



Washington State  
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# LEGISLATIVE BULLETIN

Serving Washington's Counties



Washington Association of  
County Officials  
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March 23, 2001

<http://www.wacounties.org>

Bulletin #11

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## **I-695 BACKFILL RUMORS DISTURBING AS BUDGETS ARE PREPARED**

Initiative 695 “pulled the carpet” out from under local criminal justice and county sheriffs want their legislators to know that replacement funds are critical! County Sheriffs from across the state will be in Olympia next Wednesday to bring exactly that message. WSAC members will also be part of a county effort to remind legislators that they made a promise to provide on-going funding in last year’s supplemental budget.

Every sheriff is urged to join in this effort. Replacement of I-695 funds is a subject that is rife with rumor and mixed messages. Possibly the most disturbing rumor is one that even more cuts will be made to the 53% replacement counties received in the 2000 session supplemental budget. What we do know is that counties are living on their reserves and cannot survive long without assistance. Counties want to make that clear.

The plan is that every sheriff who can attend, along with chiefs of police, will help make the case for local criminal justice assistance. They will meet at the Washington Counties Building next Wednesday at 11:00 a.m. for a briefing on Senate Budget Bill 5345. **SB 5345** is the Senate 2001/03 Operating Budget which is due to be released early Wednesday. The briefing and strategy session will be followed by meetings with the press, legislators and anyone who will listen.

The Senate Ways and Means Committee will hear testimony at 3:30 p.m. on **SB 5345**. All sheriffs and police chiefs will sign in at the hearing and some will be asked to testify. If **SB 5345** includes relief for counties, obviously the testimony will be a resounding “pro” and the message of support will be carried to the House. If **SB 5345** falls short in providing the support the counties desperately need, the testimony will aim at “fixing” **SB 5345**. It is expected most sheriffs will focus on their own unique situations and target their own legislators.

Earlier this week, WACO sent a special e-mail to all officials regarding the I-695 backfill. We have to admit that it’s getting very confusing because we keep getting mixed signals from various people about what will be in one version of the budget or the other. Several of the rumors are very disturbing to say the least. We have heard that the total city-county appropriation could be cut as much as \$25-30 million and have even heard a figure as high as \$50 million. There is also talk that there would simply be a 25% reduction across the board over the amount that was included in Governor Locke’s budget.

We have several legislators working to see that the amounts that were included in the Governor’s request budget are maintained in their budgets, but at this point in time, **ALL CALLS ARE EXTREMELY IMPORTANT**. If your legislators are not on the Senate Ways and Means Committee, or the House Appropriations Committee, you should still ask your legislators to talk with the Chair or Co-Chairs of these committees and emphasize the importance to your county that this full funding be included.

## **LABOR & PENSION POLICY**

### **LEOFF 1 MEDICAL AND LONG TERM CARE COSTS (HB 1072/SB 5191)**

As reported last week these bills have not passed out of the House of origin, however at least the Senate has ruled **SB 5191** is necessary to implement the budget and work is planned on the bill next week. County officials must continue their calls into legislators to convince them of the importance of these bills.

When you talk to your legislators please make the following points:

- LEOFF 1 members are the only public employees who receive full medical benefits for life.
- The estimated cost to local governments is \$800 million (according to study by State Actuary).
- **HB 1072** and **SB 5191** do not reduce a single benefit to active or retired members of LEOFF 1.
- **HB 1072** and **SB 5191** provides assistance to local governments at no cost to the state general fund.
- The Legislature retains control of all appropriations.
- The surplus of LEOFF 1 beyond all retirement obligations is over \$ 1 billion (reported by the State Actuary)
- A vote for **HB 1072** and **SB 5191** is a good vote that helps local governments provide public safety and law enforcement

#### **POST-RETIREMENT EMPLOYMENT (ESSB 5937)**

This bill would allow retirees to work for their employers after retiring provided they are retired at least 30 days. The bill limits the amount of time to 1500 hours, however there is an amendment that will be offered to remove any time restriction. The current law limits a retiree to work five months. There would be no reduction in the retirement benefit.

The bill also allows employees over age 70 ½ years of age to apply for retirement without separation from employment.

The Governor supports this bill in an attempt to help fill the void in recruiting qualified teachers and many other skilled positions. The legislation would apply to local governments and could help provide for the loss of many technical positions that are hard to fill such as engineers and information technology personnel.

## **TRANSPORTATION**

#### **BRCT PACKAGE IS EXEMPTED FROM THE CUT-OFF**

As reported in last week's bulletin, both the Senate and the House passed resolutions that exempted bills related to the BRCT from the legislative scheduled cut-off periods. This means that these bills will have the same cut-off period as the transportation budget 4/13. Consequently, neither the House nor the Senate acted on any of these bills during this last week of floor activity. Prior to this decision the House had passed the right-of-way bill (**SHB 1678**) and the design/build bill (**SHB 1680**). As reported in last weeks bulletin, the Senate Transportation Committee actively considered most of the accountability/efficiencies measures in a proposed substitute format.

We anticipate the discussions on this package to continue over the next few weeks. For questions or comments, please contact Jackie White (WSAC staff).

#### **BARE-BONES BUDGET ADOPTED BY THE SENATE TRANSPORTATION COMMITTEE**

Most of the Senate Transportation Committee activity this week centered on the unveiling and passage of a "bare bones" budget that would not provide additional funds to counties. The Senate Committee budget is a two-year plan that does not include any new revenues and with the exception of the inclusion of work in progress projects for cities and counties, it does not include any new dollars for programs such as the city/county corridor program. This package would also exclude funds for passenger-only ferries and transit. The Committee Chair, Senator Mary Margaret Haugen, stated that the committee would consider a 10-year, \$10 billion package that would require tax increases over the next few weeks.

