

the Courthouse Journal

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Washington Association of County Officials
Washington State Association of Counties

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**The House
Barely Passes a
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Bill and Several
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Week.**

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Senate Passes Local Option Revenues Package Providing Relief to Some Counties and Cities

ESB 5659, authorizing additional funding for local governments, passed the Senate last night on a vote of 37-9. The bill will allow all counties to place on the ballot a local option sales tax of up to three-tenths of one percent. The resulting revenues would be shared sixty percent for counties and 40 percent to be distributed on a per capita basis to cities in the county. Approval will require a simple majority vote.

In addition, it permits voter approved annual increases in levies for multiple consecutive years, up to six years. This provision was a component of the Tri-Association package that was intended to improve existing revenue elements for local governments.

These elements will provide two tools for counties that need increased revenues. However, other provisions advanced by the Tri-Association, the local option utility tax and new property tax authority were not included in the bill.

The bill also included two amendments that would make a minor change in the Growth Management Act. Ferry County would be allowed to opt-out of the comprehensive planning provisions of the Growth Management Act. Clallam and Jefferson County would be allowed to update their comprehensive plans in 2005 rather than 2004.

You are urged to send letters of thanks to Senator Jim West and the prime sponsor, Senator Shirley Winsley. Others voting in favor were Senators Brandland, Brown, Carlson, Deccio, Doumit, Eide, Fairley, Franklin, Fraser, Hale, Hargrove, Haugen, Hewitt, Honeyford, Horn, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Morton, Mulliken, Oke, Parlette, Prentice, Rasmussen, Reardon, Regala, Sheahan, Sheldon, B., Shin, Spanel, Swecker, and Thibaudeau. If one of your senators supported the bill please let them know you appreciate their vote.

Scholarship Update: *The selection process begins.....*

The Washington Counties Scholarship Fund received over 150 applications for the 2003/2004 awards. Five awards of \$1500 each will be announced in early May. The preliminary review will be completed in late April and the final selection will follow. The number of applications was substantially lower this year.

Budget Remains Center of Attention

Last week the Senate passed its version of the 2003-5 operating budget on to the House. This week, the Senate unveiled a capital budget and passed a number of bills necessary to implement the budget. House leaders joined with the Governor, Superintendent of Public Instruction and other Democrats to announce that the House budget proposal would include at least \$100

million of new revenue for an "Education Trust Fund". The revenues were expected to come from sin taxes, eliminating some tax exemptions and perhaps increasing lottery-based gaming. There is no definitive word yet on when the House will unveil its budget proposal.

A number of legislators have expressed shock at the level of backfill funding for small

counties in the budget. This shock has not yet translated into a pledge to increase those funds. It is important for counties to increase the funding number in the House budget, if at all possible. As the House continues to struggle to find a majority for a budget, the Legislature entered the serious vote trading stage of the session. This means that even though a county's representatives might not support the budget, he or she might vote for something else that would result in backfill funding. Counties need to keep talking to their house

members, because you cannot tell who will ultimately have a say about this budget. We need to make sure that whoever it is, they care about counties.

Counties should also note that as the Senate acted on budget bills necessary to implement the budget this week, they passed a number of tax exemptions. The Senate majority has argued that these bills are necessary to improve the business climate. Many of these bills will further reduce counties' already shrinking revenues.

On the transportation front, the Governor continues to host talks with the four corners. Observers are frustrated by seeing the parties so near to agreement on the big picture, but sharply divided on details. Counties continue to fight to preserve the County Road Administration Board's independence. The Senate is not budging off its proposal to merge the board. The House does not support the merger. Urban counties are facing similar challenges as the Legislature is trying to merge some of the local functions in the Central Puget Sound that are led by county and city officials.

Washington Counties Project Pays Tribute to 39 Counties

Dedication for the Washington Counties Project took place on April 3 in the North Capitol Campus Heritage Park, Olympia. Harold Moss, president of the Washington Association of Counties, was recognized at the event, along with Bill Vogler, WSAC executive director.

The project features historical markers placed along the Arc of Statehood, the broad path that borders Capitol Lake below the State Capitol. The brass markers honor Washington's 39 counties and each has a brief description of the history of each county.

Lt. Gov. Brad Owen of Shelton, the dedication speaker, discussed the diversity of the state's regions and the role of Native American groups in the history of many of the counties. His own county, Mason, was originally called Sawamish after a local band of Squaxin Island Indians.

Take a walk and enjoy this beautiful park while you learn a little along the way.

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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>

Last Senior Exemption Bill Dies in House Finance?

While **SB 5034**, the last of the senior exemption bills failed to pass out of the House Finance Committee by the April 7 deadline, it may not be dead. The committee heard the bill March 25, but failed to pass it on to Rules. So it's dead ... right?

Not necessarily! Budgets and matters necessary to implement the budgets are exempt from the cutoffs until April 18. How is a senior exemption bill necessary to implement the budget? **ESSB 5404** the Senate Operating Budget for 2003-2005 includes an appropriation for the Department of Revenue to implement this bill. \$145,000 of the state general fund is appropriated for fiscal year 2004 and \$118,000 of the state general fund is appropriated for fiscal year 2005, is provided solely to implement the property tax relief. If **SB 5034** is not enacted by June 30, 2003, the amount provided in the Senate Budget will lapse. Since any and all of these cutoff rules can be suspended, we will have to wait and see what the House Budget includes and what is finally agreed to by the entire legislature.

