BACKFILL FOR I-695 NOT A SURE THING
Discussion about the state budget by some legislators has centered on the funding for the loss of MVET in I-695. A disturbing number of legislators have been heard suggesting that the on-going dollars in the Governor’s budget may not be fully funded in the next biennium. Some legislators have talked about partial funding, or funding one year of the biennium and even in a couple cases just not funding it at all. They all cite the impending budget crunch and cuts proposed by the Governor.

While the Governor fully funded the on-going backfill, he did make some difficult decisions that made large cuts in DSHS. Some of these cuts are favorite programs of legislators and they are looking for ways to restore the cuts. They think the counties and cities could get by with less.

The counties and cities lost over $240 million in MVET funding for criminal justice funding and public health. The legislature only replaced $120 million of that amount. When the legislation passed last year there was great concern that these monies should be on going. As a result, the Legislature put an intent section into the budget saying that it is the legislative intent to continue this level of funding with the state growth factor in future budgets. While it was the intent of the legislature it does not bind any future legislature to honor it.

It is important that every county official let his or her legislator know that it is the counties highest priority that this funding be continued. The counties have already lost 47% of their criminal justice funding and simply cannot continue to operate the system if this funding is not approved. Further, without the public health funding continuing at 90% the departments and districts may not be able to protect the public.

ESTABLISHING PROCEDURES FOR CREATION OF NEW COUNTIES, SB 5084
This bill, sponsored by Senator Mary Margaret Haugen, establishes procedures for the orderly formation of new counties or consolidation of existing counties and to provide for an equitable apportionment of the debts, liabilities, and assets of the parent county or counties between the new county and the remaining portions or portion of each parent county.

The Constitution sets out some provision for the creation of new counties, but leaves many of the details up to the Legislature. The problem has been that no attempt to create new counties has been successful since 1911 with the creation of Pend Oreille. This bill attempts to provide for a method of petition by county residents and, once certified by the Secretary of State, legislative action.

Specifically, after filing the legal description of a proposed new county with the Secretary of State and verification of the proper legal description a petition is authorized for the formation of the new county. The petition “must be signed by at least fifty percent of the registered voters residing in the combined portions of parent county from which territory is proposed to be stricken and included in the new county.” The Secretary of State then shall have 60 days to examine the signatures and determine their validity and then certify to the legislature.

The court of appeals presiding judge shall then appoint a special master to gather facts, conduct hearings, review evidence and make recommendations to the court regarding the division of assets and liabilities. The new county is liable for an equitable proportion of the debts and liabilities and must receive an equitable proportion of the assets of the parent county.

The Legislature may then enact special legislation creating the new county, subject to approval by a majority of the voters in the proposed new county. If the Legislature does not act, then the question of creation must be referred to a vote of the registered voters of the new county.

The Legislative Steering Committee will discuss the issue today.
INDEPENDENT SALARY COMMISSION for COUNCILMEMBERS AND COMMISSIONERS, SB 5065

SB 5065 would authorize a county to establish an independent salary commission for county commissioners and council members. Commission members are appointed by the county commissioner, or by a majority vote of the board of commissioners. In charter counties, the county council confirms commission members.

Changes in salary adopted by the commission become effective and are incorporated into the city or county budget without further action of the city or county council. Salary increases become effective immediately, while salary decreases become effective when the current official's term of office has ended. Any increase or decrease in salary is subject to a referendum petition by the people of the city or county, and may be submitted to the voters in the next general or municipal election.

This is essentially the same process used to set state elected officials salaries. This same legislation was supported by WSAC last year. Spokane County voters established a salary commission last year with a 74% favorable vote, but it is not binding unless adopted in state statute.

PERSONAL PROPERTY MODIFICATIONS

The WACO/Assessors’ recommendation on revising personal property taxation procedures has been introduced as HB 1059. The sponsors include Representatives Cox, Hatfield, Cairnes and Pflug. The bill contains two provisions; 1) it requires the Department of Revenue (DOR) to utilize three-years worth of data in computing all personal property ratios, and 2) it allows personal property affidavits to be filed electronically by members of the business community. There are some other changes in these sections, simply to restore the language that existed prior to the Referendum 47 provisions that were declared unconstitutional. HB 1059 has been scheduled for hearing next Tuesday in the House Finance Committee. Committee members include Jeff Morris (co-chair), Jack Cairnes (co-chair), Ruth Fisher (co-v. chair), Dan Roach (co-v. chair), Steve Conway, Mike Carrell, Sharon Tomiko Santos, John Pennington, Velma Veloria, and Steve Van Luven. Assessors with legislators on the committee should call and leave a message asking support for HB 1059.

