

Courthouse Journal

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Washington State Association of Counties
Washington Association of County Officials

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Journal*

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Senate Majority Leader West to Address WSAC Legislative Rally

In this important legislative session focused on funding and reprioritizing state government, WSAC is honored that Senate Majority Leader Jim West (R-Spokane County) has accepted our invitation to speak at the WSAC Legislative Rally on February 13. Commissioners, councilmembers and county executives from all of Washington's counties will convene here in Olympia to address county issues with legislators.

In addition to meeting with legislators, WSAC has arranged a legislative briefing and lunch from 11:00 a.m. to 1:30 p.m. at the Ramada Inn Governor House. We will

also host a reception for WSAC members that evening at the Phoenix Inn. The reception will feature hors d'oeuvres and a no-host bar. The WSAC Legislative Steering Committee will meet the morning of February 14.

Registration information was sent out weeks ago and those seeking hotel rooms should do so now. Most important, please fax in your registration as soon as possible so we can have an accurate count for planning purposes. If you have not received your information packet, or if you have any questions, please call the WSAC office.

Tri-Association Package Progress Report

Over the past several weeks officers and staffs of the county and city associations have met with many key legislators to discuss the Tri-Association package. Those meetings continue as *the Courthouse Journal* goes to press and we are over the half way point in our goal of talking to every member of the Legislature. We look forward to the arrival of county officials for our Legislative Rally Day on February 13. Many of you (or your lobbyists) have contacted us as you have arranged to spend time with your senators and representatives.

Legislators have been pleased that the three associations are working together. As should be expected, individual legislators like some parts of the package and are less enthusiastic about other portions. The good news is that so far these opinions are not locked in by party or region. Some of the legislators we visit report that they have already heard about the Tri-Association Package from county and city officials at home. Others report that they have heard from no one in their district. Legislators are hearing from many constituents. They need to hear from you.

Legislators suffer from some of the same challenges we have confronted within our associations. They like solutions that work for their community, but are less convinced about help for other parts of the state. It is tempting to support solutions that are narrowly crafted or which shift the fiscal burden elsewhere, while delivering the bacon to the doorstep at home. Given the political geography of this Legislature, with each party and region holding a virtual veto over the others, an approach promoting narrow solutions or solutions at the expense of other regions or segments of government will not pass.

The good news for counties is that many Legislators now recognize the need for some action to solve the structural problem in county budgets. Below are a number of local revenue bills outside the Tri-Association Package that indicate that legislators are interested in our problems:

HJR 4200 sponsored by Representative Carrell and others: This would amend the state constitution to permit counties or cities to pass special levies for up to four years for

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general law enforcement purposes or up to six years for capital facilities costs for law enforcement. Since this is a constitutional amendment, it would have to go to the voters if it is passed by two thirds of each house of the Legislature. (This bill was heard in House Judiciary this week.)

HB 1078 sponsored by Representative Eickmeyer and others: As written, this bill would permit counties to impose a sales tax of three tenths of a cent county wide

after approval by a simple majority of county voters. Counties are permitted to provide up to ten percent of the yield of the tax to the cities within the county. The sponsor may be proposing some changes to this bill to limit the tax power to rural counties and reduce the tax rate. (This bill was heard in House Finance this week.)

HB 1265 sponsored by Representative Sump and others: This proposal diverts about 2.4 tenths of cent of the state sales tax into a series of accounts for public

health, general local government and local law enforcement services.

County and city association staffs have testified on these bills, indicating our appreciation for sponsor's support of our issues. In the House Finance Committee the hearing developed into a conversation with legislators about the Tri-Association package.

The Courthouse Journal

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We welcome your suggestions and contributions. The weekly deadline is noon Wednesday.

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NOTE: Legislative Committee schedules and agendas can be found at <http://www.leg.wa.gov/wsladm/calendar.cfm>.

Budget, Finance & Taxes

Assessor Interest Bills set for Hearings Next Week

Let start with the good news first, **SGA 9015** confirming **Kay Cochran** as a member of the Board of Trustees at Lower Columbia Community College will have a hearing before the Senate Higher Education Committee on February 6 at 10:00 a.m.

On February 2 at 1:30 p.m. there will be a public hearing in front on the House Local Government Committee on **HB 1264**. This Bill defines "nonmineral ownership interest" with respect to dedicating plats and subdivision. In the same Committee on February 5 at 8:00 a.m. the Committee will hear testimony on **HB 1196** which would include hospital districts in the definition of "local government" for chapter 39.96A RCW, **HB 1345** creating regional fire protection service authorities and **HB 1411** using revenues for maintenance and operation under the county conservation futures levy. House Local Government will also hear **HB 1231** providing for direct petition annexations on Thursday, February 6 at 1:30 p.m. Both **HB 1278** which would allow for electronic filing of personal property affidavits and **HB 1429** which would change the burden of proof on property tax appeals for property that has increased in value more than 2% in a year, have public hearings in the House Finance Thursday, February 6 at 8:00 a.m.