Assessor Interest Bills Still Moving

The good news is – the list is getting shorter. The bad news is - while these bills are still moving, **nothing** is dead until “Sine Die” or the end of session. Since any and all cutoff rules can be suspended, we will have to wait and see what the final outcome holds. As of this date the following bills are still moving.

SHB 1069 waives interest and penalties on late property taxes if the tax bill was not sent to the taxpayer due to an error by the county. This bill has been signed by the Governor.

HB 1073 is a treasurers' bill that provides for foreclosure proceedings for delinquent property taxes against lots that are private leases of publicly owned land will take place against the sublease rather than the improvement on the lot.

SHB 1075 clarifies that the date on a death certificate will be used to implement the exception to payment of back property taxes related to the death of an owner. It also restores language to the timber tax law limiting the reference to “applicable rules” to just those rules adopted under Title 76 RCW (Forests and Forest Products).

2SHB 1095 deals with definitions, reporting requirements and cost-share funding of the road maintenance and abandonment plan (RMAP).

HB 1102 clarifies that the term referring to groups organized for environmental conservation purposes is “nature conservancy corporations” to whom the Department of Transportation may convey environmental mitigation sites.

HB 1133 would require county assessors to submit an annual property tax report to the Department of Revenue. The report would detail property taxes levied within the county including the assessed value, levy rate and levy amount for each property tax district. The report would also contain details of the calculations for the district revenue limits, including information on the amount of banked levy capacity.

HB 1196 authorizes hospital districts to enter into payment agreements for the purpose of reducing their exposure to fluctuations in interest rates. This is done by including hospital districts in the definition of “local government” for chapter 39.96 RCW. **SSB 5321** is the companion bill.

ESHB 1218 creates a first responder building mapping information system. The Washington Association of Sheriffs and Police Chiefs would create and operate a mapping system including all state and local government owned buildings. **ESSB 5269** is the companion bill.

2SHB 1240 establishes tax deferrals and exemptions for the manufacture of biodiesel and alcohol fuel. The property tax exemption includes all buildings, machinery, equipment, and other personal property used in the

manufacturing, as well as the land on which the property is located. This property would be exempt from property taxes for six years from the date the facility becomes operational. The amount of the exemption would be based on the annual percentage of the total value of all products manufactured.

SHB 1241 establishes tax deductions and exemptions for the retail sale and distribution of biodiesel and alcohol fuels. The property tax portion would exempt all personal property used directly in the motorized transportation of biodiesel or alcohol fuel blends beginning with the collection in 2004 through 2009. This exemption applies if at least 75% of the fuel distribution activity is biodiesel or alcohol blends.

SHB 1250 establishes the rent formula as a percentage of a marina's gross revenues, as set by the Department of Natural Resources.

SHB 1278 eliminates the requirement that personal property affidavits must be signed and verified under penalty of perjury for property tax purposes. This permits personal property lists and affidavits to be electronically transmitted. See story on page 4.

ESHB 1564 is the treasurers' clean-up bill which modifies various county treasurer provisions.

SHB 1737 repeals outdated and unused tax exemptions, deductions, credits, and deferrals.

ESHB 1742 authorizes a public facilities district created after January 1, 2000, to acquire, construct, own, remodel, maintain, equip, reequip, repair and operate a recreation facility. **SB 5865** is the companion bill.

HB 1905 allows non-profit museums and performing arts associations to retain their property tax exemption when they allow another organization that does not qualify for the exemption to use or rent their exempt property.

HB 2001 exempts real and personal property of non-profit organizations that use the property for soliciting gifts, donations, and grants for individual

artists.

EHB 2146 exempts buildings, machinery, equipment and other personal property used in the manufacture of wood biomass fuels and the land on which the property is located. The exemption is for six years from the date the facility becomes operational. The amount of the exemption is based on the annual percentage of the total value of all products manufactured that is the value of the wood biomass fuels manufactured. No new participants will be accepted after January 1, 2010.

SB 5034 is the sole surviving senior exemption bill. See story on page 3.

SSB 5326 allows for the creation of regional fire protection service authorities by participating fire protection districts, cities, towns, port districts, and tribes. The bill provides the new authority with regular property tax levying authority of up to \$1.50 per thousand and the authority to impose benefit assessment charges under certain circumstances. It also reduces the levy rates of participating jurisdictions by the rate levied by the new authority.

SSB 5364 this is the tax increment financing bill. Although the Senate bill has not been through the House of Representatives, it is Governor request legislation that is considered necessary to implement the budget. The monies to fund this bill are included in the Governor's budget.

SB 5783 implements the Streamlined Sales and Use Tax Agreement.

Personal Property E-filing Bill should be on House Calendar Next Week

SHB 1278 is assessor priority legislation for the 2003 session. The new legislation eliminates the requirement that personal property affidavits be signed and verified under penalty of perjury. This opens the door for personal property lists and affidavits to be electronically transmitted. Assessors may electronically transmit personal property affidavits to property

owners. Property owners may electronically transmit personal property affidavits to the assessor. The returned affidavits will contain electronic data that will be much easier for assessors to process. Excel spreadsheet affidavits can be developed to automatically download filing information into data bases.

The assessors felt it was time to modernize some of the old property tax statutes to remove barriers to modern technology and they have accomplished the task. Congratulations to all the assessors who worked so hard on this legislation!