#### **TRANSPORTATION BILLS OTHER THAN THE BRCT PACKAGE**

**SB 5733** - An act relating to county road construction projects will be before the House Transportation Committee, Tuesday, March 27 at 3:30 in HHR B. Current law permits counties to utilize day labor to construct or improve county roads that are limited to no more than 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 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 than 50,000 people.

**HB 1394** - Clarifying the use of county road funds in salmon recovery projects is scheduled for public hearing before the Senate Transportation Committee, Monday, March 26 at 3:30 in SHR 1. Currently, 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. The House voted out this bill without amendment 98-0.

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

## TAXATION & FINANCE

### TIMBER TAX

The Timber Tax Rewrite, **SSB 5702**, was heard on Wednesday afternoon in the House Natural Resources Committee. It met with a favorable reception and the measure was voted out of committee the very same day. At this point, it is unclear whether the bill will need to also have a review in the House Finance Committee or whether it will go to the Rules Committee and await floor action. It is our hope that it will not have to go the Finance Committee--not that we anticipate any difficulties--but it's just one less hurdle to clear given the short time before cutoff. Assessors that have representatives serving on the Natural Resources Committee should send them a thank you note or make a phone call thanking them for their support for **SSB 5702**. The members of the House Natural Resources Committee are as follows: **Democrat** – Mark Doumit (co-chair); Phil Rockefeller (co-vice chair); Jeanne Edwards; Bill Eickmeyer; Brock Jackley; Ed Murray. **Republican** – Bob Sump (co-chair); Kirk Pearson (co-vice-chair); Jim Buck; Gary Chandler; Doug Ericksen; John Pennington.

### COMPENSATING TAX/DEATH WINDOW

**SHB 1450**, which reinstates the two-year death window for surviving spouses of owners of properties enrolled in the open space program prior to 1992. So far, that measure has not been scheduled for hearing in the Senate Ways & Means Committee, but prime sponsor Representative Phil Rockefeller, from the 23<sup>rd</sup> district, indicated that he would talk with the Senate Ways & Means Chair Lisa Brown and ask her to schedule the measure for hearings soon as possible. These are other bills we are keeping track of on our monitor list: **HB 1219**, which exempts certain public radio stations from property taxes; **HB 2184**, which allows park model mobile homes to pay the real estate excise tax rather than the sales tax when sold; and **HB 2191**, which provides a property tax exemption for certain properties owned by public hospitals and educational foundations if the properties are used for hospital purposes or for education purposes. On Monday, the Senate Ways & Means Committee has scheduled an executive session on 13 senate bills. Some of these bills are necessary for the implementation of the budget or otherwise exempt from the cutoff. Several of the other measures at this point in time, do not appear to be exempted from the existing cutoff, but this is probably an indication that if there is agreement on the bills, the cutoff can be amended to allow their further consideration.

### PROPERTY TAX/VETERANS

**SHB 1011** and **HB 1408** both remain in the Ways & Means Committee unless they are added to the schedule for next week. At this point, they are not scheduled for hearing.

### DEPARTMENT OF REVENUE REQUEST LEGISLATION

On Wednesday afternoon, the Senate Ways & Means Committee took testimony on **HB 1202** and **HB 1467**, which are the two Department of Revenue request bills and have the assessors/WACO support. **SHB 1202** includes two very important features; the use of three years worth of data in calculating personal property ratios and establishing a mechanism for making corrections when levy errors occur. The assessors asked WACO to support a change that would have allowed for the electronic filing of personal property affidavits. We introduced such a measure in the House, but it was set aside when the House passed **SHB 1202**. We spoke with co-chair Cairnes and it was his understanding that **SHB 1202** had incorporated the electronic filing provision; therefore, WACO offered an amendment in the Senate Ways & Means Committee to include this provision in **SHB 1202** as well. Senator Fraser has volunteered to sponsor the amendment and we do not anticipate any problem with its inclusion. This makes **SHB 1202** even better from the standpoint of the assessors. Calls to the members of the Ways & Means Committee asking support on **SHB 1202** would be appreciated. Next month, the Senate Ways & Means will hear 18 Senate bills, some not exempt from the cutoff. There are three measures that may be of interest to assessors. The first is **SB 5947** which provides a property tax exemption for dairy farms, anaerobic digesters, etc., the second is **SB 5977**, which allows private residence on US forest service land to be exempt from the leasehold excise tax, and **SB 6092** which is a Department of Revenue request bill to make modifications to certain low income housing exemption statutes.

### AG EXEMPTIONS

Assessors should take a look at **HB 2138**, which is entitled “an act relating to rural economic development.” The measure primarily deals with various tax exemptions to benefit agriculture. Part I of the bill provides for a sales tax exemption on pharmaceuticals utilized in agriculture. Part II is a personal property tax exemption that has been seen in other bills. It exempts all machinery and equipment owned by a farmer and used exclusively for farming activities from the state property tax. Part III provides a B & O tax exemption for dairy products, Part IV provides a retail sales tax exemption for poultry farming, Part V

provides a B & O exemption on controlled atmosphere storage facilities, Part VI provides a sales tax and a property tax exemption for anaerobic digesters used in dairy farms and Part VII provides a sales tax exemption for machinery equipment used in farming activities. This appears to be the measure that has been put together to provide relief to the agriculture community that has been recently talked about in the press. The measure is in the House Rules committee and is very much alive. The biggest problem facing this measure is that it has a combined fiscal impact on the state revenues is in excess of \$100 million.

