Legislature Finally Adjourns

The Legislature finally came to the end of a long and arduous session that began January 8 and ended July 25, one day short of the longest session in state history. They left Olympia without passing a transportation package failing to find agreement on what type of tax proposal would produce 25 votes in the Senate and 50 votes in the House. See the story below.

This session has proved to be one of the most difficult in many years. However, in recent years it has become more and more common for the Legislature to be divided over major policy issues, particularly if they include taxes. WSAC has been in the middle of some of these issues, transportation, 695 backfill and shorelines to name a few.

These have all been divisive issues and it is easy to assign blame when you do not get what you want. However, it is important to know that many legislators worked hard on these issues on behalf of counties, even with political risk for themselves. We have friends in the legislature who have championed our causes and there are others who don’t understand our issues. It is often easy to accuse legislators of not doing their job. But this has been a particularly difficult session. With only a one-vote majority in the Senate, it was often difficult to push any ma-

(Continued on page 2)

Legislature Leaves Town without a Transportation Solution

Seven months of hard work without a good outcome in transportation is disappointing at best for many, but certainly a sign of how difficult and challenging this legislative year has been. After 21/2 years of study by the Blue Ribbon Commission on Transportation and seven months of exhaustive negotiations, the Legislature ended its third special session mid-day on Wednesday, July 26, 2001. Legislators and Governor’s Office staff along with representatives from counties, cities, labor, transit/multi-model advocates and business groups worked tirelessly for the last seven months to hammer out a transportation package to no avail. The last package on the table was a three bill package that consisted of accountability measures, a $8.5 billion dollar statewide revenue proposal and a regional bill that would include the counties of Pierce, King, and Snohomish. And Saturday, when it was apparent that the statewide revenue proposal was dead, (Continued on page 2)

Blanket Primary Will Stay Put This Year

The legislature did not come up with a fix this session, so a federal judge ruled this week that Washington’s 66-year old “blanket” primary will be conducted one more time on September 18, clearing the way for county auditors to prepare the ballots. U.S. District Judge Frank Burgess made his ruling and tossed the ball back to the Legislature to come up with a solution, in a blow to the political parties who had asked the judge to bar the state from using the blanket primary. The mo-

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Legislature Finally Adjourns
(Continued from page 1)
jor piece of legislation without bi-partisan support. And in the House it was absolutely essential to have bi-partisan support with a 49-49 tie.

What seems to be controlling the Legislature more than the narrow majorities of each house is the citizens’ insistence upon legislating through the initiative process by cutting taxes. And at the same time they provide no direction on where to spend state funds. It is no wonder that a tax bill has little or no chance of being enacted by the Legislature when they believe it will be the objective of the next initiative.

The initiative process seems to have usurped representative government and all but eliminated the ability to put compromises together that will forge bi-partisan solutions. While the Senate was prepared to pass a transportation package the House never came close to finding 50 votes in favor. And the number one reason given by most legislators was that they were not going to vote for a tax package that would be overturned by the voters at the next election.

Counties need to look closely at the initiative process. It has become an anchor around the collective necks of the Legislature. And if there is ever to be a funding solution for local governments that may include additional revenues it needs to be resolved.

More time should be spent with the citizens educating them to the needs of local government. They need to be aware of the importance of the services provided. Safe communities are the top priority of most citizens and they need to understand that counties spend 70% of their general fund dollars making those communities safer. When tax-cutting initiatives cut county revenues, they jeopardize safer communities. If counties are ever going to solve some of these contentious issues they need to re-involve citizens in their government.

Transportation Package
(Continued from page 1)
there was a last minute approach to pass a regional only package. Both counties and cities strongly opposed this approach.

There was a hint of a fourth special session, but the Governor did make the caveat that this would only be if negotiators truly had a package that would have enough votes to pass the legislature.

For comments or questions, please contact your worn-out WSAC staff, Jackie White at 360-753-1886.

Blanket Primary
(Continued from page 1)
the 2000 elections, supposedly for the last time. The parties then asked the court for a system which would require voters to register by party, vote for that party’s slate of candidates, and make their party affiliation public.

The political parties are adamantly opposed to crossover voting and will continue the fight to end such practice, hoping it will be ruled unconstitutional, but it is very popular with the voters in this state, and experts say that a change may result in lower voter turnout. It remains to be seen whether the parties will appeal Judge Burgess’ decision this summer.