County Treasurers

ESHB 1564, the clean-up bill clarifying county treasurer fiscal provisions, has passed the Senate and is on its way to the Governor's desk. This bill is a WACO and Treasurers' Association legislative priority.

HB 1073, foreclosing against the sublease rather than the improvement on the lot when property taxes are delinquent on lots that are private leases of publicly owned land (Lake Cushman bill), has passed the Senate and is on its way to the Governor's office.

SHB 1086, mobile home moving permits, passed the Senate on Wednesday and will head for the Governor's office. This bill was amended after input from the county treasurers. As it now reads, if a mobile home or park model trailer has been abandoned or has been awarded to the mobile home park landlord as part of a final court judgment for restitution of the premises, the landlord may move the home on a public highway without having to obtain an endorsement from the county treasurer certifying that all property taxes have been paid, provided that the home is being moved to a disposal site for destruction. In order for this to be allowable, the landlord must first file a signed affidavit of destruction with the county assessor's office. Once the affidavit is filed, the mobile home is removed from the tax rolls and any outstanding taxes on the destroyed home

are removed by the county treasurer. When a mobile home is going to be sold or rented out, rather than destroyed, the outstanding taxes become the responsibility of the landlord and the movement of the home is subject to receiving the county certification.

SHB 1069, authorizing a waiver of interest and penalties for property tax bills not sent to the taxpayer due to error by the county, was signed by the Governor on April 10.

Senate Capital Budget Unveiled

The Senate Ways and Means Committee would boost capital investment in the State by nearly \$330 million over the Governor's proposal – in a total capital budget of \$2.7 billion. Most of the increase in the Senate version of the 2003-05 Capital Budget would go to capital projects in higher education and K-12 education. The Senate also spends \$81 million more than the Governor on natural resources projects and \$46 million less on human services facilities. Both the Senate budget and Governor Budget include \$8 million for farm worker housing.

The Senate proposes to fund the extra spending by clarifying and increasing the statutory debt limit (currently 7 percent of state general fund revenues) to 8.5 percent. The constitutional ceiling is nine percent.

In the natural resources arena, the Senate budget provides \$114 million in funds for public water system improvements necessary for public health and \$48 million for grants to counties, cities and special districts for grants to improve water conveyance and wastewater treatment. There is \$13.6 million for water supply facilities, including the design of Black Rock reservoir in Benton County.

The Washington Wildlife and Recreation Program is funded at \$40 million, up from the \$30 million proposed by Governor Locke, but down from its usual \$50 million appropriation. Of that \$40 million total, \$9.4 million is

Budget, Finance and Taxes (continued)

for habitat acquisition and \$6.4 million for natural areas acquisition. The remainder is for state and local parks and trails, urban wildlife habitat acquisition, and water access.

Only \$43 million is provided to the Salmon Recovery Funding Board, down from \$54 million proposed by Governor Locke. There is \$60 million provided for DNR trust land transfer program. The Senate provides \$11.6 million for state parks preservation, \$8.5 million more than the Governor.

Tax Increment Finance Expansion Roars Back to Life

The expansion of tax increment finance legislation to include a state match to sales tax increment increase

rose from the ashes this week and includes revisions to the current property tax finance provisions that can result in significant revenue shifts from county to city coffers.

2SSB 5364, as amended in the Senate Ways and Means Committee and passed on the Senate floor on Thursday, April 10, allows creation of tax increment areas when taxing districts imposing at least 60 percent of the regular property taxes within an increment area approve of a project. This lowers the threshold required from the current 75% and is a stark contrast from the bill as introduced -- which would have required any government levying property tax to affirmatively opt into the tax increment area.

WSAC had previously testified that the opt-in provisions were critical to

counties, so that property taxes paid by county residents would not be shifted to infrastructure projects benefiting only a portion of the county without the prior agreement of the county legislative authority. As passed by the Senate, some cities – or cities acting in concert with a port district – may create a TIF area to finance infrastructure using property tax revenues that otherwise would go to the county general fund.

The bill now heads to the House for further action.

Bills of Interest This Week

SSB 5251, foreign judgments, passed the House this week. The next step is the Governor's desk where he will sign the bill into law. For newcomers, when a bill is signed, a picture with the Governor and all interested parties is taken and the Governor gives each participant a pen to commemorate the event. All county clerks will be given notice of the bill signing and are encouraged to come to Olympia when their priority bill becomes law.

Several bills met their demise this week with the last cutoff. Those bills are **HB 1223**, coroner jurisdiction; **HB 1236**, dependency hearings, and **HB 1001** and **SB 5018**, voyeurism.

SSB 6002, legal financial obligations, passed out of the Senate on Thursday afternoon. **SSB 6002** will allow clerks to take over collection of legal financial obligations from offenders that the Department of Corrections no longer supervises.

ESHB 1218, the building mapping system for law enforcement and first responders, passed the Senate Thursday morning. **PSSB 5401**, the Senate Capital Budget, includes \$2,000,000 to the Criminal Justice Training Commission (CJTC) for the Washington Association of Sheriffs and Police Chiefs (WASPC) to conduct a school mapping and security project. WASPC and CJTC will coordinate this effort with the school safety committee and the Washington state military department.