TIMBER TAX CLEANUP

The Senate version of the timber tax statute should be introduced shortly. The House bill does not yet have a prime sponsor. This week, we received additional feedback from some of the small timber landowners raising some further objections to the redraft proposal. Some of their concerns can be accommodated by an amendment to the bill and we will work with them to see if we can come up with some amendments. However, it is quite apparent that there will still be landowners who will object to this bill, because they do not want any changes being made to the timber tax statute. They feel that if there is any chance these changes would grant the assessors additional authority, they will adamantly oppose such changes. Although there are many provisions in the bill that are advantageous to landowners, we most likely will not receive any active support from the timber community. We expect that if there is some opposition from small landowners and it is not offset by some indication of support from the larger landowners, the legislature will simply set the measure aside.

COMPENSATING TAXATION/DEATH WINDOW

SB 5228, which is the county assessors’ affiliate recommendation, has been introduced and sponsored by Senators Fraser and Winsley. The bill is similar to the section that was included in the assessors’ timber tax cleanup bill last year. It provides that if the property was accepted into the open space or the timber act prior to January 1, 1993 and has been in the program continuously since then, the surviving spouse would still have the two-year window available to them to come out of the program without having to pay the compensating tax.

TRANSPORTATION

BLUE RIBBON COMMISSION ON TRANSPORTATION REPORTS TO THE LEGISLATURE

The Blue Ribbon Commission on Transportation (BRCT) submitted their report to the Senate and House Transportation Committees this week. The report includes a 6-year and a 20-year revenue package, 17 benchmarks and a tool kit for achieving efficiencies. The BRCT 6-year plan proposes $7.7 billion dollars in state revenue and $3.9 billion local revenue. The revenue proposal breaks out in two areas:

- Creating a menu of state revenue sources for state transportation improvements, and ensuring adequate funding for the operation, maintenance, preservation, and safety functions of the state’s transportation system and
- Enabling regions to select, fund and implement regional projects. This includes adopting a regional distribution mechanism for new transportation funds.

The toolbox addresses permit reform, construction efficiencies, common data reporting, and the creation of one-stop grant funding centers.
THE GOVERNOR’S TRANSPORTATION EXPENDITURE PLAN WAS PRESENTED TO THE LEGISLATURE
Representative from the Governor’s office presented his transportation plan to the House and Senate Transportation Committees this week. The governor proposes a $5.8 billion, 6-year plan that is approximately 60% of the BRCT proposal. The governor’s plan includes:

- $42.8 million for freight mobility projects
- $15 million for county corridor programs
- $177 million for public transit with a priority to serve the para-transit population
- $10 million for county and city fish passage barrier removal program
- $13.7 million for transportation demand management program
- $5.0 million for school safety program

The governor’s budget also includes two additional staff for the County Road Administration Board (CRAB) that will assist counties in the areas of environmental and maintenance programs.

THE LEGISLATURE’S JOINT TASK FORCE ON FERRIES ADOPTS REPORT
The Joint Task Force on Ferries met this week to review and subsequently adopted the report that addresses the needs of the Washington State Ferry system. The task force was created last session and is comprised of Legislators, citizens, ferry management and ferry workers. The summary of some of the recommendations include:

- Ferries should remain a part of the state’s highway system
- The state should continue to provide and maintain both auto ferry and passenger-only ferry service
- Washington State Ferries should maintain an in-house maintenance and preservation facility
- Ferry users recognize the need to pay a greater share of operating costs. The Legislature should pass a waiver of I-601 for ferry tariffs in order to raise the fare box recovery to 80% of operating costs over 6-years and result in passenger-only tariffs set at double the level for passengers on the auto ferries by May of 2001 and implement a journey time-based model of tariff route equity.

HB 1012 sponsor by Representatives Mitchell and Fisher (Co-chairs of the House Transportation Committee) was heard this week. This bill will allow state ferry fares to be increased in excess of the fiscal growth factor and above the I-601 limit. This bill will implement some of the recommendations made by the Task Force. Please contact Jackie White, WSAC staff, for more additional information on transportation issues.