Washington Scholarship Auction at 2001 WSAC Fall Legislative Conference

Our efforts have been very successful with your generous contributions from the previous years’ auctions. So—why stop a good thing! We are holding a fund raising auction at the Washington State Association of Counties Fall Legislative Conference to benefit the Washington Scholarship Fund. WSAC and WACO alternate fund-raising events for this benefit and it is WSAC’s turn this year.

These auctions and donations have raised thousands of dollars for the scholarship fund. The scholarships are for the children of county employees, including elected officials. The application period is in the spring of each year and the application process is widely publicized. Over 200 applications are received each year with the winners being selected by an impartial panel.

WSAC staff will be contacting you soon to solicit donations, which can be auctioned. Many counties have made a tradition and almost a competition of sorts with their generous donations. The only standard for a donation is its ability to fetch a ridiculously high winning bid. The auction is great fun and the purpose is of the highest order. Please begin thinking of auspicious and fun donations.
The vast majority of Thursday’s MH Section meeting was devoted to discussion of the 01-03 contract. In the morning, only the RSNs and the counties met to review their areas of concern.

In the afternoon, Cathy Gaylord, CEO, Community Mental Health Council, and Karl Brimmer and Richard Onizuka from the Division joined them. The result of the discussions were that individual persons would write up suggested alternatives for particular areas of concern in the contract and e-mail them to all the RSNs who could then choose to use the suggested language for edits or edit their contracts in their own fashion. All RSNs agreed that they would sign the contracts but with edits to the terms. The decision to accept those edits is the MHD’s but if they refuse, each RSN will decide whether to sign an unamended or only partially amended form of the contract. It was noted that BBA comes into play in the afternoon session were working with the Council on HIPAA and our mutual interest in both the Children’s Mental Health Study and the Prevalence Study which are getting underway this year. Judy Hall, MHD, was present to cover the initial work on both the prevalence study and the outcomes work group that is underway. There was some discussion on the concerns of the Washington Government Entities Pool about the liability contained within the DMIO contract which will continue to be examined along with a summary of the MHD’s meeting with the Center for Medicaid and Medicare Services (formerly HCFA) who is interested in some proposals for removing process requirements.

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In Chemical Dependency on Friday, the morning was spent just among the counties with some preparatory discussion on the subjects to be covered by DASA later in the afternoon. There is some disagreement over the disabled project which is money funded by the 2001 legislature for the purposes of treatment for both those who are disabled and/or methamphetamine abusers. The greatly disabled portion comes from the expansion of the CD-ITA statute to include that population also enacted during the 2001 session. Fred Garcia, DASA, has agreed to take the county opinion back to Ken Stark, Director, DASA. The vast majority of counties present do not agree with doing an RFP or "pilot" in just a few counties.

The Section, when joined by DASA, also discussed the future of the SSI pilots, which were given ongoing funding in the 2001 budget. Additional counties would like to be included in the project if possible. Dave Hopper, Benton-Franklin, discussed the DSHS “No Wrong Door” project again and CD just like the other sections, does desire to re-engage in these discussions with DSHS. DASA indicated the disposition of the extra federal block grant funds, which engendered a certain amount of lively discussion and disagreement from the counties. There was also discussion of the October 8 – 9 planning meeting agenda, which will include discussion of roles and placement of residential oversight.

Both the Mental Health and Chemical Dependency Sections also had an opportunity to meet Tom Bristow, the new DSHS Local Government liaison, who offered his services in improving the collaboration between DSHS and local government. He had an opportunity to meet with both the Clallam and Jefferson County Commissioners while in the area. The CD Section was also pleased to welcome Clallam County Commissioners Steve Tharinger and Mike Doherty to the afternoon meeting. Their personal interest in human services was most welcome to the program administrators.

Thanks to Clallam County and their staff for making the ACHS visit both worthwhile and pleasurable. The next ACHS meeting will be September 19 – 21 in Ellensburg.

WSAC and WACO Execs Schedule Courthouse Visits

Bill Vogler, WSAC Executive Director and Debbie Wilke, WACO incoming-Executive Director, have begun the process of scheduling courthouse visits.

Both Associations have made it a priority in the last two years to have the executive directors visit every county during the year. With the length of the legislative session this year the first visits will not begin until the middle of August and will probably be completed by the end of October.

You will receive a letter to confirm the date and time for your scheduled visitation. This is a good time to talk about activities of the Associations and other issues that members would like to discuss.