In the Senate, on February 3 at 3:30 p.m. the Land Use and Planning Commit-

tee will hold a public hearing on **SB 5082** reducing property values by amounts spent on mitigation fees, impact fees, or system improvement charges during the assessment year and **SJR 8203** the **Constitutional** Amendment to make it happen. Also at this hearing **SB 5109** changing the assessment of penalties when farm & agricultural land is removed from open space and **SB 5472** providing a tax exemption for property that has declined in value due to shoreline regulations will be heard. In Senate Ways & Means on February 3 a hearing at 3:30 p.m. will take public comments on **SB5034** providing property tax relief for senior citizens and persons retired because of physical disability. On February 4 at 1:30 p.m. the Senate Parks, Fish & Wildlife Committee will hear testimony on **SB 5113** allowing counties to increase funding for properties acquired through conservation futures from six and one-quarter cent to eleven cents and allows funds to be used for maintaining and operating any property acquired. **SB 5140** will also be heard and would also allow funds to be used for M&O but changes funding from six and one-quarter cents to ten cents. This is a Clark County Bill and would limit property acquired to property located within the assessing county.

On February 5 at 8:00 a.m., the Senate Judiciary Committee will hear **SB 5269** which creates a building mapping information system. While this Bill deals with the creation of a statewide first re-

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sponder building mapping information system, there is some troublesome language we are working with sponsors to correct. On February 7 at 1:30 the Senate Government Operations & Elections Committee will hear **SB 5321** the companion Bill to **HB 1196** including hospital districts in the definition of "local government" and **SB 5326** the companion Bill to **HB 1345** creating regional fire protection service authorities. Also on February 5 at 1:30 p.m. the Senate Natural Resources, Energy & Water Committee will hold a public hearing on **SB 5298** limiting the impact on small forest landowners caused by forest road maintenance and abandonment requirements. This hearing will be broadcast on TVW. The Senate Economic Development Committee will have a hearing on **SB 5364**, the **TIF/EDGE approach** to promoting economic development and community revitalization on February 7 at 8:30 a.m.

County Treasurers

The county treasurers' clean-up bill (WSACT and WACO Legislative recommendation) is **HB 1564**. It has been referred to the House Local Government Committee.

HB 1073, modifying the collection of property taxes on land subleased for residential and recreational purposes, was before the House Finance Committee on Wednesday. Mason County Treasurer Lisa Frazier and Treasurers' Legislative Chair Rose Bowman, Lewis County Treasurer, testified in support of the bill.

Rose Bowman also testified before the House Transportation Committee Wednesday with treasurers' concerns about **HB 1086**, moving mobile homes by mobile home park owners. She made it clear to committee members that any landlord who takes ownership of an abandoned mobile home either to sell or to rent, they must pay property taxes due. An agreement is pending with supporters of the bill that if a mobile home in a mobile home park is abandoned and the landlord is planning to destroy it because it is inhabitable, they can file an affidavit of destruction with the county and the taxes would be waived.

Sales Tax Streamlining Bill Hits Snag

The sales tax streamlining bill is intended to pave the way for relatively uniform sales tax systems across the nation. State and local governments hope that his will

convince Congress to permit them to tax internet and catalogue sales. A number of cities have protested the "sourcing" provisions of the bill. These provisions decide which jurisdiction taxes each transaction. The bill levies the sales tax in the jurisdiction where the goods are delivered to the ultimate consumer. Kent and other cities with major big box retail and business supply operations think they will lose a lot of revenue to other cities and unincorporated areas. The Department of Revenue has decided it needs to study these revenue shifts more carefully. Supporters of the bill are searching for ways to pass some sort of bill to keep Washington in the process as an "implementing" state. This will allow the state and its businesses (including many large high tech and internet businesses) to sit at the national policy making table.

Tort Reform Bills Introduced

For the first time since the mid-1980s, a broad range of interest groups are promoting a variety of "tort reform" bills. Several of the bills are supported by the WSAC/WACO/AWC legislative package. Others, while not specifically part of the package, could benefit counties by lessening government liability for certain activities. The following is a brief summary of the tort reform bills that have been introduced:

- **SJR 8207** – A constitutional amendment that would allow the Legislature to place a cap on non-economic damages.
- **SB 5209** – Medical malpractice reform, based largely on the California Medical Injury Compensation Reform Act (MICRA).
- **HB 1274** and **HB 1149** – Adjusts the interest rate on tort judgments from the current 12 percent to a rate calculated at two percentage points above T-bills. **This is a Tri-Association priority and is scheduled for hearing at 1:30 p.m. Friday, February 7 in House Hearing Room B.**
- **HB 1305** and **SB 5388** – Limits liability for employer reference checks. Employers (including government) who in good faith disclose job performance, on-the-job conduct or other work-related information about an employee would be protected from lawsuits.
- **SB 5542** – Limits DSHS and DOC liability for "errors in judgment." Also covers "agents," which could include counties under some circumstances.
- **SB 5498** – Allows into evidence information regarding whether a plaintiff in an auto accident lawsuit was wearing a seat-belt at the time of the accident. This could be very helpful to counties, who are often named as defendants when the accident occurs on a county road.
- **SB 5543** – Applies a "gross negligence" standard of liability to virtually all government conduct.
- **HB 1052** – Limits liability for volunteers who provide free repairs in an emergency situation.
- **HB 1051** – Limits liability for volunteers who provide free care in an emergency situation.
- **SB 5209** – Medical Malpractice Reform based on California's Medical Injury Compensation Reform Act. This could

potentially assist counties that provide direct medical services.

In addition to the bills listed above, county and city lobbyists are continuing to work on proposals that would address the sometimes harsh impact of joint-and-several liability on local government defendants, and that would limit local government liability for offender supervision

February 4 Hearing on Bill That Authorizes New Judges

HB 1292, Which authorizes new Superior Court judges in four judicial districts, is scheduled for hearing in the House Judiciary Committee on Tuesday, February 4. The hearing begins at 1:30 p.m. in House Hearing Room B.