WACO NEWS

BLANKET PRIMARY NEWS
Both Houses are continuing an aggressive meeting schedule to gather information on the blanket primary. This past week both the House and the Senate have had numerous work sessions on the subject. Political scientists, attorneys, secretary of state staff, county auditors, Washington State Grange staff, and committee staff have all provided vast amounts of information on topics ranging from the architecture of other state primaries to the US Supreme Court decision deeming the California blanket primary invalid.

Bob Terwilliger, President of the County Auditor’s Association, testified in the Senate State and Local Government committee and asked committee members to please be sure the auditors have a place at the table, should a new primary system be crafted. Bob also reminded committee members that since the state does not pay for their share of election costs during the even numbered years the costs of conducting the election will be a real issue and could perhaps be conceived as an unfunded mandate.

Suzanne Sinclair, Island County Auditor, gave the House State Government committee an overview of the issues the county auditors will be proposing this session. Doug Cochran, Yakima County Auditor, also attended the senate committee hearing on the blanket primary. For the week of January 22 – 28, the following hearings are scheduled: House Select Committee on Elections – HHR E 1/23/01 8:00 am – Blanket primary system; HHR E 1/26/01 1:30 pm – Blanket primary system; Senate State and Local Government – SHR 3 1/22/01 1:30 pm – Major/Minor party considerations. In the Senate Transportation committee SB 5043, which repeals the provision requiring vehicle license replacement, will be heard in SHR 1 on 1/22/01 at 3:30 pm.

NEXT WEEK FOR SHERIFFS
The Senate Judiciary Committee has scheduled the following: Monday, January 22 at 10:00 a.m. both the Washington State Patrol (WSP) and the Washington Association of Sheriffs and Police Chiefs (WASPC) will make presentations to the Committee on Racial Profiling. On Thursday, January 25, the committee will hear SB 5180, certification of peace officers, SB 5181 and the authority of
Legislative Bulletin · January 19, 2001

The Criminal Justice Training Commission to own and operate training facilities.

The House Criminal Justice and Corrections Committee will hear HB 1062, Certification of Police Officers, HB 1066, Criminal Justice Training Commission (CJTC) Facilities, and HB 1067, Commission and training of railroad police, a CJTC request bill. The hearing is on Wednesday, January 24, at 1:30 p.m.

House State Government will hear HB 1065, Creating a law enforcement mobilization policy board and plan, on Wednesday, January 24, at 1:30 p.m. A policy board would be formed by WASPC to make recommendations to the military department on a mobilization plan to be used in case of an emergency or disaster response and develop procedures to facilitate reimbursement to jurisdictions from state and federal funds.

SB 5088, Making the office of sheriff nonpartisan, and SB 5141, Requiring nonpartisan sheriffs, will be heard in the Senate State and Local Government Committee on Wednesday, January 24, at 1:30 p.m.

Senate State and Local Government will hear SB 5077, provisional employees of sheriffs’ departments on Thursday, January 25, at 3:30 p.m. SB 5077 would allow provisional employees to be extended beyond a four-month period.

MORE FOR SHERIFFS

SB 5199, Restricting the use of the word “sheriff,” has been referred to the Senate Judiciary Committee. The House companion bill is expected to be introduced early next week. SB 5199 is a WACO Priority Bill.

WHAT’S UP NEXT WEEK FOR COUNTY CLERKS

SB 5115, the clerks’ bill to increase the filing fee to $20.00 for warrants for unpaid taxes will be heard on Tuesday, January 23 at 8:00 a.m. in the Senate Judiciary Committee. Kitsap County Clerk Dean Logan and Cowlitz County Clerk Teri Nielsen will be on hand to testify. At the same hearing, SB 5070, restricting the term of jury service, and SB 5072, establishing juror compensation, will be heard along with SB 5156, creating an additional judgeship for Franklin/Benton counties. Thank you for the information on the impact of shorter jury terms.

On January 25, Thursday, the House Judiciary Committee will hear HB 1081, Restricting the length of term of jury service, and HB 1141, Juror compensation, at 8:00 a.m.

The House Juvenile Justice Committee will conduct a work session on drug courts for juveniles on Wednesday, January 24, at 10:00 a.m. Presentations are made at work sessions and testimony is not taken.

