on nonproductive oyster reserve land and provide for an on-site sewage grant program to target shellfish protection districts, septic system improvements, and persons of low to moderate income. Under local option, local health jurisdictions in affected areas could apply for these grant dollars to establish programs intended to address failing on-site sewage systems. The bill passed out of Senate Ways and Means and is in Rules.

SSB 5820 – Breast & Cervical Cancer Treatment. This WSAC supported bill passed out of Senate Ways and Means to Rules. Its House Companion **HB 1058** did not make it out of House Appropriations.

Only one of the many bills changing the seat belt law made it out of committee. **SB 5782** – Enforcing Seat Belt law as a Primary Action passed out of Senate Transportation and is in Rules.

There are many other bills that we have been following that are of interest to public health and solid waste. For a complete listing and status of those bills, contact Vicki Kirkpatrick, WSAC staff.

HUMAN SERVICES, JUVENILE JUSTICE & HOUSING

YOUTH COURTS

HB 2042 and **SB 5792**, Youth courts, are in the House Rules and Senate Rules Committees respectively. At this point in the Legislative Session, it is important to move both bills out of Rules as quickly as possible.

HUMAN SERVICES, JUVENILE JUSTICE, AND HOUSING BILLS OF INTEREST THAT HAVE SURVIVED THE FISCAL CUT-OFF

Not much is left alive this year after the first cut-offs out of the house of origin policy and fiscal committees. That's probably just as well as a lot of superfluous and poorly thought-out bills have met their timely death. Of positive interest in the human services, juvenile justice, and housing are the following:

SHB 1292/ESB 5051, the expansion of the chemical dependency ITA process. Both bills are still alive. The House bill is in House Rules Committee and the Senate bill is already over in the House in the House Children and Family Services Committee. It's looking very good for finally getting this bill all the way through the process. This is a good start on getting the chemical dependency ITA to be more of a match for the mental health process.

SHB 1337/SSB 5468, which expands the juvenile chemical dependency sentencing alternative to allow youth to be considered for treatment regardless of whether they are amenable to it or not. This should assist in getting a higher rate of usage of this sentencing option. Both bills are still alive. The House bill is in House Rules and the Senate bill is in Senate Rules.

SHB 1370/ESSB 5017 deals with the sale of precursor drugs to the making of methamphetamine. Both bills are still alive. The House bill is on the House Second Reading Calendar and the Senate bill is already over in the House Criminal Justice and Corrections Committee.

SHB 1650/SSB 5583 incorporate the JLARC recommendations on the public mental health systems into statute. They are quite different and interested parties should pull them off the web. Both bills are alive. The House bill is in House Rules and the Senate bill is on the Senate Second Reading Calendar.

SHB 1863/SSB 5419, reduce the sentences for certain non-violent drug offenses and transfer the savings from the Department of Corrections to the counties for drug treatment. The status sheet will show both bills as dead in the fiscal committees, however, they have been declared not subject to the cut-off and necessary to implement the budget thus remaining alive until the end of session.

HB 2011/SSB 5986 is the Pierce County bill relating to licensure of Puget Sound Hospital. Both bills are alive. The House bill is on the House Second Reading Calendar and the Senate bill is in Senate Rules. We successfully beat back an attempt to delete chemical dependency from the existing statute that was being amended solely for licensure purposes so this facility can still treat those with chemical dependency issues.

HB 2168/SSB 5845 are the vehicles for codifying the criteria for siting sexual offender less restrictive alternative residential facilities. Both bills are still alive. The House bill is in House Rules and the Senate bill is in Senate Rules.

SSB 5184 relates to the reporting of vulnerable adult abuse to DSHS and authorizes DSHS to release the results of any investigation back to the employing agency. The Senate bill is in Senate Rules.

SSB 5211 is a greatly reduced version of mental health parity. It is so reduced in scope that many members of the parity coalition could not support it. It will only cover children and provides for a limited number of outpatient and inpatient days. It requires that the costs come from re-arranging the existing benefit package or co-pays for the adult family members. It is in Senate Rules.

SSB 5416 is Sen. Patterson's bill regarding treatment for drug-affected infants and their moms, which appears to be successfully moving this year. It is in House Children and Family Services.