PSSB 5401, the Senate Capital Budget, also includes construction monies for the Washington State Patrol Crime Laboratories in Seattle (remodel), Spokane and Vancouver. Seattle is budgeted at \$2,445,000; Spokane at \$11,365,000, and Vancouver at \$10,000,000. The Senate Ways and Means Committee is voting on **PSSB 5401** today (Friday) and the bill may be before the entire Senate as early as this weekend. The funding of the Crime Laboratories is a WACO priority. WACO members are urged to contact their senators and express support.

Local Government Liability the Topic of House Work Session

County and city officials participated Thursday in a House Judiciary Committee work session on local government civil liability issues. After the meeting Committee Chairwoman Pat Lantz encouraged presenters to work with the committee during the interim to try and develop legislation for the 2004 session.

Tort reform is part of the Tri-Association legislative package for the Washington State Association of Counties, the Washington Association of County Officials, and the Association of Washington Cities. Although a number of bills were introduced this session, the House has not passed tort reform measures that significantly remedy local government issues.

Thursday's work session included a number of specific examples of the burdens on local government related to joint liability, insurance availability and cost, erosion of the public duty doctrine, limitations on relevant facts that a jury may consider, and attempts to shift liability from the state to local government through human services contracts. In particular, Yakima County Prosecuting Attorney Ron Zirkle identified liability associated with jail and probation services as the most serious area of concern. He said the Washington Counties Risk Pool cannot effectively manage the risk in this area and frequently considers dropping insurance coverage for District Court probation services.

In addition to Zirkle, Kitsap County Administrator Malcolm Fleming and Kitsap Mental Health Director Larry Keller also participated on behalf of counties. Cities were represented by a Tacoma attorney, the director of the cities' risk pool, and a city of Tumwater official. Representatives of the Area Agencies on Aging also presented testimony.

The work session may re-air over the next few days on TVW. TVW program

listings are available at www.tvw.org/tvguide.

Federal Grants Available for Drug Courts

The federal Bureau of Justice Assistance is requesting applications for its Drug Court Grant Program, which assists states, state courts, local courts, units of local government, and Indian tribal governments in developing and establishing drug courts for substance-abusing adult and juvenile offenders.

For FY 2003, Congress appropriated \$45 million for the program. Applications are being sought specifically for:

- Adult Drug Court Implementation
- Juvenile Drug Court Implementation
- Family Drug Court Implementation
- Single Jurisdiction Drug Court Enhancement
- Statewide Drug Court Enhancement

Up to a total of \$500,000 is available for implementation grants for up to three years. A total of \$300,000 is available for enhancement grants for up to two years. States, state courts, local courts, units of local government, and American Indian tribal governments may apply for funding. Online applications are due **May 22**. Application information and the Resource Guide for Drug Court Applicants (a supplement to these solicitations) are accessible only through the BJA website: <http://www.ojp.usdoj.gov/BJA/grant/drugcourts.html>.

Elections, Licensing and Recording

Election Bills of Interest This Week

SHB 1093, ballot candidate order, was heard by the Senate Government Operations and Elections Committee, last Friday. Auditors' Legislative Chair Greg Kimsey, Clark County, testified in favor of the bill, but it was not voted out of committee and is dead for this session. The committee did take action on **SHB 1160**, harmonizing election crimes and penalties and **ESHB 1158**, enhancing voting systems certification (with a technical amendment), sending both bills the Rules Committee. **SHB 1222**, requiring voting devices to be accessible to individuals with disabilities has moved to Rules, as well.

ESB 5374, the Help America Vote Act, has passed both Houses and is on its way to the Governor's desk.

SSB 5218, requiring timely mailing of absentee ballots passed the House on Thursday. **SB 5463**, military and overseas voting, is on the House floor calendar.

HB 1106, allowing the Secretary of State to make unannounced visits to county election offices and facilities to observe handling, processing, counting or tabulation of ballots, is on the Senate calendar.

HB 1935, changing prerequisites for county auditors calling special elections, is in the Senate Rules Committee waiting to be pulled onto the Senate floor calendar. It would be helpful for any auditors who have members on Senate Rules to give them a call and ask for a "pull".

SSB 5221, reorganizing the Title 29 election statutes, is in the House Rules Committee, awaiting its place on the House calendar. Auditors can help move this bill by calling House Rules members

ESHB 1431, changing the date of the primary election, was heard by the Senate Government Operations and Elections Committee last week, but no action was taken to amend or move the bill out of committee. Committee members were clearly opposed to the

June date proposed in the original bill, but also recognized that the first Wednesday after Labor Day (as the bill was amended in the House) was not going to take care of the need for a longer period between the primary and general election dates. All interested parties will go back to the drawing board over the interim.

HB 1473 and **HJR 4206**, specifying when vacancies may be filled that occur after the general election, have been passed out of the Senate Government Operations and Elections Committee to the Senate Rules Committee. This bill and the constitutional amendment it requires were prime sponsored by Rep. Zack Hudgins, who asked both WACO and the County Auditors' Association for their support. Subsequently, the Legislative Committees of both organizations wrote letters in support of this legislation, which fills a small gap in election law. According to language in this bill, when a partisan elected official leaves office after an election but before an elected successor's term has begun, the successor can take office immediately after the election results are certified. The successor need not go through the appointment process. The bill applies to partisan elected officials at the county-level or in the legislative or executive branches. Before passing the bills, the Senate Government Operations and Elections Committee amended them to say that a successor can take over the vacated office only if the successor is of the same party as the incumbent. Where the successor is of a different party than the incumbent, a post-election, pre-January vacancy must be filled through the normal appointment process. If this bill passes the legislature, the issue will appear on the General election ballot this fall, and if approved by voters would be effective January 1, 2004.