## LAW & JUSTICE

### UPDATE ON E-911 ASSISTANCE AND WIRELESS TAX BILLS

Back from the brink of death is **SB 6034**, which would establish a monthly cell phone tax to pay for E-911 wireless services. Without new funds counties can't afford the technology necessary to identify call-back numbers for cell phones and the physical location of 911 calls originating from cell phones. The bill is scheduled for executive action at the Monday, March 26, Ways and Means Committee meeting; public testimony will not be taken.

While the WSAC legislative steering committee (LSC) strongly opposes the original bill, **the LSC endorses the proposed substitute bill, which is the version scheduled for committee action.**

The proposed substitute bill creates the same tax structure for wireless phones as the existing wireline tax, with 50 cents for the county and 20 cents for the state. The substitute does not provide any preference for carrier reimbursement, which was WSAC's major concern with the original bill.

It appears the Democrats on the Ways and Means Committee support the proposed substitute but the Republicans do not, primarily because the bill would establish a new tax. Republican Senators on the committee are Rossi, Hewitt, Honeyford, Long, Roach, Sheahan, Winsley, and Zarelli.

**County officials are encouraged to contact these senators before the 3:30 p.m. committee meeting on Monday.** If a senator says he or she will support the bill, please immediately pass this information to WSAC staff Sophia Byrd at [sbyrd@wacounties.org](mailto:sbyrd@wacounties.org) or 360-753-1886.

If Ways and Means passes **SSB 6034**, WSAC will need your continued assistance with Rules members.

The House Technology, Telecommunications and Energy Committee heard testimony at a March 21 hearing on **SSB 5335**, which would ensure ongoing local operational assistance from the state 911 office. Committee co-chair Larry Crouse promised that the committee almost certainly would pass the bill out next week. It then would go to Rules, and with continued luck to the House floor.

Special thanks to the following people who attended the hearing and testified on behalf of the bill: Pacific County Commissioner Jon Kaino, Pacific County Sheriff John Didion, Kittitas County E-911 Director Steve Reinke, and Benton County Emergency Services Director Lorlee Mizell. In addition, 14 others signed up in favor of the bill but did not testify. No one testified against this bill at either Senate or House hearings.

**SSB 5335** removes the restrictions on the use of the statewide E911 tax concerning salaries for those personnel who answer 911 calls. It allows the money to be used for a variety of operational needs by all counties that levy the full 50-cent local land-line phone tax but don't realize adequate revenue from the tax to sustain 911 services. The bill also removes references to the development of regional 911 operations for call answering and establishes legislative priorities for the use of the statewide E911 account funds.

### STATE UTILITIES COMMISSION CONSIDERS RULE CHANGE REGARDING REVERSE SEARCHES OF E-911 DATABASES

The Washington Utilities and Transportation Commission (WUTC) is considering a rule change that may be of interest to counties. The existing rule as well as proposed changes are available at [www.wutc.wa.gov](http://www.wutc.wa.gov) under the section titled "rulemaking"

In 1993 the Commission established WAC 480-120-350, regarding reverse searches of E-911 databases, and prohibited reverse searches for criminal or legal investigations or other nonemergency purposes. The current rule also requires three-year maintenance of records for all reverse searches.

The WUTC has been asked to rescind the rule altogether. In response, the state Emergency Management Division has drafted an alternative proposal that would require local exchange companies to make their databases available to E-911 public safety answering points and would not permit reverse searches for investigative purposes. It also would not require records retention.

The deadline for public comments regarding this rulemaking activity is March 30, 2001. For more information on the rulemaking activity and how to comment, contact the WUTC's Bob Shirley at 360-664-1292 or [bshirley@wutc.wa.gov](mailto:bshirley@wutc.wa.gov).

#### **NONPARTISAN SHERIFFS**

**SB 5141**, the Sheriffs' recommendation making the office of county sheriff to be nonpartisan, has still not been scheduled for hearing in the House Local Government and Housing Committee. All 39 county sheriffs support the bill.

#### **SHERIFF'S LEGISLATIVE PRIORITY**

**HB 1560**, restricting the use of the term "sheriff" and "sheriffs posse" was heard in Senate Judiciary Committee on Thursday, March 22 at 10:00 a.m. Clallam County Sheriff Joe Hawe, Cowlitz County Sheriff Bill Mahoney and Lewis County Sheriff John McCroskey gave excellent testimony in support of the bill. The Washington Chapter of the ACLU did voice concerns about the constitutionality of the bill. **Sheriffs please contact the members of the Senate Judiciary Committee asking for their support when the bill comes up for executive session. Calls to Senator Adam Kline to ask that the bill be scheduled for executive session would be appreciated. Senator Kline's telephone number is 360-786-7688 and email address is [kline\\_ad@leg.wa.gov](mailto:kline_ad@leg.wa.gov)**

#### **SHERIFFS' INSTITUTE TRAINING, APRIL 11**

Labor negotiations training, sponsored by the Washington State Association of County Sheriffs and the Criminal Justice Training Commission, has been scheduled for Wednesday, April 11, from 9:00 a.m. to 4:00 p.m. at the Lacey Community Center, in Lacey. Richard Ayers, a nationally recognized labor expert who was previously with the FBI, will be the trainer. A minimal \$10 registration fee, which includes lunch, will be charged. To register, please contact Kim at the WASPC office, at (360) 586-3221.