The bill, supported by the state Administrative Office of the Courts, authorizes the addition of two Superior Court judges in Clark County and one judge each in Kitsap County, Kittitas County and the Benton-Franklin judicial district.

The new judicial positions created by the bill will not become effective until approved by the respective boards of county commissioners. The authorizations are set to expire in 2005 if county commissioners do not approve the new positions.

Bills of Interest

The House Judiciary Committee will hear **HB 1226, Service of summons** outside the state, on Tuesday, February 4, at 1:30 p.m. The following day, **HB 1311, Venue of actions** against the state, will be heard at 1:30 p.m.

SB 5251, the county clerks' bill to require a judgment summary on a foreign judgment that includes the effective dates of the judgment in the originating jurisdiction, was heard in Senate Judiciary. Snohomish County Clerk Pam Daniels and Cowlitz County Clerk Teri Nielsen testified for the bill explaining the inability of a court in this state to determine the "life" of a foreign judgment. Washington State law states that no execution shall take place on a foreign judgment if it has expired in the original jurisdiction. The "life" of a judgment is different from state to state. Opposition came from a collection attorney who proposed that clerks should be relieved of the responsibility for determining the validity of a foreign judgment and the liability for an execution on an expired judgment. He also cited the remedies available

if such an event occurs. Senator Kline suggested it was much better not to execute on an unexpired judgment than to mistakenly do so on an invalid one. The chair directed the clerks and opposition to work out a solution. **SB 5251** is a WACO priority bill.

SB 5379, Revising rules for public access to dependency hearings, will be heard in the Senate Committee on Children, Family Services and Corrections, next Friday, February 7, at 8:00 a.m. The House Committee on Children and Family Services heard a similar bill, **HB 1236, this week**. **HB 1236** would make all dependency hearings open to the public unless the court excludes the public in the best interest of the child. Although WACO, the county clerks and prosecuting attorneys have not adopted positions on **HB 1236** for any of the three associations, questions and comments raised by county officials, both favoring and opposing the bill were taken to the committee. Some of the issues raised by county officials, social service groups and DSHS included the confidentiality of the records if the hearings are open; the potential hearing time and costs to counties if the "best interest of the child" is in question; and, potential conflicts with federal laws on social security and medical care which require confidentiality. Some social service agencies felt that there was inadequate protection in **HB 1236** for vulnerable children. The proponents argued that more accountability for the courts and DSHS will result.

HJR 4200, Allowing excess levies for law enforcement purposes, was heard this week in the House Criminal Justice and Corrections Committee. It would allow voters to amend the State Constitution and authorize excess law enforcement levies on the local ballots. If passed, the levies would provide funding for up to four years for general law enforcement purposes and up to six years for law enforcement facilities. Representative Mike Carrell prime sponsored the resolution. Larry Erickson, Executive Director of the Washington Association of Sheriffs and Police Chiefs (WASPC) supported the bill and the concept was also endorsed by WACO, WSAC and AWC. **HJR 4200** embodies many of the concepts contained in the Tri-Association Joint Legislative Package.

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Courts, Law & Justice

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Sheriffs have several bills of interest set for the coming week

Senate Children, Family Services and Corrections Committee on Tuesday, February 5, at 8:00 a.m. - **SB 5410, Sex offender state website, SB 5205** Electronic monitoring of level 2 and 3 sex offenders.

House Judiciary Committee on Monday, February 4, at 1:30 p.m. - **HB 1400, Controlling dangerous dogs.**

House Juvenile Justice and Family

Law on Monday, February 4, at 8:00 a.m. - **HB 1143, Requiring** information sharing between schools and law enforcement.

Senate Judiciary Committee:

Tuesday, February 5 at 8:00 a.m. **SB 5368, Endangerment with a controlled substance,**

SB 5442, Increasing penalties for manufacturing methamphetamines.

SB 5411, Non-partisan sheriffs, will be heard next Wednesday, February 5, at 1:30 p.m. in the Senate Government Operations and Elections Committee. This bill has been proposed in previous years

but county officials have been divided on whether the office of sheriff should be non-partisan.

Thursday, February 7, at 8:00 a.m. **SB 5269, Building a building mapping system, SB 5270,** Creating a law enforcement mobilization policy board, **SB 5473, Requiring the Criminal Justice Training Commission** to train on interacting with developmentally disabled and mentally ill persons.

Transportation and Public Works

The Senate Highways committee holds a work session on local system.

The Senate Highways and Transportation committee provided an opportunity for the cities and counties to provide an overview our systems, expenditures, revenues, and needs.

Local Option Fuel Tax

The Senate Highways and Transportation Committee also held a hearing on **SB 5247** which would extend the local option fuel tax to Snohomish, King and Pierce counties. The bill would allow these three counties to raise the fuel tax by 10% of the state rate subject to a vote. Staff testified in support of the bill and asked to have the bill amended to raise the rate to 6 cents and index it to inflation. Individual cities testified in support of the bill. The Washington Petroleum Industry Association testified against the bill. The oil distributors want the tax collected at the individual stations or be paid to collect the tax.

County Road Administration Board

The Senate committee held the hearing on the Governor's proposal to consolidate CRAB into local transportation grants

board. The only party that testified in support of the bill was the Governor's office. All of the parties that spoke against the bill expressed confusion and don't support the bill.

Parties that spoke against the bill include: labor, ports, steamship industry, trucking...