WSAC has recently learned that the state Enhanced 911 Advisory Committee’s bylaws provide for “alternates” to attend and vote on committee business when a Committee member is unable to attend.

To ensure county representation at all Committee meetings, WSAC would like to formally appoint alternates for the two WSAC positions on the E-911 Committee. One alternate must be an Eastern Washington commissioner; one must be a Western Washington commissioner. These back-up appointments will be made directly by the WSAC Board of Directors or Executive Committee. If interested, please contact WSAC staff Sophia Byrd at sbyrd@wacounties.org or 360-753-1886, by August 30, 2001.

The alternates will receive all meeting information and will be asked to attend when the primary members are unable to. The E-911 Committee meets monthly at SeaTac. WSAC’s primary representatives on the Committee are Lincoln County Commissioner Bill Graedel representing Eastern counties and Pacific County Commissioner Jon Kaino representing Western counties.

The recent resignation of Mason County Commissioner Mary Jo Cady leaves open a county position on the state Emergency Management Council, which advises the governor on state and local emergency management issues. The governor will appoint a new county representative from nominees submitted by the Washington State Association of Counties.

County officials interested in filling this position should contact Sophia Byrd of the WSAC staff (sbyrd@wacounties.org; 360-753-1886) by August 15, 2001. The WSAC Board of Directors will select two or three nominees and will forward these applicants to the governor’s office for his final appointment.

Pursuant to RCW 38.52.040, the Emergency Management Council develops specific recommendations for the improvement of emergency management practices statewide. It also advises the governor on statewide emergency preparedness relating to various issues, including hazard mitigation, seismic safety, floods, and hazardous materials.

The Council meets every other month, usually at Camp Murray near Tacoma. The term of service on the council is indefinite. Commissioner Cady reports that regular attendance is important due to counties’ integral role in almost all matters relating to emergency management.

The Governor’s office and legislative leadership have reached agreement on an interim process for discussions on four priority water resource issues leading to specific proposals for the 2002 legislative session. The process will be a bipartisan “Five Corners” group, which will include representatives from the Governor’s office and from both major party caucuses in the House and the Senate. The process will be outlined in a “charter” to be published soon, and will culminate in December with a set of proposals or alternatives for addressing these key water issues, which will be used by the Governor and legislators to develop specific pieces of legislation for the 2002 session.

These discussions will begin immediately with informal meetings with affected and interested parties, then move to focused topical workshops organized around a set of “white papers” and conclude with development of “options” papers prior to the end of the year. The four major issues to be addressed are: (1) setting and achieving instream flows, (2) addressing needs of municipal supplies, including growth and conservation, (3) water rights relinquishment, and (4) water infrastructure, including water storage and funding. The Governor’s office and legislators and staff are scoping each of these topics now.

Environmental, Land Use & Resources

The Five Corners group will convene four one-day work sessions in September and October. They will be drafting their own set of “white papers” on each of the four topics, and will be encouraging other groups to prepare their own such papers — aimed at local elected officials who are not necessarily experts on these issues — for use at the workshops. In November and December, the Five Corners group will try to develop a set of options built around the white papers and the workshops. Although these could lead to some consensus legislation, the current plan is that each member of the Five Corners group will use the set of options to draft their own proposals for the 2002 session.

WSAC plans to host a group of county water-issues people to discuss preparing white papers on these issues for use at the workshops in September and October. WSAC has already developed positions on some of these four key issues, which will provide the basis for some or all of the white papers. For more information, please contact WSAC’s intern Selena Hopkins, wsacintern@wacounties.org.

Boards & Commissions

Recruiting ‘Alternates’ for State E-911 Committee


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Chelan Commissioners Assume Command of Regional Jail

Chelan County Commissioners voted last month to take over management of the Chelan-Douglas-Wenatchee regional jail. The Chelan County Sheriff had previously exercised operational authority over the regional jail since it opened in 1984.

Douglas County and the city of Wenatchee will continue to participate in the regional jail and will retain their functions on a jail advisory committee. Officials from Douglas County and the city of Wenatchee expressed strong support for the Chelan Commission’s action.

“To me it makes nothing but sense,” Douglas County Commissioner Dane Keane told The Wenatchee World newspaper June 27, “I’ve always felt that the jail needed to be a stand-alone unit. I feel a lot more comfortable as an advisory partner right now.”