## **DEATH INVESTIGATIONS**

#### **MEDICOLEGAL DEATH INVESTIGATIONS TRAINING GETS HIGH MARKS**

Thirty-six death investigators from across the state, who included coroner, medical examiner and law enforcement personnel, attended Medicolegal Death Investigations Training in Port Angeles last week. The five-day course is made available through the Forensic Investigations Council, the Washington Association of Coroners and Medical Examiners (WACME), and the Criminal Justice Training Commission (CJTC) and is funded from the Death Investigations Account.

The course is patterned after a nationally recognized program and includes modules on death investigations; identifying and preserving evidence; SIDS; ethical and legal responsibilities; and other related topics. A similar program was offered in Vancouver in November 2000 utilizing faculty from across the United States. The Port Angeles session drew on faculty from Washington State and expanded the curriculum to include the module on sudden, unexplained infant deaths.

The next Medicolegal Death Investigations training will be offered in two parts: April 19-21 in Ephrata (moved from Moses Lake) and May 6-8 in Walla Walla. The course is primarily designed for coroners and medical examiners and their staffs. Law enforcement and prosecutors are encouraged to attend as well although portions of the program may not be applicable to them. There is no registration fee for the course. To register, please contact Joan Poulin, Criminal Justice Training Commission, at (360) 459-6342 x 108 or [jpoulin@cjtc.wa.gov](mailto:jpoulin@cjtc.wa.gov).

#### **SUDDEN UNEXPLAINED INFANT DEATHS**

**HB 1216**, sudden unexplained infant death, was heard by the Senate Judiciary Committee on Monday and appears to have the approval of the committee. Dr. Dennis Wickham, Clark County Medical Examiner, testified for the Forensic Investigations Council in support of the bill. **HB 1216** will provide full reimbursement to counties for autopsies of SIDS deaths. Currently, coroner counties are reimbursed at 40% of the average cost of an autopsy and medical examiners are reimbursed 25% of the salary of a forensic pathologist. The increase is aimed at small counties where transportation and other costs may be involved in having the autopsy done at an adequate facility by a board certified forensic pathologist. Representative Kathy Lambert is the sponsor of **HB 1216**. Coroners and medical examiners are urged to contact Judiciary Chair Senator Adam Kline in support of **HB 1216**.

#### **MISSING PERSONS AND UNIDENTIFIED REMAINS**

**HB 1611**, missing persons, and **HB 1613**, unidentified persons, are Washington State Patrol request bills that will allow the WSP Identification Section to retain dental records of missing persons after the person has been found. On occasion, persons have been found and reported missing again but the records must be relocated. **HB 1613**, requires coroners and medical examiners to forward dental records to the Section within 30 days. **HB 1611** and **HB 1613** have been referred to the Senate Judiciary Committee and are scheduled for Executive Hearing. This means no public testimony will be taken since the bills are identical to Senate bills heard earlier and will be subject to a vote by the Judiciary Committee, probably on Monday. Coroners and medical examiners are urged to contact Senator Adam Kline, Judiciary Chair, and their members on Judiciary to ask their support of both bills.

## COURTS

### TAX WARRANT WEEK

Next week is the week for tax warrants in the legislature. **SHB 1793** will be heard in the Senate Judiciary Committee on Monday at 10:00 a.m. **SSB 5115** will be heard in the House Judiciary on Tuesday at 1:30 p.m. The proposal to increase the filing fees for warrant for unpaid taxes is a WACO priority. **SSB 5115** and **SHB 1793** must move out of the respective committees and the Rules committees by March 30. County clerks are encouraged to contact chairs of both the House and Senate Judiciary Committees to urge passage of the bills.

### FAMILY LAW COURT FILES

**EHB 1864**, Family Law Court Files, was heard in the Senate Judiciary Committee on Monday. Thurston County Clerk Betty Gould testified in support of the bill along with State Court Administrator Mary McQueen and David Stillman of the Division of Child Support. Please contact Senator Adam Kline, Judiciary Chair, and members of the committee to urge them to pass **EHB 1864** out of committee. **EHB 1864** is a holdover WACO priority from 2000.

## ENVIRONMENT, LAND USE & RESOURCES

### RURAL COUNTIES MAY DEVELOP ALTERNATIVES TO GMA

**SB 5107** is scheduled for a hearing in House Local Government Committee, Monday, March 26 at 1:30 in HHR B. If passed this bill 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. Please contact Jackie White, WSAC staff, for questions or comments.

### MANDATORY 120-DAY LAND USE BILL (ESHB 1458)

This week the Senate State and Local Government Committee held a public hearing where both counties and cities voiced their concerns. This bill would place a mandatory 120-day land use application timeline without the protection of a liability waiver. This bill now requires all cities and counties planning under GMA to establish targets for completing review of development permits. The targets should include the total elapsed time, rather than being focused on the start/stop clock model adopted by the 1995 legislature. In addition, it requires cities and counties to establish permit process standards and reports to their respective local government legislative authority at least annually on compliance with the targets established by local government. It also requires the State Office of Community Development to report every two years to the legislature on city and county performance in meeting their performance targets.

Both WSAC and AWC oppose this legislation on the basis that local governments already have timelines that are being met and that this legislation is unnecessary. Please contact Jackie White, WSAC staff, for question or comments.