Commissioners and engineers need to continue calling their legislators expressing their opposition to the bill. You need to explain the important role that CRAB plays to your county and what will be lost.

New Bills

HB 1404- requiring fuel tax raised within a county to be spent within a county.

HB 1463- allowing advertising on bus shelters.

SB 5450- providing incentives to reduce air pollution through neighborhood electric vehicles.

HB 1469- authorizing habitat mitigation banks for transportation projects.

SB 5497- modifying relocation assistance programs.

SB 5527/HB 1522- creating the local transportation grant board.

SB 5537- requiring a vote on light rail and redirecting resources.

HB 1551- electing regional transportation boards.

Hearings next week

The House Transportation Committee will hold a work session on the Regional Transportation Investment District on February 4.

Plat Revocation Approved by Supreme Court

What to do when a developer with preliminary plat approval clear-cuts over 200 trees in a slope protection buffer and Oregon White Oak Preservation Area, in clear violation of county ordinance and approval conditions? In Pierce County the preliminary plat approval gets revoked.

Last week, in *HJS Development v. Pierce County*, the Washington State Supreme Court found that the state platting law provides the necessary authority and found that revocation was the proper remedy in this case. The Pierce County Hearing Examiner revoked the preliminary plat approval after the permit violations but the Superior Court reversed, believing the Hearing Examiner did not have the authority under the State Platting Law to revoke a preliminary plat approval.

The Supreme Court focused on the language of the platting law as applied to the Pierce County Ordinance and found the ordinance to be in alignment with the law.

This ruling is significant to every county in Washington State. It has established the precedent allowing a county or municipality to revoke a preliminary plat based on permit violations. Many counties do not currently include a revocation option as a remedy for permit or plat approval violations and those that do should review their ordinances in light of the Supreme Court decision.

Rural Issues Subcommittee Elects New Officers, Sets Regular Meeting Time

The Rural Issues Subcommittee of WSAC met on January 30 and elected Douglas County Commissioner Mary Hunt and Kittitas County Commissioner Perry Huston as Chair and Vice-Chair respectively. The group plans to meet on Thursday afternoon prior to each meeting of the Legislative Steering Committee through the legislative session.

Senator Jim Honeyford (R-Yakima County) and Representative Kellie Linville (D-Whatcom County) joined the committee for its discussion of water supply issues in rural areas. Staff was directed to develop legislation on water permitting policies and priorities, including groundwater withdrawals exempt from permit requirements

for review at the next meeting on February 13.

Skagit County Testifies before Senate Land Use Committee

The Senate Land Use Committee held a work session on best available science and Shoreline Management Act. Staff from the Prosecutor's office and the planning department provided excellent testimony about how difficult it has been for the county to develop a critical area ordinance.

The committee has several bills under consideration that may help counties comply with the best available science requirements when they amend their plans.

Shoreline Management Act

The Legislature has begun the process of trying to negotiate a bill to implement the settlement agreement signed by several counties. Staff is negotiating with the parties for a schedule and money. It is important that your planning staff develop a cost estimate to comply with the proposed guidelines so the estimates can be used in the negotiation. The negotiations are also trying to develop a schedule, some of you may be interested in be part of an early group, please call Scott Merriman if you are interested.

Annexation

Both the House and the Senate held hearings on the annexation coalition bills. Each of the committees expressed support of the bills. A few panelists also asked the committee to look at islands and inter local agreements.

Granting deference to local planning

The Senate Land Use committee held a hearing on three bills that would grant deference to local governments, terminate the GMA hearing boards, and change the standard of review. Commissioners from Jefferson, San Juan, and Kittitas testified in support of the bills. The committee moved these three bills out of committee to the Rules Committee.

New bills this week

HB 1397-clarifying local government land use and zoning authorities over gam-

bling.

SB 5409- providing for a direct petition of annexation.

SB 5472-providing a tax exemption for property that has declined in value due to shoreline regulations.

SB 5506- specifying additional requirements for final GMA hearing board decisions.

SB 5507- clarifying who has standing before GMA hearing boards.

SB 5551- shoreline master plan timelines.

Hearings next week

The Senate Land Use committee will be holding a hearing on several bills that will require a county to lower the assessed value of property based upon permit or mitigation fees imposed at the local level. Another bill would require a county to lower property values because of land use regulations.

A Busy Legislative Agenda for Health Care and Prescription Drug Cost

Like the rest of the nation, the health care system in Washington is in crisis. Provider reimbursement rates are low and malpractice insurance rates are high driving many providers away. The Health Care Personnel Shortage Task Force, created by the Legislature, confirmed the current shortage in many health care professions will get worse. The current State budget shortfall further stresses the health care system. People are facing loss of insurance coverage and access to prescription drugs is an increasing problem for many citizens – especially seniors. Besides the negative impact this has on the health of the residents of Washington, it also has a negative impact on our State's economy.

Already we are seeing a lot of bills that would attempt to address, at least in part, the health care and prescription drug crisis. **SHB 1214** is one bill that is moving in the House. It addresses the cost of and access to prescription drugs. The substitute bill approved by the House Health Care Committee would create a prescription drug board to design and approve policies and programs related to purchasing and utilizing prescription drugs. It creates a purchasing consortium for prescription drugs including public and private entities and individuals. It creates a Medicaid prescription drug benefit for senior citizens. It creates a prescription drug clearing house to assist seniors in obtaining prescription drugs through public and private programs.