SSB 5417 is Sen. Patterson's methadone expansion bill. It no longer has the independent physician option but solely deals with ending the county's ability to unilaterally refuse to site a methadone treatment facility. The bill is on the Senate Second Reading Calendar.

SSB 5522 is the mental health ombudsman bill. The House version died in House Appropriations but the Senate bill escaped without going to Senate Ways and Means where it surely would have died. While the substitute bill has been improved, nothing fundamentally is changed about removing the function from the RSNs and state hospitals and not adequately funding the bill's requirements. **RSNs who are opposed to this bill and their ombuds and QRT need to contact their legislators, especially senators and let them know about their concerns.** The bill is on the Senate Second Reading Calendar.

SSB 5544 requires a mental health evaluation for youth who are arrested for making bomb threats or committing arson on school grounds. We have fixed this bill, and last year's as well regarding firearms, to read the "person or agency designated by the RSN" instead of the county-designated mental health professional. The bill is in Senate Rules.

SSB 5652 did create a quality improvement authority to handle independent providers who care for the elderly and disabled in their homes. Senate Ways and Means, unbeknownst to the promoters, amended the bill into a study of establishing such an authority basically gutting the bill. The bill is now in Senate Rules.

One final note in Human Services, the "Ticket to Work" bills, **SHB1390/SB 5423**, which appeared to both be moving along satisfactorily now have ground to a halt in the fiscal committees. A frantic appeal went out yesterday from the advocates for people to call their legislators and ask that these bills be moved along. These bills provide health insurance for those persons with disabilities who want to enter the employment market. Please call your legislators.

In the Housing area, one of San Juan County's Real Estate Excise Tax bills is still alive and moving, **SSB 5965**. It is now in Senate Rules. There is also an affordable housing bill, **SSB 5936** that is moving and is now in Senate Rules. This bill would add \$3 to recording fees handled by the county auditors to be devoted to affordable housing.

OF GENERAL INTEREST

Bill Status: Status of bills of interest to county officials may be found at <http://www.wacounties.org/waco/leg.pdf>.

LEOFF 1 MEDICAL LONG TERM CARE (HB 1072, SB 5191)

The two bills that would create a risk pool for medical and long term care costs using the surplus in the LEOFF 1 retirement system failed to pass either the House Appropriations or Senate Ways and Means committees. However, the Senate has indicated that **SB 5191** is not subject to the cutoff because it is necessary to implement the budget.

In the House there has not been a formal ruling that HB 1072 is not subject to the cutoff. House leaders have agreed to consider the Senate bill when it comes over to them.

OPEN PUBLIC MEETINGS- EXECUTIVE SESSIONS (HB 1384)

HB 1384 is in House Rules, but is amended from an earlier version. It no longer has a provision for recording minutes. It does more narrowly define potential litigation and provide for the State Auditor to provide training. This bill is much more acceptable than the original one.

GENERAL GOVERNMENT

ARCHIVES UPDATE

HB 1925, Removing the sunset on the \$1.00 surcharge on documents recorded in the county auditors' offices, passed out of the House Appropriations Committee and is now in the House Rules Committee. **HB 1926**, Increasing the surcharge to \$2.00 to fund a digital data storage facility in eastern Washington, is not subject to the cutoff date and is still in the House Appropriations Committee. County clerks and county auditors have been working with the office of the Secretary of State to develop language that is mutually acceptable. Compromise language has been forwarded to county offices and other interested parties for approval.

ELECTIONS

BLANKET PRIMARY NEWS

The state's Democratic and Republican political parties filed papers in federal District Court that would dramatically restrict the blanket primary process for voters. The parties are seeking a permanent injunction banning the current blanket primary. The party proposals would require voters to cast a ballot for only one party and voters would also be required to make public their party preference. The parties also want control as to who can appear as a candidate on the primary ballot and if the issue is not resolved by May 1, 2001, control as to who can appear on the general election ballot in 2001. The Libertarian party, the third major political party in Washington, has requested more time from the court to file their injunction. In a press release issued by the Secretary of State's Office, Secretary Reed states he is committed to working “. . .with the Governor, the Attorney General, and legislative leaders to forge an alternative that gives our voters as many choices as possible . . .”