### SHORELINES BILL IN LIMBO

**ESSB 5378**, the shorelines bill that passed the Senate by a 28-21 vote last week remains in limbo in the House, unassigned to a Committee for action. The many shorelines bills originally introduced in the House were referred to the Local Government and Housing Committee, where they all died.

At this point, any number of things could happen – it is in the hands of Democratic and Republican leadership. The bill could be referred to one of three committees: Local Government and Housing, to Natural Resources and Parks, or to Agriculture and Ecology. Or the bill could be acted upon directly by the full house without consideration by a Committee.

In any case, because the policy issues involved in implementing the shorelines guidelines are tied to funding, the measure may be determined to be exempt from the usual cut-offs as a matter related to the budget.

### GOVERNOR'S WATER BILL READY FOR HOUSE ACTION

At a House Appropriations Committee hearing on Tuesday, Proposed Substitute **HB 1832** received a generally positive reception. The new proposal, still being tweaked and reworked by Rep. Gary Chandler (R-Grant County), Rep. Kelli Linville (D-Whatcom County) and the Governor's Office, is likely to be reported from Committee any day.

The proposed substitute bill includes clarification that the authority of conservancy boards includes approval of transfers; expands the use of trust water rights; includes up to \$300,000 added funding for WRIA (Water Resource Inventory Area) planning efforts; creates separate processing lines for new water rights and water rights changes; prohibits lawsuits against counties or conservancy boards for the boards' proposed decisions; allows limited transfers of family farm water rights, including to supply water inside an

urban growth boundary; and provides tax incentives for water conservation. The re-write provides funding for establishment of instream flows, whether by the WRIA planning unit or Ecology, allows multi-county conservancy boards, and elaborates upon procedural requirements for conservancy boards.

#### **GOVERNOR'S DROUGHT DECLARATION TRIGGERS EMERGENCY ACTION**

Now that Governor Locke has formally issued a drought declaration, the Department of Ecology is poised to use three primary response tools: emergency drought permits, transfers of water rights for a temporary period, and financial assistance.

*Emergency drought permits* - The permits would be for cities, businesses and farmers to withdraw water from the ground, a lake or stream to replace water that is not available because of the drought. However, because most of the water that can be used in our state is already being used, it is very unlikely that very many emergency drought permits will be issued.

*Transfers of water rights*—People with existing water rights may apply for temporary changes to those rights to help reduce the effects of the drought. Ecology will actively encourage people to talk with their neighbors about who needs water and who might have some extra water to share. The State Department of Agriculture and the Conservation Commission will look for farmers who need water or who could help other farmers. The Department of Ecology will help match people who are at risk of having little or not water with other people who have more water than they absolutely need. A water-right holder might also choose to transfer his or her water to an in-stream use to help fish survive. State law waives requirements for public notification and other environmental review. Thus, Ecology will be able to rapidly process applications and make decisions about water transfers within 15 days after receiving an application.

*Financial Assistance* - Approximately \$5.1 million dollars from the Drought Preparedness Account would be available in grants and loans to help farmers and communities and to lease and buy water rights to keep water in streams for fish.

Contact Doug McChesney at the Department of Ecology (360) 407-6647, for further drought information.

#### **FEDERAL AGENCIES PULL BACK SALMON BIOLOGICAL OPINION**

Two federal agencies have blocked a last-minute move by the Clinton administration to help Pacific salmon east of the Cascades, as President Bush continues trying to chip away at his predecessor's environmental legacy.

In two identical letters dated March 19, regional directors of the Fish and Wildlife Service and the National Marine Fisheries Service told five land management officials that they no longer support a "supplemental biological opinion" signed on President Clinton's last full day in office. The supplement clarified and extended a 1998 biological opinion governing how federal lands are managed east of the Cascades. It also expanded existing buffers along streams to protect fish habitats by preventing logging in those areas. The withdrawal means the 1998 opinion remains in effect, without the extension of the buffers and other clarifications.

A NMFS spokesman said that the 1998 regulations provide "more than enough" help to threatened and endangered salmon. Withdrawal of the opinion was inspired in part by questions over whether the regional directors of either agency had the authority to sign the supplemental opinion.

In recent days, the Bush administration has proposed suspending environmental regulations on hard-rock mining and is rescinding new standards for arsenic in drinking water. Also, the Department of the Interior has begun review of the issues raised in the January 11, 2001 joint protest letter from WSAC and the Association of Oregon Counties regarding the Proposed Decision for the Interior Columbia Basin Ecosystem Management Project.

The Justice Department has also used a federal court case to try to suspend a ban on road-building on some 58 million acres of national forest. Facing the first court challenge to the rules, the administration essentially put off a decision on whether to defend them. In a motion filed in a Federal District Court in Boise, Idaho, it also offered to postpone when the new rules would take effect, probably until at least early summer.

The administration said it needed more time to complete a review of the Clinton policy, whose wisdom President Bush has publicly questioned and whose effective date had already been put off until May 12, as part of a broader moratorium on rules issued late in the Clinton administration. As originally scheduled, the rules would have taken effect last week.

#### **INLAND NORTHWEST ECONOMIC ADJUSTMENT STRATEGY FORUMS SCHEDULED**

The Inland Northwest Economic Adjustment Strategy is a regional partnership for economic vitality in Washington, Oregon, Idaho and Montana. Forums will be held throughout the region this spring to inform community leaders and gather local input and support for development of a regional strategy for economic vitality.