Other bills affecting health and prescription drugs include: **HB 1067** requiring insurance plans to cover neurodevelopmental therapies for individuals age 18 and under; **HB 1115** establishes an arthritis pilot project; **HB 1299** providing for evidence-based health services purchasing by state purchased health programs; **SB 5039** concerning Hepatitis C; **SB 5060** creating the children's environmental health and protection advisory council; **SB 5066** requiring informed consent to dental materials containing mercury; **SB 5110** prohibiting tobacco product sampling; **SB**

5209 concerning actions for injury or damage against a health care provider based upon professional negligence; **SB 5313** enacting the Washington Health Care Recovery Act; **SB 5313/HB 1178** requiring medically accurate information in sex education courses; **HB 1375** eliminating Basic Health Plan eligibility of persons holding student visas; **SB 1399** requiring the disclosure of gifts made by pharmaceutical manufacturers to persons who prescribe prescription drugs; **SB 5419** limiting overtime work by health care facility employees of the state; **HB 1424** subsidizing health benefit premiums; **HB 1451** revising basic health care plan enrollment provisions; **SB 5489** creating the aggregate purchasing prescription drug discount program; **SB 5521** offering health insurance to small employers.

Death Investigations

HB 1223, Coroner jurisdiction over child deaths under 18, was heard this week in House Children and Family Services Committee. Kitsap County Coroner Greg Sandstrom and Mason County Coroner Martha Reed both testified against **HB 1223** that would require autopsy reports of the death of any child available to the Department of Social and Health Services. Both cited the fact that RCW 26.44 already requires reporting of deaths related to abuse or neglect and that reporting required by **HB 1223** would be onerous to large counties and is unnecessary. The Forensic Investigations Council informally opposed **HB 1223** and the remarks of the Council are being forwarded to the Committee.

Vital Records

HB 1578, Vital records fees, was introduced today and has not been referred to a committee yet. **HB 1578** increases the Department of Health fee for certified copies of vital records to \$15 from \$13. The fee for additional copies of death certificates ordered with the first locally is increased to \$15 as well. Five dollars of each birth certificate fee and first death certificate is to be transmitted to the state along with \$12 of each additional death certificate fee. Seven dollars of the \$12 is

to be used to develop an electronic death registration system. The Death Investigations Account still receives five dollars of each fee.

County Auditors

Tuesday, the House State Government Committee held a hearing on Secretary of State (SOS) request bills and many auditors were in attendance to listen and to testify. On the schedule was HB 1152, revising funding of the archives division; HB 1156, requiring timely mailing of ballots; HB 1157, regulating actions on the validity of ballot measures; HB 1158, enhancing voting systems certification; HB 1159, reorganizing election laws; HB 1160, harmonizing election crimes and penalties; HB 1161, administering funds received under the Help America Vote Act; and HJM 4006, proposing a regional presidential primary.

Auditors' Legislative Co-chair Donna Eldridge, Jefferson County Auditor, testified in support of **HB 1158**, which would effectively remove punch card voting from the 14 counties that still have those systems (by January 1, 2006), with the caveat that money from the federal government will pay for the new elections systems. There was an amendment offered by Representative Wallace to declare the bill null and void if money from the feds does not cover costs. (In discussions with the Secretary of State's representatives the next day during the auditors' meeting, it was made clear that the federal government will most likely not fund the project completely.)

Several people in support of Instant Runoff Voting (IRV) testified that they want to IRV to be supported in the certification of any elections equipment, to which Dave Elliott, with SOS, responded that there is nothing in the underlying bill that would prevent SOS from doing IRV, but the IRV amendment put forth, also by Representative Wallace, would prevent SOS from having a full range of options. . .

King County Manager of Records and Elections Bob Roegner testified in support of **HB 1156**, requiring timely mailing of ballots, but expressed his concerns that the bill requires a next day turn around for requests for absentee ballots received after the 19th day before the election. In most cases that timeframe can be accommodated, but sometimes it's impossible. The Auditors' Association is offering an amendment that will say that the turn around will be in a "timely" fashion. Auditors would also support linking a June

primary with this bill.

Snohomish County Auditor Bob Terwilliger gave testimony in support of **HB 1159**, which is a total rewrite of the Title 29 election laws. It has been a huge undertaking by SOS staff and Auditors' Association members to make language in Title 29 read in logical sequence and make very clear the various procedures in the course of elections.

The SOS bills reviewed above are scheduled for executive session in the House State Government Committee on Friday, February 7.

Elections Bills of Interest Next Week (2/3 - 2/7)

HB 1390, authorizing instant runoff voting, will be heard by the House Local Government Committee on Wednesday at 8:00 a.m. The Senate version of the bill is SB 5556.

The Senate Government Operations and Elections Committee will hear several Secretary of State request bills (companion bills to the House bills reviewed above), on Tuesday, at 1:30 p.m.: **SB 5374**, administering funds received under the Help America Vote Act; **SB 5218**, requiring timely mailing of ballots; **SB 5219**, enhancing voting systems certification; and **SB 5222**, harmonizing election crimes and penalties. The committee will also be hearing **SB 5397**, determining the order of candidates on ballots; and **SJR 8210**, guaranteeing blanket primaries in the Constitution.

On Wednesday, Government Operations and Elections have scheduled **SB 5153**, establishing a procedure for the election of county commissioners by district; **SB 5398**, simplifying procedures for selection of precinct committee officers; **SB 5399**, revising absentee and mail ballot procedures; and **SB 5443**, revising the requirements for absentee ballots.