ELECTION LEGISLATION AND OTHER BILLS OF INTEREST TO COUNTY AUDITORS

County auditors need to contact their Senate Rules Committee members to request that the following bills be pulled from the Committee: **SB 5275**, absentee mail ballot bill; **SB 5272**, election notice; **SB 5273**, election filing dates. These are all county auditor request bills. **SB 5274**, clearing up archaic language in statute, is in Senate Transportation. Please contact your House Rules members to pull **SHB 1230**, moving the date of the primary election to August and **SHB 1644**, which clarifies recount procedures.

The bill that amended the way in which fixture filings under the UCC were handled has been amended to reflect the auditors concerns and has passed the Senate. When the bill is directed to a policy committee in the House, county auditors will need to contact their members on that committee to let legislators know auditors support the amendments. **SSB 5904**, the conservation district bill is in the Senate Rules committee. **SSB 5936**, which is a bill providing funds for low-income housing and places an additional three dollars on recorded documents, is in the Senate Ways and Means committee.

COUNTY GOVERNMENT WEEK

(NACo President Jane Hague, King County Council, concerning NACo's County Government Week, April 22-28, wrote the following article)

COUNTIES SHOWCASE TECHNOLOGY

Dear Fellow County Official,

Could there be a more appropriate theme for the year 2001, the first year of the new millennium, than technology? Technology increasingly touches every aspect of our lives. As our counties' leaders, we have the responsibility and opportunity to envision the future role of technology in local government.

Electronic or e-government is the provision of government services directly to citizens via the Internet. Many, but not all, counties are involved in e-government, giving citizens the opportunity to be "online rather than in line." However, all counties are using technology in a variety of ways.

By incorporating technology, counties already have improved administrative efficiency, increased citizen access to information, reduced operating costs and fostered better communication with constituents. With this progress, now it's time to show off all that we have done.

Therefore, the theme for this year's National County Government Week (NCGW) on April 22 -28 is "Counties Make E-Government Work." As part of this effort, I would ask you to showcase your county's use of technology. Your county might want to promote its website, educating people about the different services and materials that can be found there. You might want to emphasize the quality of your county's hardware and software and how they improve the delivery of services. This also would be a good time to feature model county programs concerning technology and e-government. If you are using or planning to use technology in the election process, this is a perfect time to talk about it.

NACo will celebrate County Government Week in a number of different ways. We will highlight the recommendations and best practices arising from our Technology Summit in early February and stress the NACo FSC Government Purchasing Alliance, which allows counties to combine their purchasing power for discounts on computers and other high-tech equipment.

Also, we will hold the 2nd Annual Acts of Caring Awards ceremony on Capitol Hill on April 26. These awards recognize the top county volunteer programs in the country. First celebrated in 1990, NCGW was initiated to raise public awareness about counties. Urban and rural counties, counties from different regions and encompassing varied constituencies, we represent diverse and

vibrant communities. National County Government Week helps our citizens better understand how their county responds to their needs-and, by extension, how counties across America serve their nation.

There are many ways to celebrate county government. This booklet provides ideas for a variety of different programs, and we look forward to hearing about your innovative projects. Your county is one of more than 1,000 counties that work each year to help citizens better understand the valuable services that counties provide.

Thank you for your participation in National County Government Week.

Jane Hague
NACo President
Council Member, King County; Washington

TREASURERS

TREASURERS' CLEANUP BILL

SB 5638, making technical corrections in county treasurers' statutes, has not yet moved from the Senate Rules Committee. Treasurers need to call members on the Rules Committee and ask for the bill to be placed on the Senate calendar as soon as possible. Next Wednesday, March 14 is the cutoff for bills to get out of the first house.

MEETINGS AND WORKSHOPS

LAND USE LAW CONFERENCE OFFERED

Law Seminars International is conducting a two-day workshop on land use law on April 19 and 20 in Seattle. The Conference offers an overview of key state and federal laws including SEPA, Shorelines Management, Growth Management, ESA, and takings. The highlight of the printed agenda is an hour and a half session hosted by Dick Ford, Chair of Governor Booth Gardner's Growth Strategies Commission, with County Executives Bob Drewel, John Ladenburg, and Ron Sims.

Government rate for the conference is \$515. For more information, contact 1-800-854-8009.