According to news articles in The World, local officials don’t expect the change in management to significantly decrease the costs of running a jail. However, they believe it will eliminate layers of government between the jail and the commissioners, who ultimately are responsible for county budgeting. Over time they expect this will help the county get a handle on jail expenses, Commissioner John Hunter told The World.

Immediately after establishing the new department, the commissioners appointed Dick Winn, a former jail chief, as interim director. Winn will report directly to the Chelan County commissioners.

In establishing the new county Department of Corrections, the commissioners made Chelan the fifth county in the state to move jail operations from the traditional purview of the sheriff to a county agency under control of the commissioners. Other counties with commissioner-run jails are: King, Snohomish, Cowlitz and Yakima. RCW 70.48.090(3) authorizes the county governing unit to establish county departments of corrections for the purpose of operating jails.

High Court Finds Counties Responsible for Appellate Defense on Appeal to Superior Court

The Washington State Supreme Court ruled July 19 that local government is responsible for paying the indigent defense costs of misdemeanor appeals from a court of limited jurisdiction (e.g. district court) to superior court.

The Court’s full opinion in Kitsap County and City of Bremerton v. Moore is available online at www.courts.wa.gov/opinions.

In this case, Kitsap County and the City of Bremerton claimed that the state, not local governments, should bear the costs of indigent misdemeanor appeals. Kitsap and Bremerton argued that RCW 4.88.330 demonstrates a legislative intent to commit the state to pay for appeals to superior court under the Rules for appeal of Decisions of Courts of Limited Jurisdiction. The statute states that the state shall pay for appeals of parties that have been determined to have a constitutional right to appeal and have demonstrated indigency.

However, at the time of the adoption of RCW 4.88.330 in 1975, it applied only to appellate review by the Supreme Court and the state Court of Appeals. At that time courts of limited jurisdiction were not courts of record, and relief from their decisions was determined in a new trial in superior court. Counties and cities bore the indigent defense costs associated with these new trials.

The Supreme Court examined legislative history and further reasoned that the Legislature had no intention of applying RCW 4.88.330 to cover any appellate costs in superior court. A reasonable inference from floor debate, according to the Court, was that the Legislature intended the statute to deal only with the appellate system as it existed at that time in 1975.

August County Calendar

1 The county treasurer, upon request, shall furnish the county legislative authority with a list of lands owned by the county and subject to special assessments. RCW 36.33.160

13 By this date, each elective and appointive department head is to file an estimated budget for the ensuing fiscal year, with the county auditor. If estimates are not filed in time, the auditor shall deduct and withhold as a penalty from the salary of each official failing to comply, $10 for each day of delay, not to exceed $50 in one year. RCW 36.40.010, .030

13 On or before this date, the county legislative authority, assisted by the county road engineer, shall prepare and file with the county auditor estimated county road expenditures for the ensuing fiscal year. RCW 36.82.160

15 Filing of autopsy reimbursement requests by coroners and medical examiners due in State Treasurer’s office for January-June of (current year). RCW 68.50.104

18 County assessor to forward to the Department of Revenue a valuation abstract of local assessments. RCW 84.48.010

31 Up until this date, the county assessor is authorized to place property that is increased in value due to construction or alteration for which a building permit has been issued, on the assessment rolls for the purposes of tax levy. The assessed valuation of the property shall be considered as of July 31. RCW 36.21.080

31 Up to this date, when any mobile home first becomes subject to assessment for property taxes, the county assessor is authorized to place the mobile home on the assessment rolls for purposes of tax levy. The assessed valuation of the mobile home shall be considered as of the July 31, immediately preceding the date that the mobile home is placed on the assessment roll. RCW 36.21.090
Guest Editorial

War on drugs requires brains, not brawn

By Rep. John Lovick

For years, lawmakers have taken credit for getting "tough on crime." Hasn't the time come for us to get smart on crime, too?

Census data released earlier this week shows that Washington's prison population doubled over the last decade, with black men and women serving time at alarmingly high rates. While black men account for a mere 3 percent of the state's male population, they represent 18 percent of the male population behind bars.

Experts say the state's drug laws account for this disparity. Although white men use illegal drugs at about the same rate as their African-American counterparts, black men are five times more likely to be arrested for a drug offense.

Once in jail, they fall into a cycle of drugs, crime and violence. In many neighborhoods, this cycle of crime and addiction has spun out of control. But we can have safer neighborhoods and save taxpayers millions, by focusing on drug prevention. Common-sense proposals that get smart on crime will reduce drug abuse, property crime, and violence.