Licensing Bills of Interest

HB 1377, staggered vessel licensing provides that each registration year may be divided into twelve registration months. Each registration month commences on the day numerically corresponding to the day of the calendar month on which the registration year begins, and terminates on the numerically corresponding day of the next succeeding calendar month. This bill is a

County Auditor priority bill.

The hearing on **HB 1036**, modifying subagent authority to process mail-in vehicle registration renewals was held Monday, January 27 at 3:30 p.m. in House Transportation Committee. Members of the Washington Association of Vehicle Subagents (WAVS) testified in favor of the bill, and the Department of Licensing signed up in favor as well. Companion bill, **SB 5246** was heard in Highways & Transportation Committee on Wednesday, January 29 at 3:30 p.m.

HB 1452 would allow trailers of less than 1,500 pounds gross weight and used for noncommercial, personal use on the public highways, to be licensed upon the payment of a license fee stated in the following weight schedule:

Under 200 pounds	No fee
200-499 pounds	\$5.00
500-999 pounds	\$10.00
1000-1499 pounds	\$20.00

This bill if passed would take effect September 1, 2003. The bill has been referred to House Transportation Committee.

HB 1224 authorizes the Department of Licensing to require the new owner of a vehicle, upon transfer to replace the license plates at the same time they register the vehicle if the existing license plates have exceeded their functional lifetime. This bill was introduced by Representative Nixon. **SB 5330** has been introduced as a companion bill.

HB 1293 directs the DOL to solicit a proposal for implementing a flat, digitally printed license plate system. DOL must report back to the legislature by December 2003.

SB 5455 creates a pilot program to study the viability and efficiency of allowing vehicle licensing subagents to issue renewals for drivers' licenses. The pilot program would not exceed a two-year period, and would consist of at least six subagents but no more than eight. The program would be administered by DOL and T.R.A.C. (Title and Registration Advisory Committee).

Recording Bills of Interest

SB 5478 increasing the surcharge for the preservation of historical documents from \$2 to \$5, an auditors' priority bill has been

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Elections, Recording & Licensing

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referred to Senate Government Operations & Elections Committee. The companion bill is **HB 1596** and has been referred to House Local Government Committee.

SB 5477 requiring the delivery of endorsements by recording officers, another auditor priority bill amends a section of law to clarify that the process for how documents are returned after recording is in the discretion of the auditor so the process can be established according to a county's situation. This bill has been re-

ferred to Senate Government Operations & Elections Committee. The companion bill is **HB 1593** and has been referred to House Local Government Committee.

HB 1081 which creates a surcharge of two dollars to be charged by the county auditor at the time of recording of each residential first mortgage deed of trust is still in House Financial Institutions and has been scheduled for executive session either on Tuesday, February 4 at 10:00 a.m. or on Wednesday, February 5 at 1:30 p.m.

Companion bill, **SB 5118** has been

scheduled for a hearing in Senate Financial Services, Insurance & Housing Committee on Thursday, February 6 at 8:30 a.m. in Senate Hearing Room 2.

General Government

Bills to Watch

HB 1078, Relief for local governments, was heard in the House Finance Committee this week. The prime sponsor Representative Bill Eickmeyer opened his remarks by telling committee members of the WACO/WSAC/AWC Tri-Association Local Government Package and suggested that **HB 1078** could be part of a larger solution to the problems facing local government. **HB 1078** would give rural counties the option of levying a local sales tax with a share to go to cities. WACO, WSAC and AWC were represented by Bill Vogler, Debbie Wilke, and Jim Justin respectively. They expanded on the Tri-Association Package and fielded questions from the committee members.

The Senate Committee on Government Operation and Elections will hear several bills of interest to local officials on Wednesday, February 5, at 1:30 p.m. in Senate Hearing Room 3. **SB 5151** and **SB 5185** both pertain to open public meetings and place more stringent requirements on setting meetings, notices, etc. **SB 5185** would make it mandatory to allow 15 minutes per agenda item for public comment. The committee will also hear **SB 5153** that would establish a procedure to elect county commissioners by district only.

The House State Government Committee will hear **HB 1129**, Allowing public officials to provide information on the impact of ballot propositions, on Tuesday, February 4 at 1:30 p.m.

SB 5479 clarifying the role of a chief financial officer in a charter county, an auditor priority bill has been referred to

Senate Government Operations & Elections Committee. The bill clarifies that the term chief financial officer is meant to apply only in charter counties. The companion bill is **HB 1594** and has been referred to House Local Government Committee.

County Auditors and Treasurers Meet in Olympia

Both the County Auditors' Association and County Treasurers' Association members held meetings in Olympia during the week for two days each, and as reported in the last Courthouse Journal, both groups discussed legislation of interest, attended hearings and met with legislators. Please see further information under specific bills. Many thanks to all who came to the Capitol City and who met with their Senators and Representatives. You all have great influence on decisions that the legislature makes which may impact your offices.

Legislators Come to Breakfast

The Washington State Association of County Auditor (WSACA) hosted about a dozen legislators at breakfast on Thursday, January 30, in Olympia. It was a great forum for auditors to talk about their priority bills with legislators and for the legislators to share their issues in return

Courthouse Ramblings

Former Chelan County Sheriff **Mike Brickert**, was seriously injured in an accident at a military base on the Island of Diego Garcia in the Indian Ocean, last weekend. His family is reporting that he is currently paralyzed after riding his bicycle around a corner and colliding with a

parked truck. He was taken to Singapore where he was being treated for broken vertebra and head injuries and was to be transported to the US within seven days. Brickert did not seek re-election last fall after a four-year term as sheriff and 33 total years in law enforcement. Instead, he returned to

active duty as a senior master sergeant with the Washington Air National Guard in the 141st Air Refueling Wing.