The following bills have been reviewed in previous issues of the Journal and are now dead after committee cutoff in the second House: **SB 5153**, electing county commissioners by district; **ESSB 5150**, library trustee elections; **HJR 4204**, simple majority school district levies; and **SHB 1390**,

instant runoff voting.

Licensing – Bills of Interest

SHB 1036, modifying subagent authority to process mail-in vehicle registration renewals is on the Senate Floor Calendar.

SHB 1592, regulating special license plates is on the Senate floor calendar. Due to an increase in the demand from constituent groups seeking recognition and funding through the establishment of commemorative or special license plates, the high cost of implementing a new special license plate series, and the uncertainty of the state's ability to recoup its costs, the legislature has decided to delay the implementation of new special license plates. In the new process, once an application has been approved by the Special License Plate Review Board, the application need not be reviewed again for three years. The Board must review the number of specialty plates sold for each plate series on an annual basis. The board may make a recommendation to the Legislature to discontinue a special plate series. The application fee for those organizations is \$2,000 and is to be applied to the state implementation costs for the organization's special plate.

SSB 5600, regulating the disposition of returned licensed plates, authorizes the Department of Licensing (DOL) to provide used license plates to individuals who request a plate for non-vehicular use. The Department of Licensing may charge a fee of up to \$5 per used plate to recover their costs for postage and handling. This bill is in the House Rules Committee.

SB 5970, requiring that the family law handbook be provided when a person applies for a marriage license is on the House floor calendar.

The administrator for the courts will create a handbook explaining the sections of Washington law pertaining to the rights and responsibilities of marital partners to each other and to any children during a marriage and dissolution of marriage. The handbook may also be provided on videotape or other electronic form. The county

auditor is required to distribute the family law handbook to an individual who applies for a marriage license under RCW 26.04.140

Recording – Bills of Interest

SHB 1081, providing funds to deter, investigate, and prosecute real estate fraud crimes by adding a \$1 surcharge to deeds of trust, passed the Senate unanimously on April 9. The surcharge is to sunset in 2006.

HB 1566 gives county auditors the additional option of retaining electronic copies of claims, bills, and specified records. The bill passed the Senate

unanimously on April 9.

County Auditor Priority

SSB 5477, requiring the delivery of endorsements by recording officers was passed out of the House Local Government Committee last Friday and was voted out of the House unanimously on April 10.

Archives Legislation

EHB 1152 revising funding of the archives division is still sitting in the Senate Rules Committee.

SHB 1153 which allows records that

were previously confidential to become available to the public 75 years after they are created was passed out of committee and is in the Senate Rules Committee.

HB 1154, which provides funding for the State Archives oral history program as well as other archive activities, is in the Senate Rules Committee.

Emergency Management

Local Plans Required To Receive Federal Mitigation Funds

Now is a good time for elected county officials to check in with their local emergency managers about the state of hazard mitigation planning in their communities. Only 11 counties currently have completed plans, according to the state Emergency Management Division (EMD).

A local Hazard Mitigation Plan facilitates good government decision-making and now is also required for counties to be eligible to apply for federal hazard mitigation funds after November 1, 2004. Mitigation grants are designed to fund projects that will eliminate or significantly reduce the

impacts (costs) of future disaster events. The funding amounts vary according to the annual federal program, but the state is currently in the process of allocating to local jurisdictions more than \$330,000 in pre-disaster mitigation grants and has received more than \$1 million over the 2-year life of that particular federal program.

If a county hasn't yet developed a hazard mitigation plan, it still has time to complete the process by the November 1, 2004 deadline.

There is also plenty of help available. One tool already offered to each county by the state EMD was a mitigation planning software called "Mitigation 20/20". While not every county has taken advantage of this product yet, it is still available – and it is free.

Additionally, the EMD staff has developed other tools and is available to provide guidance and technical assistance to county staff in order to help them develop the county plan.

For more information, please contact Marty Best, State Hazard Mitigation Program Manager at (253)512-7073 (or M.Best@emd.wa.gov) or John Ufford, Mitigation Program Coordinator at (253) 512-7475 (or J.Ufford@emd.wa.gov). Both individuals are available to guide elected officials and their staff through the process and make sure a county remains eligible for these potential mitigation funds. Now is time to ask the question – Where are we with our Hazard Mitigation Plan?

Water Legislative Prospects Muddy

All key water bills remain alive. Senator Honeyford and Representative Linville have begun to talk about how to proceed with the elements of a 2003 water package, but reportedly there is little substantive progress. Senate Bills **SB 5023** (replacement wells), **SB 5027** (watershed planning), and **SB 5028** (water pollution) all passed cutoff requirements and are now in the House Rules Committee. The Senate's municipal bill, **SB 5024** (public water systems), is currently dead after failing to move out of House Appropriations. However, it can still be resurrected because of a piece in the Senate budget. Additionally, **SB 5025** (water right relinquishment) and **SB 5077** (stock-watering) are both currently dead after having failed to make cutoff.

While each of the three bills were amended with striking language by the Senate Natural Resources, Energy & Water Committee, **HB 1336** (watershed planning), **HB 1337** (replacement wells) and **HB 1338** (municipal water rights) all passed cutoff requirements and remain alive in the Senate Rules Committee.