The forums are especially targeted for city, county and tribal officials, state and federal legislators and staff, federal agencies, economic development staff and boards, regional planning and investment boards, workforce councils, chambers of commerce, community leaders and industry and private sector representatives.

Three forums will be held in Washington:

**Thursday, April 19 – Dayton, Washington**

1 PM – 4 PM, Columbia County Fairgrounds, Youth Building

**Thursday, April 25 – Moses Lake, Washington**

7:30 AM – 12:30 PM, Moses Lake Convention Center

**Thursday, May 10 – Colville, Washington**

1 PM – 4 PM, Spokane Community College

The forums are an opportunity to influence the content and direction of this regional effort. RSVP to Jeane' Wise at the Office of Trade and Economic Development in Olympia. Phone: 360.725.4029. Email: [jeanew@cted.wa.gov](mailto:jeanew@cted.wa.gov). Read more about the project at: <http://198.239.32.105>

## HEALTH, PUBLIC HEALTH & SOLID WASTE

### ECOLOGY SEEKS OUTSTANDING RECYCLERS

The Department of Ecology is seeking applications for its annual Waste Reduction and Recycling Awards. Six awards will be given to governments, businesses, groups and individuals that had productive waste-reduction and recycling programs, and that also demonstrated innovative approaches and outreach efforts during 2000. Nominees can include agencies, stores or offices. Applications are due April 9 and will be accepted on paper, on computer disk or via e-mail. Application forms are available from the recycling coordinators at Ecology's regional offices, or call 800-RECYCLE. The awards will be issued May 8.

### LEGISLATIVE UPDATE

As we get down to the wire, we become increasingly focused on the budget. The Senate Budget will be unveiled next week and we hope to see the public health backfill funding at the 90% level plus the fiscal growth factor.

In addition to the Senate budget hearing, following are next week's hearings on bills of interest to public health. Cutoff next Friday will determine how many of the bills of interest to public health and solid waste are still alive.

#### **House Commerce & Labor**

Tuesday, 3/27/01 8:00 am HHR B JLOB (Also on TVW)

**ESSB 5993** – Revising limitations on smoking in public places.

#### **House Health Care**

Tuesday, 3/27/01 1:30 pm HHR C JLOB (Also on TVW)

**SSB 5679** – Creating an HIV/AIDS Prevention Study Committee

#### **House Natural Resources**

Friday, 3/30/01 8:00 am HHR A JLOB (Also on TVW)

**SSB 5837** – Establishing a pilot project culturing shellfish on nonproductive oyster reserve land.

#### **Senate Health & Long-Term Care**

Monday, 3/26/01 1:30 pm SHR 4 JAC (Also on TVW)

**SHB 1365** – Requires the Department of Health to promote awareness of recalled infant and children products (excluding toys).

## HUMAN SERVICES, JUVENILE JUSTICE & HOUSING

### YOUTH COURTS NEXT WEEK

**SB 5692**, youth courts, will be heard in the House Juvenile Justice Committee next Tuesday, March 27, at 8:00 a.m. **SB 5692** is a WACO priority bill that was brought forward by Snohomish County Clerk Pam Daniels and Snohomish County Sheriff Rick Bart. The program has been proven to be tremendously successful in that county. Please contact Juvenile Justice Committee members to urge their support.

**TRUANCY**

**SB 5393**, truancy records, was heard in the House Juvenile Justice Committee on Wednesday. Senator Jeanine Long sponsored the bill at OAC's request. **SB 5393** contains important language for county clerks. It states that a county clerk is not liable for unauthorized release of information by persons not in their employ or for inaccurate information that is provided to them. It is important that **SB 5393** be moved out of the Juvenile Justice Committee and calls to the chairs and members are in order.

**FINAL WEEK OF HEARINGS OF BILLS IN OPPOSITE HOUSE FOR HUMAN SERVICES ISSUES**

The week of March 26 – March 30 is the final week for bills from the opposite house to be heard in the policy committees. In Human Services, the hearings of interest are:

**Monday, March 26**

10:00 AM

House Criminal Justice &amp; Corrections

**SB 5845**, regulating siting of sex offender treatment facilities**HB 2223**, providing for siting and operation of a less restrictive alternative treatment facility on McNeil Island

1:30 PM

House Children &amp; Family Services

**ESSB 5606**, regarding background checks**Tuesday, March 27**

8:00 AM

House Commerce &amp; Labor

**ESSB 5993**, revising limitations on smoking in public places

House Juvenile Justice

Work Session: Yakima Disproportionality Review

**SSB 5468**, revising the chemical dependency disposition alternative**SB 5692**, creating youth courts

1:30 PM

House Health Care

**SSB 5211**, requiring comparable mental health benefits**Wednesday, March 28**

8:00 AM

House Children &amp; Family Services

Executive Session possibly on **SSB 5416**, drug-affected babies, **SSB 5417**, opiate substitution, and **SSB 5051**, expansion of the Chemical Dependency ITA

8:30 AM

Senate Human Services &amp; Corrections

**SB 6149**, providing for siting and operation of a less restrictive alternative treatment facility on McNeil Island**EHB 2168**, regulating siting of essential state community justice facilitiesDraft bill, **S-2392**, an act relating to the population of sex offenders entering and leaving the special commitment center