Employment Opportunities

County Job Listings Have Moved to the Web!

Starting this week, the job openings you send to WACO and WSAC are listed on the web. Simply go to the WACO (www.wacounties.org/waco/main.html) or WSAC (www.wacounties.org/wsac/index.htm) website and click on the employment button. Links to the WACO and WSAC websites are also found on the link

function on the MRSC home page at www.mrsc.org

In the near future we hope to add a feature that will permit you to submit your listing right on the web site. In the mean time, we are asking that you submit the listing by e-mail. Be sure to include the name of the position, its salary, the name, e-mail, and phone number for a contact, and, if applicable, your county website

where details on the job and application process are posted.

We hope that moving the listings to the web will give them broader exposure and allow us to post them on a more timely basis.

Upcoming Events & Training

Mark your Calendars

CPO 2003 - Hold the Dates

The Certified Public Official Program is gearing up for 2003 with a wide array of workshops and training opportunities. As we enter our second full year of program operation, our plan is to continue to bring you training that is specifically designed for our County Elected and Appointed Officials and leaders who want to continue to develop and refine their leadership skills. We currently have 351 County Officials enrolled in the program, with several on track to receive their Certification in 2003.

The CPO Program was designed to provide Elected and Appointed Officials with a highly cost effective means of obtaining high quality continuing education, (took out cheap) of high quality and within a reasonable distance from your home county.

This year, we will joining again participate with AWC to take deliver a course on the Emergency Management and to repeat last year's Public Meetings courses to five locations across the state. Watch for the Emergency Management course announcement/registration form in the mail next week.

If you are interested in your CPO transcripts to determine your status toward Certification, feel free to request that a copy be sent to you (just send an email to dharris@wacounties.org.)

2003 CPO Calendar

March

Earthquakes, Fires, Floods, Volcanic Eruptions, Terrorism, Are you Prepared? Emergency Management 101 for Elected Officials (Half day Elective Course, Joint City/County)

March 20, Airway Heights
March 21, Pasco

County Government Structure Roles and Responsibilities (Full day Core Course)
March 27, Puyallup

April

Emergency Management
April 2, Olympia
April 9, Wenatchee
April 10, Everett

County Government Structure Roles and Responsibilities

April 3, Spokane

Public Meetings – Public Disclosure (Half day Elective, Joint City/County, repeated from 2002)

April 17, Wenatchee
April 23, Silverdale
April 24, Chehalis
April 25, Edmonds

May

Decision-Making in the Workplace (Full day Elective course)

May 8, Puyallup
May 15, Eastside TBD

June

Risk Management (Full day Core course)

June 5, Westside TBD
June 24, Spokane

Navigating Through Change (tentative)
(Half day elective course)

June 24, Spokane

July

WCRP Sponsored Elective Course Title TBD

July 30, Spokane

September

Ethical Dilemmas: Integrity as a Tool for Successful Public Officials (Full day Core course) September 30, SeaTac

Other possible training topics being worked on and may be added to the calendar: Conflict/Mediation Skills, Media Relations, Communication Strategies, Building Citizen Commitment/Involvement

February County Calendar

15 County treasurers may begin collecting all property taxes. RCW 84.56.010, .050, .070

18 President's Day – George Washington's and Abraham Lincoln's birthdays observed – Legal Holiday. RCW 1.16.050

28 The State Treasurer shall pay to the treasurer of each timber county for the account of each taxing district, such district's proportion (determined in December, 2002) of the amount in state timber tax accounts collected upon timber harvested in the preceding calendar quarter. RCW 84.33.081(1)

Calendar of Events

2003 MEETINGS

February 4-6

County Assessors' Legislative Meeting, Washington County Building, Olympia

February 13

WSAC Legislative Rally, Luncheon and Reception, Olympia

February 24 – 26

County Auditors Recording Conference Sun Mountain Lodge, Winthrop

February 28 – March 4

NACO Legislative Conference, Washington, DC

March 13

Washington Counties Insurance Fund (WCIF)/Washington Counties Insurance Pool (WCIP), Insurance Advisory Committee HIPAA Seminar WCIF Board of Trustees – SeaTac

March 19-21

Association of County Human Services meeting, SeaTac

March 20

Certified Public Official (CPO) Training – Earthquakes, Fires, Floods, Volcanic Eruptions, Terrorism, Are you Prepared? Emergency Management 101 for Elected Officials (half day elective course, Joint City/County), Airway Heights

March 21

Certified Public Official (CPO) Training – Earthquakes, Fires, Floods, Volcanic Eruptions, Terrorism, Are you Prepared? Emergency Management 101 for Elected Officials (half day elective course, Joint City/County), Pasco

March 27

Certified Public Official (CPO) Training – County Government Structure Roles and Responsibilities, (full day course), Puyallup

April 2

Certified Public Official (CPO) Training – Emergency Management, Olympia

April 3

Certified Public Official (CPO) Training, County Government Structure Roles and Responsibilities, Spokane