NEW AUDITOR NAMED IN THURSTON COUNTY

Thurston County Commissioners named Kim Wyman as county auditor last week replacing Sam Reed, who took office as the new Secretary of State on January 10. Wyman has been the county’s election manager for the past seven years.

ADAMS COUNTY ASSESSOR RESIGNS

Adams County Assessor Jerry Crossler has resigned his position to take a job with the King County accounting department in Seattle. Crossler joined the Adams County Assessor’s office in 1987 and has been in the top post for the past 10 years. We wish him the best of luck!

OF INTEREST TO WACO MEMBERS

House State Government will hear HB 1002, Limiting the public inspection and copying of residential addresses or phone numbers of public employees or volunteers of public agencies, on Wednesday, January 24, at 1:30 p.m. HB 1002 exempts from public inspection and copying “residential addresses or telephone numbers of employees or volunteers of a public agency which are held by any public agency in personnel records, public employment related records, or volunteer rosters, or are included in any mailing list of employees or volunteers of any public agency.”

The Senate State and Local Government will hear SB 5065, authorizing independent salary commissions for cities, towns and counties, Wednesday, January 24, at 1:30 p.m.

HB 1043 and SB 5149 would allow increase a PERS I (Public Employees Retirement System Plan I) employee’s maximum benefit to 68% to 60%, which mean it would be beneficial to PERS I people to postpone retirement at 30 years.
STORMWATER POLICY GETTING LEGISLATIVE ATTENTION
On Thursday, the House Agriculture and Ecology committee held a work session and public hearing on stormwater issues. Benton County officials rounded out the discussion between state legislators and speakers from the Departments of Ecology and Transportation and the Storm Water Policy Advisory Committee.

Commissioner Leo Bowman told the committee that the stormwater programs that are mandated by the federal government and implemented by the state are unnecessary in areas where no local problems have been identified and no evidence of pollution has been found. Public Works Director and County Engineer Ross Dunfee said that the committee should consider the difference between numeric and narrative standards. Only narrative standards for stormwater programs take into consideration local conditions and background events, so those are the type of standards that should be used.

WSDOT representative Jerry Alb encouraged the Committee to promote cooperative efforts at stormwater management between different levels of government.

PROPOSED TIMELINES FOR GMA
The Washington State Association of Counties and the Association of Washington Cities will seek amendments to the current statues that now require all GMA planning jurisdictions to review and update if necessary, local GMA plans and development regulations by September 2002.

The bill would phase in update reviews beginning in 2004 over a 4-year period with the “buildable” lands counties updating first.

In a separate proposal related to shorelines masters programs, critical areas ordinance updates coordinate directly to the proposed timelines in this bill. In addition to requesting time extensions, counties and cities are also requesting funding for the updates.

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

SHORELINES IN THE MIDDLE
As expected the rules adopted by Ecology requiring counties and cities to update their shoreline master programs are causing a stir in the Legislature. A number of bills are on the verge of being introduced over the course of the next few days. A bill to repeal the rules is expected, as is a bill to provide all counties and cities extra time to implement the timelines.

Several bills may be introduced that require something in the middle between the “forge ahead” and “repeal” options. These bills require some level of local action on shorelines but not full implementation by all counties and cities.

WSAC talked with several legislators sympathetic to our request that the 1995 rulemaking directive to Ecology be repealed, but who don’t believe the votes are there to pass it and get it signed by the Governor. WSAC has also worked with Senator Ken Jacobsen, Chair of the Senate Natural Resources, Parks and Shorelines Committee to develop a bill that does the following:

- Acknowledges that there are many different state and federal laws that direct cities and counties to protect and improve salmon habitat and the environment such as the GMA, critical areas ordinances, CWA, storm water regulations, SEPA, and the threat of take suits.
- Directs the department of ecology to devise a schedule of deadlines for counties and cities to amend their shoreline master programs, ranging from thirty-six to seventy-two months and requiring the department to grant twelve month extensions for counties and cities in need of more time.
- The timelines do not commence until counties and cities have received adequate funding to amend their master programs.
- The new shoreline rule does not apply to counties (and the cities within them) with more than seventy-five percent of the land base in preservation, natural resource use and open space.
- Any county or city not required to amend their master program must enforce their master program subject to the previous guidelines.
- Coordinates the planning processes of the shoreline management act, comprehensive plans under the proposed timelines for the growth management act and critical areas provision of the growth management act (please see article on GMA planning timelines).