10:00 AM

House Juvenile Justice

Work Session on juvenile declines

1:30 PM

Senate Health &amp; Long-Term Care Executive Session

3:30 PM

Senate Ways &amp; Means

**SB 5345**, making operating appropriations for 2001-03**SB 5346**, making supplemental operating appropriations for 2000**SB 5347**, capital budget

**Thursday, March 29**

8:00 AM

House Judiciary

**SB 5886**, authorizing agreements to change the number of experts or professional persons who must make competency evaluations for the state under chapter 10.77 RCW

House Health Care

**SSB 5986**, Pierce County psychiatric facility

8:30 AM

Senate Human Services &amp; Corrections

**HB 1650**, requiring monitoring of the performance of the community mental health service delivery system

**2SHB 1958**, revising provisions for children in need of services, at-risk youth, and truancy petitions

**SHB 1992**, providing for communications to schools from juvenile justice and care agencies

1:30 PM

Senate Health &amp; Long-Term Care Executive Session

3:30 PM

Senate Ways &amp; Means

Executive Session on the operating, supplemental, and capital budgets

**Friday, March 30**

8:00 AM

Senate Human Services &amp; Corrections Executive Session

House Criminal Justice &amp; Corrections Executive Session

10:00 AM

House Judiciary

**HB 2225**, relating to sex offender siting in Pierce County

**HB 2226**, relating to life imprisonment for escape from the Special Commitment Center

House Health Care Executive Session

1:30 PM

House Juvenile Justice Executive Session

**Saturday, March 31**

9:00 AM

House Appropriations Public Hearing and Executive Session

The cut-off out of the two fiscal committees is April 2 but the last hearing in the House will be the House Appropriations hearing on Saturday, March 31. Senate Ways and Means often has a short final hearing on the Monday that is the cut-off, in this case, April 2.

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## AUDITORS

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**STATUS OF ELECTIONS LEGISLATION**

**SB 5275**, the absentee and mail ballot bill, a WACO Auditor priority bill, was heard in the House State Government Committee on Tuesday, March 21. Bob Terwilliger and Sheryl Moss from the Office of the Secretary of State, testified in support of the bill. The committee members had few questions on the proposal as similar bills have been heard in the committee the last two years. Bob Bruce also attended the hearing to testify in favor of **SB 5273**, a measure that would increase the number of weeks for a special filing period prior to an election. This too is a WACO Auditor priority bill. WACO staff also testified on these two bills. County Auditors Suzanne Sinclair and Kim Wyman both attended the hearings.

Suzanne Sinclair testified in the Senate Agriculture and International Trade Committee on **SHB 1502**, a bill dealing with conservation district elections. Suzanne's testimony was primarily an offer to work with the sponsors and stakeholders of **SHB 1502** and **ESSB 5904**, another conservation district bill, to make the portion dealing with the administration of the election process

workable. Senator Marilyn Rasmussen, chair of the committee, graciously thanked the auditors for stepping forward on this issue. **ESSB 5904** is scheduled for a hearing in the House Agriculture and Ecology Committee on 3/27/01 at 1:30 in HHR A.

Kim Wyman testified in favor of **SHB 1644**, which clarifies recount procedures, in the Senate State and Local Government committee. She also testified on **HB 1108**, which authorizes the Secretary of State's Office to observe county election processes. Kim said the auditors had no position on the bill and pointed out that statute allows anyone to watch the process.

#### VEHICLE LICENSING

Next week in the House Transportation Committee, **SSB 5274**, is scheduled for a hearing on 3/28/01 at 3:30 in HHR B. The bill, originally a WSACA licensing bill, was amended to include language from the two sub-agent request bills. The bill now includes the subagent fee increase and allows the transfer of sub-agencies to family members or employees. However, the person nominated would still have to meet all the qualifications that currently exist for subagents. Bob Terwilliger, president of WSACA, has stated "that the County Auditors have found this bill to be a reasonable compromise to the issue on how to deal with the transfer of long standing sub-agency when a sibling, spouse, child or employee is interested in the sub-agency." He further states that the bill "...should be passed as is without amendments."

#### RECORDING

**E2SSB 5936**, which provides funding for low-income housing by adding a \$3.00 surcharge on all recorded documents, except for previously recorded deeds of trust which are excluded, has not yet been scheduled for a hearing in the House Local Government committee.

### TREASURERS

#### TREASURERS' CLEANUP BILL

**SB 5638**, making technical corrections in county treasurers' statutes, was heard by the House Local Government and Housing Committee Thursday afternoon. Treasurers' Legislative Chair Rose Bowman, Lewis County Treasurer, and King County Property Tax Supervisor Phil Sanders testified and presented the amendment worked out the Association of Washington Cities making it clear that when an annexation takes effect, only those road district taxes that are *delinquent*, when collected by the county treasurer, will be placed in the county road fund.

### GENERAL GOVERNMENT

#### MUNICIPAL RESEARCH COUNCIL

**SSB 5319** that reduces the number of members on the Municipal Research Council from 23 to 14, was heard by the House Local Government and Housing Committee, on Thursday. WAPA Executive Director Tom McBride offered an amendment to restores language requesting that MRSC legal services received by county officials be copied to county prosecuting attorneys. This was agreed to by the prime sponsor Senator Haugen.

#### BILL STATUS

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

### COURTHOUSE RAMBLINGS

Yakima County Auditor **Doug Cochran** has resigned his position, effective March 31, to become the county's chief administrative officer. This is a newly created position for Yakima County, the last of the larger counties in the state that does not already have a chief administrator. Cochran has been with the county since 1979, working in aging, employment and training programs, and then joining the county auditor's office in 1983. He was appointed auditor in 1992 and went on to win two more terms.