According to a member of the

Governor's Water Policy Team, Senator Honeyford and Representative Linville have met and decided to hold a mini conference on water legislation. It is believed that the two chairs will add a member from the minority party in each house for the informal negotiations. These negotiations are said to be taking place on Thursday, April 10 and Friday, April 11. The Governor's Water Policy Team could be added to the discussions over the weekend.

Among the discussions, it is said that two tiers of water legislation will be discussed by the members. The first tier that the members are said to be considering includes **SB 5028** (water pollution), both municipal bills (**HB 1338** and **SB 5024**) and **HB 1336** (watershed planning). After the members have discussed this tier, it is said that they will consider **SB 5106** (water consumptive amount), **SB 5023** (replacement wells), and **HB 1317** (trust water rights) in a second tier. It is said that all other water bills will be considered on their own merit.

Many water lobbyists are becoming doubtful about the prospects for major water legislation this year.

Water Quality Standards Cost-Benefit Analysis Out for Comment

The Department of Ecology has made the draft Cost Benefit Analysis on the proposed changes to the surface water quality standards (WAC 173-201A) available for public review prior to final rule adoption. The Draft Cost Benefit Analysis for Public Review is now on Ecology's website at www.ecy.wa.gov/programs/wq/swqs.

Ecology is asking for feedback on the assumptions and methods we have used in this document so there will be as much data and information as possible, and the best available information, in making their final determination as to whether the benefits of these proposed rules exceed the costs.

Comments should be sent by April 22, 2003 to: Cathy Carruthers, Department of Ecology, P.O. Box 47600, Olympia, WA 98503 or caca461@ecy.wa.gov

National Public Health Week April 7 – 13, 2003

Along with 46 other states, Washington recognizes and celebrates National Public Health Week. Public Health has been, through history, the single largest contributor to increasing people's lifespan through such things as safe food handling, safe waste disposal, immunizations, disease surveillance and control, children and families preventive services, health promotion through education on the relationship of lifestyle choices to health, etc.

This year's theme is overweight and obesity. The goal during this week is to educate American adults and children about the health risks associated with this fast-growing epidemic and to present communities and individuals with ways to "shape up their future". Today, approximately two-thirds of all American adults are overweight or obese. The proportion of children who are overweight has tripled since 1980. This epidemic is not limited to any particular, race, ethnic group or gender.

Marked by local events throughout the country, National Public Health Week will focus on five areas in which communities can work together to tackle obesity, including:

- Increasing physical fitness opportunities for kids
- Promoting healthier living through better community design, including more walking paths, bike lanes and parks
- Offering better opportunities for fitness and healthy eating in the workplace
- Serving up more nutritious options in schools
- Providing healthier dining options in local restaurants and markets

State Board of Health Meeting Focuses on Public Health Funding

At a meeting in Olympia this week, the State Board of Health heard from state and local officials about the funding crisis in public health. Several bills have been introduced this session that would provide dedicated funding for public health in recognition of the growing demands on the public health system to respond to such things as West Nile Virus, Severe Acute Respiratory Syndrome (SARS), smallpox planning and preparedness, and other Bioterrorism threats. All of this, while still needing to maintain vigilance in controlling all other infectious diseases and providing important preventive services to children and families. However, these bills are technically dead. Neither House has acted on the Tri-Association public health funding proposal of a statewide voter approved property tax dedicated to public health (**HB 2070/SB 5920**).

The State Board of Health heard that, while the State has prioritized public health highly in both the Governor and the Senate's proposed budgets, the funding is held at slightly less than the funding for the current biennium. That is simply not enough to guarantee ongoing public health protection at the level our citizen's expect. Dr. Tom Locke, member of the State Board of Health and Health Officer for Clallam and Jefferson Counties, said that legislators and the public tend to forget about funding public health until illnesses become very public (like West Nile Virus and SARS). Locke said, "If you want a system able to respond to these problems, you have to invest in that system. It's uncomfortable for us, but we have to admit, we lack resources."

Several members from local boards of health, including Commissioner Mike

Doherty and Council member Carolyn Edmonds (also a member of the State Board), explained to the State Board that local government has such limited revenue options and funding that impossible choices must be made. Oftentimes that means public health funding is squeezed when additional funding is allocated to support the demands of the criminal justice system – another mandated county responsibility. Representatives from several health departments stated that the per capita funding for public health has decreased in their jurisdictions by more than 25 percent in the last few years. Most local health departments have exhausted all reserves to maintain services and now they are facing service reductions.

Council member Carolyn Edmonds said that the time is right for new, dedicated funding source for public health. If King County experienced a smallpox outbreak, it would devastate the State's economy. We can't afford to be unprepared.

Death Investigations

SHB 1223, coroner jurisdiction, failed to make the cutoff this week and died. The bill gave coroners and medical examiners jurisdiction over child deaths, which they already have, but also would have required notice by them to DSHS of any child death. It also would have exempted DSHS from the confidentiality statutes protecting autopsies and post mortem reports.

Transportation and Public Works

The House Barely Passes a Transportation Budget, Revenue Bill and Several Policy Bills This Week.

By a vote of 51-46, the House passed over to the Senate a transportation revenue package **ESHB 2231**. The revenue package is based upon four principal sources. A four cents per gallon gas tax. The tax would be increased one cent per year. A 15% increase in truck weight fees with the revenue dedicated for freight mobility projects. A 0.046 % sales and use tax increase on new and used vehicles collected at the time of title transfer. A \$2 increase in the motor vehicle license fee to cover clean air programs. We have yet to see the revised project list. The list continues to change depending on the amount of proposed revenue.