April 3 – 4

WSAC Western District Meeting, West-Coast Hotel, Olympia

April 6-12

National Counties Government Week

April 9

Certified Public Official (CPO) Training, Emergency Management, Wenatchee

April 10

Certified Public Official (CPO) Training, Emergency Management, Everett

April 10-11

WSAC Eastern District Meeting, Quality Inn, Clarkston

April 16 (tentative)

WCIP Board of Directors – SeaTac

April 16

Certified Public Official (CPO) Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Colfax

April 17

Certified Public Official (CPO) Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Wenatchee

April 23

Certified Public Official (CPO) Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Silverdale

April 23-25

WAPA Spring Training Program, Tumwater

April 24

Certified Public Official (CPO) Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Chehalis

April 25

Certified Public Official (CPO) Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Edmonds

May 1

L & I Retrospective Rating Meeting, Best

Inn R&R, Ellensburg

May 5-8

County Auditors' Elections Conference Yakima

May 5-9

Washington Association of Prosecuting Attorneys- Support Enforcement, 2003 Annual Training, DoubleTree Hotel Spokane City Center, Spokane

May 8

Certified Public Official (CPO) Training, Decision-Making in the Workplace (full day elective course), Puyallup

May 14-16

WAPA Support Staff Training Program, Sun Mountain

May 15

Certified Public Official (CPO) Training, Decision-Making in the Workplace (full day elective course), Eastside TBD

May 19–22

WASPC Spring Conference, WestCoast Grand Hotel, Spokane

May 21-23

Association of County Human Services meeting, Tri-Cities

May 28 – 31

WIR (Western Interstate Region) Annual Conference, Reno-Sparks, Nevada

May 29-30

WAPA District Court Training Program, SeaTac

June 5

Certified Public Official (CPO) Training, Risk Management (full day core course), Westside TBD

June 10-12

Washington State Association of County Auditors' Annual Conference, Sun Mountain Lodge, Winthrop

June 16-18

Washington State Association of County Assessors Conference, Okanogan

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Calendar of Events

(Continued from page 12)

June 16-20

Washington State Association of County Treasurers' Annual Conference, Davenport Hotel, Spokane

June 18-19

Washington State Association of Coroners and Medical Examiners Conference Training
Spokane

June 18-20

WAPA Summer Conference, Chelan

June 23-27

Washington State Association of County Clerks' Annual Conference, Silverdale Hotel, Silverdale

June 24

Certified Public Official (CPO) Training, (full day core course), Spokane

June 24

Certified Public Official (CPO) Training, Navigating through Change (tentative) (half day elective course), Spokane

June 24

WCIF Board of Trustees, WSAC Summer Conference/Spokane

June 24-27

WSAC Summer Convention, Spokane Valley Doubletree

July 11-15

NACo Annual Conference, Milwaukee County, Milwaukee, WI

July 16-18

Association of County Human Services meeting, Vancouver

July 30

Certified Public Official (CPO) Training, Washington Counties Risk Pool (WCRP) Sponsored Elective Course Title TBD), Spokane

August 21

WCIP Board of Directors Rate Setting, Wyndham Gardens at SeaTac

September 3-5

WAPA Special Assault Training Program, Leavenworth

September 7-9

WAPA Juvenile Training Program
Leavenworth

September 17-19

Association of County Human Services meeting, Moses Lake

September 18

WCIF/WCIP Insurance Advisory Committee 2004 Renewal Meeting, WCIP Board of Directors, WCIF Board of Trustees --- West Coast Hotel at SeaTac

September 29-October 3

WACO/WSAC Joint Conference, Doubletree Hotel, SeaTac

September 30

Certified Public Official (CPO) Training, Ethical Dilemmas: Integrity as a Tool for Successful Public Officials (full day core course), SeaTac

October 15

WCIF/WCIP A.C.E. Committee Meeting, Yakima

November 17-20

WASPC Fall Conference, Campbell's Resort, Chelan

November 19-21

Association of County Human Services meeting, Seattle

2004 MEETINGS

February 27 - March 2

NACo Legislative Conference, Hilton Washington & Towers, Washington D.C.

April 21-23

WAPA Spring Training Program, Spokane

May 12-14

WAPA Support Staff Training Program, Chelan

May 24-27

WASPC Spring Conference, Yakima Convention Center, Yakima

June (Date TBD)

National Sheriffs' Association meeting, Seattle

June 22-25

WSAC Summer Convention,

Sheraton Tacoma, Pierce County

June 23-25

WAPA Summer Conference, Chelan

July 16-18

Association of County Human Services (ACHS), Vancouver

July 16-20

NACo Annual Conference
Maricopa County, Phoenix, AZ

October 4-8

WACO/WSAC Joint Conference, Spokane

November 15-18

WASPC Fall Conference, Shilo Inn, Ocean Shores

2005 MEETINGS

March 3-4

NACo Legislative Conference, Marriott Wardman Park Hotel, Washington D.C.

May 11-13

WAPA Support Staff Training Program, Spokane

May 23-26

WASPC Spring Conference, West Coast Wenatchee Center Hotel, Wenatchee

June 13-16

WSAC Summer Convention, Kennewick

June 22-24

WAPA Summer Conference, Chelan

July 15-19

NACo Annual Conference, City & County of Hawaii, Honolulu, HI

October 3-7

WACO/WSAC Joint Conference, Ocean Shore

2006 MEETINGS

July 21-26

NACo Annual Conference, Denver, CO

2007 MEETINGS

TBD

NACo Annual Conference, Richmond, VA (Sponsored by the Counties in the Metropolitan Richmond Area)