COMING EVENTS

2001 Conferences, Meetings and Special Events: Several changes and additions have been made to this list of conferences. Please make note of them.

March

- 13-15 Washington State Association of Sheriffs' and Oregon State Association of Sheriffs' Annual Joint Meeting, Seaside, Oregon.
- 16 Washington State Association of Counties Legislative Steering Committee Meeting, Washington Counties Building.
- 21-23 Association of County Human Services, Yakima.
- 30 Washington State Association of Counties Legislative Steering Committee Meeting, Washington Counties Building.

April

- 5-6 WSAC Western District Meeting, Best Western Harbor Plaza, Oak Harbor.
- 13 Washington State Association of Counties Legislative Steering Committee Meeting, Washington Counties Building.
- 19-20 WSAC Eastern District Meeting, Community Colleges of Spokane, Colville Center, Colville.
- 22-28 National County Government Week.
- 25-27 Washington Association of Prosecuting Attorneys' (WAPA) Annual Spring Training Program, WestCoast Olympia Hotel, Olympia.
- 27 Washington State Association of Counties Legislative Steering Committee Meeting, Washington Counties Building.
- 26-28 Washington State Association of County Clerks' and Superior Court Administrators' Joint Conference, Lakeway Inn, Bellingham.

May

- 7-9 Washington State Association of County Auditors' Elections Conference, Yakima.
 16-18 Association of County Human Services, Walla Walla.
 21-24 Washington State Association of Sheriffs' and Police Chiefs' (WASPC) Spring Meeting, Sheraton Hotel, Tacoma.
 23-26 National Association of Counties' (NACo) Annual Western Interstate Region (WIR) Conference, Hilton Waikoloa Village, Hilo, Hawaii.

June

- 3-6 Government Finance Officers' Association (GFOA) Annual Conference, Philadelphia, Pennsylvania.
 10-14 International Association of Coroners' and Medical Examiners' Annual Conference, Toronto, Canada.
 11-13 Washington State Association of County Assessors' Annual June Conference, Olympia.
 12-15 Washington State Association of Counties' (WSAC) Summer Conference, Cavanaugh's, Yakima.
 15-21 International Association of Clerks, Recorders, Election Officials and Treasurers' Annual Conference, Billings, Montana.
 18-22 Washington State Association of County Treasurers' Annual Conference, Red Lion Hotel, Wenatchee.
 19-20 Washington Association of Coroners' and Medical Examiners' Annual Spring Training, Moses Lake.
 19-22 Association of Washington Cities' (AWC) Annual Conference, Bellevue.
 20-22 Washington State Association of County Auditors' Annual Conference, Quality Inn, Clarkston.
 20-22 Washington State Association of Prosecuting Attorneys' (WAPA) Summer Training Program, Campbell's Lodge, Chelan.
 23-27 National Sheriffs' Association Annual Conference, Marriott Marina, Fort Lauderdale, Florida.
 24-29 Washington State Association of County Clerks' Annual Conference, Howard Johnson Hotel, Everett.

July

- 13-17 National Association of Counties' (NACo) Annual Conference, Philadelphia, Pennsylvania.
 16-18 Washington State Association of County Auditors' Finance/Licensing Conference, WestCoast Wenatchee Center Hotel, Wenatchee.
 18-20 Association of County Human Services, Port Angeles.
 22-26 National District Attorneys' Association (NDAA) Annual Summer Conference, The Westin Copley Place, Boston Massachusetts.

August

- 27-30 Washington State Association of County Assessors' Annual Conference, Enzian Inn, Leavenworth.

September

- 9-12 International Association of Assessing Officers' (IAAO) Annual Conference, Miami, Florida.
 19-21 Washington Finance Officers' Association (WFOA) Annual Conference, Wenatchee.
 19-21 Association of County Human Services, Ellensburg.

October

- 1-5 Washington Association of County Officials' Annual Conference, Port Ludlow Resort and Conference Center, Port Ludlow.

November

- 12-15 Washington Association of Sheriffs' and Police Chiefs' (WASPC) Annual Fall Conference, Doubletree, Pasco.
 14-16 Washington State Association of Counties' (WSAC) Annual Legislative Conference, Silverdale Hotel on the Bay, Silverdale.
 14-16 Association of County Human Services, Silverdale.