The House also passed the Transportation budget **SHB 1163** along with several other bills to implement the budget. The budget bill makes the various appropriations to the transportation agencies. The bill does retain CRAB and TIB as separate agencies.

They also passed the sales and use tax equalization for transit bill **HB 2229**. The bill provides a sales and use tax equalization program for the transit agencies. **ESHB 2228** passed and it provides funding for the commute trip reduction program.

The Senate Highways Committee Passes Their Transportation Budget and Revenue Bills.

The Senate Highways and Transportation Committee passed their versions of budget **SHB 5338** and revenue **SSB 6061** bills out of committee this week. The budget bill still includes the merger of CRAB and TIB staff even though the policy bill still hasn't passed the Senate. The revenue sources include a one-time five cent gas tax increase. The increase would be repealed once the projects have been paid for. They also include a 15% increase in weight fees (including motor homes) and \$2 increase in vehicle license fees. The new fee would be used by local air agencies for pollution control programs and funding a portion of the rescue tug out at Neah Bay. Finally, they include a three tenths of one percent increase on sales tax on new vehicles.

Training and Upcoming Events

Instream Flow Workshop Registration Available

A workshop titled “Instream Flow Science and Management in Western Washington: Developing a Comprehensive, Ecosystem-Based Approach” will take place May 28-29 at the University of Washington.

Details can be found at <http://www.stewardandassociates.com/Instream/> The conference will feature a number of scientific and technical experts from across the Western United States.

Coroner Making Anti-Drinking CD-ROM

When Franklin County Coroner Dan Blasdel tried to show Pasco High School students what happens when you drink and drive, he wasn't invited back to campus for two years. He showed the juniors and seniors in driver's education classes slides of people killed in drunken driving accidents. Some of the students wept and went to the principal's office. Although his goal was to "scare them straight," Blasdel said he's since found a new approach to his continuing mission of preventing teens from drinking and driving -- an interactive CD-ROM.

Blasdel is heading up production of the CD, which is designed for high school and college age students. It's three years from landing in the hands of students in Tri-City schools, but Blasdel hopes the CD eventually will be used across the state and nation. Blasdel, a father of four, demonstrated how the CD will work during a recent meeting of the Greater Pasco Area Chamber of Commerce. He's also making presentations at Kiwanis, Rotary and chamber meetings around the Tri-Cities to raise money for the CD, which is expected to cost \$150,000 to complete. About \$20,000 has been raised so far.

The way the CD will work is that it will take students through a scenario where alcohol is present -- a family barbecue, a party at home. The student then must decide what happens and is shown the consequences of that choice. The scenarios use real people, who include actors from The Richland Players. In one scenario, a man offers his nephew a beer at a family barbecue. The student using the CD then gets to decide if the nephew drinks the beer. When the student drinks the beer, he vomits and later crashes his uncle's new car. When he doesn't drink the beer, he is chastised by the uncle. "With us being able to personalize it, I think it will make them think. It puts them in the shoes of the scenario and those consequences that happen become more real," Blasdel said.

Blasdel is working on the CD with the Benton-Franklin Substance Abuse Coalition in Richland and ImageWorks Media Group, a Pasco multimedia production company. Researchers from Washington State University in Pullman are planning to show scenarios to high school students to track their reactions to the CD. "We have a philosophy that we are going to make this happen," said Peggy Haecker, executive director of the Benton-Franklin Substance Abuse Coalition in Richland. "The idea is to have this in every kid's hand when we finish production." Officials hope the CD will reduce the number of teens who drink, especially those who get behind the wheel.

In 2001, there were 394 boys and 147 girls arrested in Benton and Franklin counties for DUI, according to Benton-Franklin Juvenile Department figures. During the same year, there were 3,199 boys and 1,632 girls who were arrested for possessing alcohol, based on a report by the Governor's Juvenile Justice Advisory Committee.

This story was published Tuesday, April 8th, 2003 in the Tri-City Herald

By Genoa Sibold-Cohn Herald staff writer

<http://www.tricityherald.com/tch/local/story/2908831p-2944223c.html>

Washington Counties Insurance Pool Reaping the Benefits of Boldness

(Washington Counties Insurance Fund / Washington Counties Insurance Pool)

After years of planning and employee education, the Washington Counties Insurance Pool (WCIP) is seeing a dramatic drop in prescription drug costs on its medical plans. "Drug costs have dropped by 40% in recent months", says WCIF/WCIP Executive Director Kitty Wallace. "If these savings continue, we are going to have a very good 2004 renewal."

The Washington Counties Insurance Fund (WCIF) and the WCIP are

governed by county commissioners and representatives from every member employer. Board members, consultant, and staff are constantly evaluating insurance coverage to find the best balance between level of coverage, service and premium. While those efforts are ongoing, the results are not always noticeable due to increasing costs from all directions: provider charges, new technology, new drugs, and an aging population. Pool board members are pleased to see such positive results from their bold decision to self insure the medical plans and redesign prescription drug benefits.

Recognizing that prescription drug costs were a major factor in driving the overall cost of medical care, members voted to establish a formulary program; a list of drugs that include the best value, clinically effective alternatives available. They also voted to use an independent pharmacy manager; one not associated in any way with drug manufacturing and the billions of dollars spent on direct advertising to consumers.