One of the best investments we could make is to expand the state's drug courts, putting one in every county. King County has had a drug court since 1994. It was the twelfth in the nation and is currently a mentor site to over 450 drug courts operating throughout the country.

Here's how it works: eligible defendants choose to participate in the program in lieu of traditional court processing. Once in the program, they attend court-supervised treatment sessions, undergo random drug tests, and regularly appear before a court judge.

The results have been outstanding. Only 9 percent of drug court graduates commit a felony in the months after graduation. Compare this to 22 percent for drug court drop-outs and 33 percent for people who choose not to participate.

What's more, every dollar spent on drug treatment saves taxpayers $2 to $7. The average cost of drug court treatment ran between $1,200 and $3,000. Savings in jail bed days alone have been estimated to be at least $5,000 per defendant.

Simply put, drug courts save money and break the cycle of crime and addiction clogging our state's prisons.

By acting now, we can save another generation from experiencing the indignity of addiction, the trauma of violent crime, and the expense of a failed war on drugs. Over the next 20 years, the state's teen population is expected to grow by more than one-third. But we can prevent the cycle from finding a new foothold.

It's time to get smart on crime.

State Rep. John Lovick, a sergeant with the Washington State Patrol and a 27 year veteran of law enforcement, represents the 44th Legislative District.
Employment Opportunities

The Grays Harbor County Department of Public Services, Planning & Building Division, has an opening for a Plans Examiner/Lead Building Inspector with a monthly salary of $3,439 to $4,110 DOQ. Minimum Qualifications: Requires seven years of employment as a building inspector, plan reviewer, or related position, at least two of which were as an I.C.B.O. Certified Plans Examiner; two year degree in building technology, engineering technology, or closely related field; applicable experience may be substituted at a rate of one for one; I.C.B.O. Building Inspector Certification; I.C.B.O. Plans Examiner Certification and a valid WSDL. Requires the physical ability to crawl under buildings, climb ladders, and walk undeveloped terrain. Proficiency with Windows operating system-based personal computer as well as Windows based applications. Demonstrate ability to foster good relations with the public. Applications and a complete job description may be obtained from Grays Harbor County Management Services, 3rd Floor Admin. Bldg., P.O. Box 790, Montesano, WA 98563, (360) 249-4144 or on our website at www.co.grays-harbor.wa.us. Closing: August 3, 2001 at 5:00 p.m. Grays Harbor County is an Equal Opportunity Employer.

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The Grays Harbor County Public Health & Social Services Department has an opening for a Deputy Director with a beginning monthly salary of $4,332. Minimum Qualifications: Bachelor’s degree in Business or Public Administration, Accounting or closely-allied field and 6 years professional experience in budgeting and/or grant accounting, including fiscal management and program analysis, 2 years of which must have been in a supervisory capacity. Qualifications as a CPA in WA State may be substituted for all educational requirements. Must have valid WSDL. Residency in Grays Harbor County must be established within six months of employment. Background checks will be conducted prior to employment. Applications and a complete job description may be obtained from Grays Harbor County Management Services, 3rd Floor Admin. Bldg., P.O. Box 790, Montesano, WA 98563, (360) 249-4144 or off our website at www.co.grays-harbor.wa.us. Closing: August 6, 2001 at 5 p.m. Grays Harbor County is an Equal Opportunity Employer.

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Associate Planner, for Skagit County Planning & Permit Center, Mount Vernon WA. Coordinates the preparation or administration of comprehensive, sub-area, and community growth management plans; public land use policy and legislation; natural resource land and open space conservation; transportation; capital facilities; land use regulations; environmental review; info. systems, or other similar planning programs. Requires a BA degree in planning, geography, public administration or affairs, environmental studies, or related field and two years of exp. in a planning process related to comprehensive or regional planning, growth management, development review, code implementation or any combination of experience an educ. which provides the applicant with the desired skills, knowledge and ability. Master’s degree preferred, but not required. A.I.C.P. certification is preferred, but not required. More information and application forms at 1-800-548-7957 or www.skagitcounty.net Position pays: $3,204.60 - $3,432.24 per month. Open until filled.

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WSAC - Ginni Peppert at gpeppert@wacounties.org or call (360) 753-1886
WACO - Kathie Houts at khouts@wacounties.org or call (360) 753-7319