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All colleagues and friends are invited to attend a retirement party and dinner for former **Okanogan County Sheriff Jim Weed**, who recently resigned his office to become the new Director of Administrative Services for the county. The celebration will be held on Saturday, March 31, at the Cedars Inn, in Okanogan. A no-host bar begins at 5:00 p.m., with dinner at 5:30 p.m. (\$10 at the door). A public open house and presentations will begin at 7:30 p.m. Please RSVP to Mary Apodaca, at (509) 422-7230.

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**COMING EVENTS**


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**April**

- 5-6 WSAC Western District Meeting, Oak Harbor Best Western
- 11 Labor negotiations training for sheriffs and command staff, Lacey Community Center, Lacey, 9:00 a.m. to 4:00 p.m. Sponsored by the Sheriffs' Association and the Criminal Justice Training Commission.
- 19-20 WSAC Eastern District Meeting, Colville
- 22-28 National County Government Week.
- 25-27 Washington Association of Prosecuting Attorneys' (WAPA) Annual Spring Training Program, WestCoast Olympia Hotel, Olympia.
- 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.
- 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

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**JOB ANNOUNCEMENTS**


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**Cowlitz County** is accepting applications for the position of **Associate or Assistant Community/Land Use Planner** (placement will depend on the qualifications of the person hired). This position focuses on the administration of short subdivision applications, but also completes a wide variety of tasks in the administration of current planning regulations within the planning division of the department. Requirements for Assistant Community/Land Use Planner: Bachelor's degree in urban and regional planning or related field from an accredited college/university. Familiarity with principles and practices of land use planning, zoning administration, and subdivision design and development. Able to interpret and explain land use regulations. Some familiarity with environmental planning and regulations. Able to communicate effectively orally and in writing. Able to produce effective presentations, produce hand and electronic graphics. Able to analyze and interpret topographic maps, aerial photographs and other plan drawings. Able to develop and maintain efficient working relations to communication with department's management team, other department or agencies' staff and the general public. Able to perform field investigations in a variety of site conditions. Multi-task, time management skills and prioritize accordingly. Possess and maintain a valid driver's license. Salary: \$2,743 per month with subsequent annual step increases to \$2,895 and \$3,045. Requirements for Associate Community/Land Use Planner: a minimum of 2 years experience in the administration of land use regulations or graduate course work and experience equaling 2 years. All the other minimum requirements listed above for Assistant Community/Land Use Planner. Salary: \$3,232 per month with subsequent annual step increases to \$3,412 and \$3,591. Applications and job description can be obtained by visiting Admin. Services at 207 4<sup>th</sup> Avenue N, Kelso, WA or calling (360) 577-3065 or TDD (360) 577-3061. Applications must be returned to Admin. Services by 5:00 p.m. on Friday, April 13, 2001. Cowlitz County is an Equal Opportunity Employer.

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**Associate Planner – Island County (Coupeville, WA) Planning & Community Development** has a full time opening. Employee will perform on-site critical area assessments, prepare/review complex critical restoration plans, identify critical area vegetation and endangered plants and evaluate large scale community development proposals in accordance with goals and objectives of the Island County Comprehensive Plan, Shoreline Management Master Program, Island County Zoning Ord and critical areas regulations. Employee is expected to represent the department in a professional manner with a focus on customer service. Bachelor's degree in environmental science, planning or bio. science plus 2 years of experience in city, county or regional planning focusing on critical areas work. Closes 4/13/01, Island County Application required. Call (360) 679-7372, from So. Whidbey (360) 321-5111 ext. 7254, from Camano (360) 629-4522 ext. 7254. EOE

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**Klickitat County Engineer** – This position is responsible for managing, directing, guiding, controlling planning, organizing, budgeting and coordinating the department and equipment rental/revolving fund. Requirements: 8 years of professional experience of which up to 6 years of college (engineering or other appropriate field) can be substituted on a year for year basis. Must include 2 years of management level experience involving the design, maintenance and construction of roads and bridges. Annual starting salary: \$49,500 to \$59,080 DOE. Applications at [www.klickitatcounty.org](http://www.klickitatcounty.org) or [lynnc@co.klickitat.wa.us](mailto:lynnc@co.klickitat.wa.us). Klickitat County Personnel Department, (509) 773-7171, 205 S. Columbus, MS-CH 15, Goldendale, WA 98620. Application Deadline: April 30, 2001 or until position is filled. EOE

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**Yakima County – Senior Planner – Annual Salary Range: \$84 to\$551.** The Yakima County Planning Department is seeking a high energy individual to be a part of the team. This position will be involved with or will manage complex, often highly visible subdivision, zoning and/or environmental projects at all levels of review. This position requires the equivalent of a Bachelor's degree in Planning and three years of progressively responsible planning experience including current planning. Experience with ARC/info, ARC/view and WA State land use and environmental law are desirable. Check out the County's website at [www.co.yakima.wa.us](http://www.co.yakima.wa.us) or [www.visityakima.com](http://www.visityakima.com) for more information. Filing Deadline: Friday, April 20, 2001. Apply to: Yakima County Human Resources, 128 N. 2<sup>nd</sup> Street, Courthouse Room 412, Yakima, WA 98909, phone (509) 574-2219 or email [human.resources@co.yakima.wa.us](mailto:human.resources@co.yakima.wa.us).