December

- 13-14 Washington Association of Prosecuting Attorneys' (WAPA) Annual Winter Meeting, Crowne Plaza, Seattle.

COURTHOUSE RAMBLINGS

Okanogan County Commissioners have named **Delmer Shove** as the new county treasurer to fill the unexpired term of Walt Womack, who retired the end of February. Shove took office March 1, resigning from his position on the Omak City Council. Shove's background includes 27 years in financial management for the Omak mill.

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The new **Kittitas County Auditor** to replace the newly retired Bev Allenbaugh is **David Bowen**. He has been self-employed as an independent physical damage appraiser for insurance companies, has departmental management experience and operates a 100 acre farm with his wife and two children.

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Our deepest sympathies to **Whitman County Clerk Shirley Bafus**, and her family, over the recent death of her husband, Don.

JOB ANNOUNCEMENTS

Whatcom County, in Bellingham, WA, is seeking a **Public Health Nurse** to guide the professional and para-professional staff in both the STD and the HIV/AIDS programs within the division of Community Health & Wellness Services division of our Health & Human Services Department. This position requires a BS degree in Nursing including study in public health nursing and 4 years of public health experience, including 2 years as a lead. Must have a valid license to practice as a Registered Nurse in Washington State. Salary range: \$21.02 - \$26.71 / hr., DOQ. Whatcom County offers excellent employer-paid medical, dental & vision benefits for employee and family, generous vacation and sick leave, average 12 holidays per year, and WA State Retirement system. Optional deferred comp & Flex 125 available. Application period closes 3/19/01. For required application packet contact Whatcom County Human Resources, 311 Grand Ave., Suite 107, Bellingham, WA, or call (360) 676-6802. For detailed job announcement visit our website at www.co.whatcom.wa.us or call the jobline at (360) 738-4550. Equal Opportunity Employer.

Chief Deputy Treasurer – Klickitat County is accepting applications for a full-time replacement position in the Treasurer's Office, Goldendale, WA. Duties: performs complex professional accounting, administrative/financial management duties to provide management with necessary financial information for County operations; directs/manages daily operations and staff. Serves as acting Treasurer in Treasurer's absence. Requires a minimum of an Associate's Degree in accounting or equivalent; strong problem-solving skills; 3 years responsible governmental accounting experience; 2 years in supervisory capacity. Requires strong computer background, with preference to experience in Excel/Access. Starting Salary: \$2,451 - \$2,704 per month DOQ. Application packets available at Klickitat County Personnel Department, (509) 773-771, 205 S. Columbus, MS-CH 15, Goldendale, WA 98620 or email: lynnc@co.klickitat.wa.us. Application Deadline: March 23, 2001. Postmarks **not** accepted. Equal Opportunity Employer.

WA State Department of Natural Resources, Forest Practices Division Manager, Administrative Services Division, Olympia, WA. This is an exempt employment opportunity. Closing Date: Wednesday, March 14, 2001 at 5:00 p.m. This position seeks a dedicated manager to lead the Forest Practices Division. As division manager of the program, the manager will lead, organize and control the work of forty-five division staff in protecting public resources including water, fish, wildlife and capital improvements of state and local governments while maintaining a viable forest industry. Salary: Up to \$72,444 annually, plus a full benefit package. Desirable Qualifications: A bachelor's degree, preference will be given to degrees in natural sciences, law, public administration or related; experience providing leadership to a program and developing a rewarding environment for staff; experience working with a natural resource of enforcement related program and environmental regulations; experience collaborating and negotiating with diverse stakeholders; an understanding of complex budgets and the legislative process; preference will be given to candidates who also have experience in forestry or land management programs, or the alternative dispute resolution process. For a complete position description, application processing questions/information and/or packet please contact Kayci Brand, Department of Natural Resources, 1111 Washington St. SE, 3rd Floor, P.O. Box 47033, Olympia, WA 98504-7033, email: kayci.brand@wadnr.gov or telephone at (360) 902-1651.