They also introduced a three tiered incentive copay design that asks employees to talk with their doctors about the cost as well as the quality of care.

The three tiered design has a lower copay for generic drugs, a slightly higher copay for preferred brand name drugs, and a 50% copay for non-preferred drugs.

According to Ms. Wallace, "The new drug programs were introduced over a three year period while the previous medical plan with no restrictions was slowly phased out. By January 1, 2003, nearly 100% of our employees were enrolled in the new drug formulary medical plans. By self-insuring, we cut administrative costs to the bone. Now that the move to drug formulary plans has been accomplished, we are seeing a real turnaround in costs. This is going to be an exciting year."

Believing that few counties are equipped to operate autonomously in today's benefits environment, the WCIF

Good Things (continued)

Board of Trustees and the WCIP Board of Directors invite all Washington counties to participate as members.

For more information, please call Kitty Wallace or Terri Luther at (360) 586-0466 or email kittywcif@thurston.com or terriwcif@thurston.com.

Calendar of Events

2003 MEETINGS

April 6 -12
National Counties Government Week

April 16
WCIF/WCIP ACE Committee Meeting

April 16
CPO Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Colfax

April 17
CPO Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Wenatchee

April 23
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
CPO Training, Public Meetings – Public Disclosure, (half day elective, Joint City County, repeated from 2002), Chehalis

April 25
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
WAPA-Support Enforcement, 2003 Annual Training, DoubleTree Hotel Spokane City Center, Spokane

May 8
CPO Training, Decision-Making in the Workplace (full day elective course), Puyallup

May 14 - 16
WAPA Support Staff Training Program, Sun Mountain

May 15
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
Western Interstate Region (WIR) Annual Conference, Reno-Sparks, Nevada

May 29 - 30
WAPA District Court Training Program, SeaTac

June 5
CPO Training, Risk Management (full day core course), Westside TBD

June 11 - 13
Washington State Association of County Auditors' Annual Conference, Sun Mountain Lodge, Winthrop

June 16 - 18
Washington State Association of County Assessors Conference, Okanogan

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 18 - 20
Association of Washington Cities (AWC) Annual Conference, Red Lion Grand Hotel at the Park, Spokane

June 23 - 27
Washington State Association of County Clerks' Annual Conference, Silverdale Hotel, Silverdale

June 24
CPO Training, (full day core course), Spokane

June 24
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 (ACHS) meeting, Vancouver

July 29-August 23
IACREOT Conference, Denver CO

July 30
CPO Training, 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 8-11
Washington State Association of County Assessors Fall Conference, Red Lion, Kennewick

September 9-12
County & Regional Planning Directors/City Planning Directors Joint Conference, Campbell's, Chelan

September 17-19
ACHS meeting, Moses Lake

Calendar of Events (continued)

September 18 WCIF/WCIP Insurance Advisory Committee 2004 Renewal Meeting, WCIP Board of Directors, WCIF Board of Trustees --- West Coast Hotel at SeaTac	May 12-14 WAPA Support Staff Training Program, Chelan	May 11-13 WAPA Support Staff Training Program, Spokane
September 29–October 3 WACO/WSAC Joint Conference, Doubletree Hotel, SeaTac	May 24–27 WASPC Spring Conference, Yakima Convention Center, Yakima	May 23–26 WASPC Spring Conference, West Coast Wenatchee Center Hotel, Wenatchee
September 30 CPO Training, Ethical Dilemmas: Integrity as a Tool for Successful Public Officials (full day core course), SeaTac	June (Date TBD) National Sheriffs' Association meeting, Seattle	June 13-16 WSAC Summer Convention, Kennewick
October 1 WCIF Board of Trustees in conjunction with the WACO/WSAC Legislative Conference	June 22–25 WSAC Summer Convention, Sheraton Tacoma, Pierce County	June 22-24 WAPA Summer Conference, Chelan
October 15 WCIF/WCIP A.C.E. Committee Meeting, Yakima	June 23-25 WAPA Summer Conference, Chelan	July 15–19 NACo Annual Conference, City & County of Hawaii, Honolulu, HI
November 17–20 WASPC Fall Conference, Campbell's Resort, Chelan	July 16-18 ACHS, Vancouver	September 13-16 County & Regional Planning Directors/City Planning Directors Joint Conference, Campbell's, Chelan
November 19-21 ACHS meeting, Seattle	July 16–20 NACo Annual Conference , Maricopa County, Phoenix, AZ	October 3-7 WACO/WSAC Joint Conference, Ocean Shores
<u>2004 MEETINGS</u> February 27 – March 2 NACo Legislative Conference, Hilton Washington & Towers, Washington D.C.	September 14-17 County & Regional Planning Directors/City Planning Directors Joint Conference, Campbell's, Chelan	<u>2006 MEETINGS</u> July 21-26 NACo Annual Conference, Denver, CO
April 21-23 WAPA Spring Training Program, Spokane	October 4–8 WACO/WSAC Joint Conference, Spokane	<u>2007 MEETINGS</u> TBD NACo Annual Conference, Richmond, VA (Sponsored by the Counties in the Metropolitan Richmond Area
	November 15-18 WASPC Fall Conference, Shilo Inn, Ocean Shores	
	<u>2005 MEETINGS</u> March 3-4 NACo Legislative Conference, Marriott Wardman Park Hotel, Washington D.C.	