Communicable Disease Director - Snohomish Health District, which serves the population of approximately 600,000 in Snohomish County, is seeking an experienced public health professional to fill the role of Director of the Communicable Disease Division. Snohomish Health District's Communicable Disease Division provides population-based and personal health services in the areas of general communicable disease investigation and control, sexually transmitted diseases including HIV/AIDS, and tuberculosis. The successful applicant will lead a staff of 32 and become part of the multidisciplinary Executive Leadership Team of the Health District. The Health District desires a person for this position who has the following:

- Strong supervisory and management skills
- Community collaboration and team-building skills
- Program development, planning, oversight and evaluation skills
- Experience in public health
- Understanding of communicable disease control principles

Requires a bachelor's degree in nursing, health education, microbiology or a closely related field; at least 10 years of progressively responsible experience; at least 5 years of supervisory experience; or a master's degree in public health or closely related field with 7 years experience and 3 years of supervisory experience. Salary \$5461-7319 per month DOE with excellent benefits. Resume to Dept. 238, Snohomish Health District, 3020 Rucker Avenue, Suite 300, Everett, WA 98201. Position open until filled. EOE

San Juan County Permit Center seeks a **Land Use Section Manager** to supervise employees engaged in the review of development permit applications for consistency with land use, shoreline and environmental regulations. Will develop and manage an efficient land use permit review process pursuant to the Unified Development Code. For position description/qualifications and application contact: Administrative Services, 350 Court Street #5 (mail) or 105 Second Street (physical location), Friday Harbor, WA 98250, (360) 378-3870, www.co.san-juan.wa.us. Salary: \$4,255.52 month plus benefits. Open until filled. EOE

NEWS ARTICLES

COUNTY BIDS CHAD FAREWELL

(Spokesman Review/February 21, 2001 by Adam Lynn, Staff Writer)

Goodbye, chad. County Commissioners gave their blessing Tuesday to a plan that will revolutionize the way Spokane-area voters cast their ballots. Gone will be the punch-card system the county has employed for almost 30 years, with its long tabulation times and potential for miscounts due to hanging, pregnant or dimpled chads -- those perforated squares that voters punch out when making their electoral choices. It will be an optical scan system that county elections officials say will improve accuracy, increase security and shorten the time it takes to county votes.

"This is the way to go," County Commissioner Phil Harris said in supporting the changeover. "Holding elections is one of the most important things we do. The voters are paying for it. They deserve the best." The best costs, though. In this case, about \$1.2 million, county auditor Vicky Dalton said. In the wake of Florida's ballot debacle in the presidential election last November, commissioners gave Dalton \$350,000 in her 2001 budget to begin switching over to a new voting system. The old system is in constant need of repair and spare parts are hard to get, Dalton told commissioners Tuesday. "We're not quite dead, but we're on life support," she said. County Elections Superintendent Sherry Bays said she'll need another \$800,000 this year to implement the system.

That number could change as county officials negotiate with one of two vendors authorized to sell the equipment in Washington, Bays said. Commissioners said they were supportive, as long as the cost doesn't get much higher. "If we're going to do it, we might as well go first class," Harris said. Bays promised that the investment will be worth the cash and may actually save the county money in the long run. Now, the county hires temporary workers to make sure the punch cards are free of hanging chads and other problems before tabulating the votes. Most of those workers will be unnecessary with the new system, Bays said. That's because there will be no chads to worry about with the optical scanners. Instead of punching their cards, voters will either fill in a circle or a line next to the candidate or issue of their choice, she said. The voters themselves then will feed the ballot into a scanning machine at each polling station. The scanner will transfer the votes into a digital format before shooting the actual ballot into a lockbox for safekeeping. If there is a problem with a ballot -- like two votes being cast in a presidential race -- the machine will spit the ballot back out with instructions for the voter to fix the problem. The scanner will keep a running tally of the votes, then transfer that data via telephone line to a central computer in the courthouse after the polls close. Election workers shouldn't have to handle ballots at all, unless there's a recount, Bays said.

"It's the voter who has control of his ballot," she said. "It's the voter who determines his intent. It gives the voter every confidence that his vote is being counted."

The new system will bring other changes as well. Some polling stations, maybe 30 out of the current 200, will be consolidated with others in an effort to reduce the number of scanning machines the county needs to buy, Bays said. The machines cost about \$5,500 apiece. "We're looking at other ways to keep the costs down as well," she said.

Elections officials hope to have the new system in place for a test run during this fall's off-year election. That will give officials a chance to work out bugs before the larger general election slated for November 2002.