It is estimated that about 30 counties - and the cities in them -- would not be required to implement the new rules using this approach. A similar bill, with even more counties and cities eliminated from implementing the new rules, will be introduced in the
In general, many from the Democratic side of the aisle support more time for compliance and funding but have expressed reluctance at removing so many counties and cities from the purview of the new Ecology rules. Keeping the rules in place is a top priority for the state’s environmental community.

On the other hand, many on the Republican side of the aisle believe the rules go too far and that the solution is repeal. Those seeking repeal are bolstered by the lawsuit led by the Association of Washington Business challenging the adopted rules as beyond the scope of the Shoreline Management Act. As of this writing, it is reported that 21 counties have joined as plaintiffs in that lawsuit. They are Adams, Chelan, Columbia, Douglas, Ferry, Franklin, Grant, Grays Harbor, Island, Jefferson, Kittitas, Klickitat, Lewis, Mason, Pacific, Skagit, Skamania, Stevens, Walla Walla, Whitman and Yakima.

There are likely months to go until a common middle ground - if any -- is found that can garner 75 votes and the Governor’s signature.

**JIM WALDO SIGNS ON AS GOVERNOR LOCKE’S WATER COORDINATOR**

Jim Waldo, attorney, mediator, and one-time candidate for the Republican nomination for Governor, has joined Governor Locke’s staff as a water coordinator. He will be coordinating water policy among the various state cabinet agencies, work as a lobbyist on water policy, and will work on developing water solutions at the regional level (focused on Central Puget Sound, the Yakima Basin, and the mainstem Columbia River). He may not be called the “Water Czar” officially, but chances are that Olympia will soon dub him so.

The Governor has said in his Inaugural address that water is one of his priorities this year, but no policy details have yet been agreed upon. Now that Waldo is on board, expect to hear more soon.

**DOLLY VARDEN MAY BE LISTED UNDER ESA**

The Dolly Varden trout's striking resemblance to a bull trout could land the fish on the federal Endangered Species Act list.

The U.S. Fish and Wildlife Service proposed last week to list the Dolly Varden in the coastal and Puget Sound region of Washington State under the "similarity of appearance" provision of the federal act.

Dolly Varden and bull trout are each members of the char subgroup of the salmon family. They look very much alike with lights spots on a dark background. They share the same river and stream habitat.

Fisheries managers fear that anglers may be catching bull trout and mistaking them for Dolly Varden.

Dolly Varden protection is under consideration to increase the chances that bull trout will be able to recover. Dolly Varden and bull trout were once considered the same species. But scientific research has recently separated the two species. However, even fisheries specialists have difficulty telling the two species apart.

Coastal and Puget Sound bull trout were listed as a threatened species on Nov. 1, 1999.

**WDFW BOOKLET DETAILS SALMON SCIENCE EFFORTS**

The Washington Department of Fish and Wildlife (WDFW) is sharing scientific innovations with local communities across the state in a joint effort to restore wild salmon.

These innovations, one of which uses sophisticated computer models to map salmon habitat and evaluate the benefits of restoration activities, are detailed in a new 24-page booklet released by the department this month. The booklet also describes how these and other scientific tools are re-shaping fishing harvest practices, hatchery operations and habitat restoration efforts, Titled “Partnerships in Science: A New Era in Salmon Recovery” copies of the booklet may be obtained by contacting WDFW’s Public Affairs office at (360) 902-2250.

The document also may be viewed on the Department’s website at [http://www.wa.gov/wdfw/recovery/newera.htm](http://www.wa.gov/wdfw/recovery/newera.htm) on the Internet.

**LAW & JUSTICE**

**JAIL COST BILLS INTRODUCED IN HOUSE, SENATE**

Under two bills introduced late this week the state would reimburse counties for the cost of state prisoners in county jails. The WSAC and WASPC legislative committees have previously endorsed both concepts. As of publication of this Legislative Bulletin neither had been assigned a bill number; this information will be available next week.
The first bill provides that the state shall pay the costs associated with state agency arrestees booked into a county jail. The most affected agencies are Fish and Wildlife, public college and university police, and the State Patrol. Under current law cities that use a county jail are required to negotiate with the county on a fee to cover the cost of their use. Per-day fees and booking fees are commonly imposed for city prisoners. State agencies do not currently pay per-day or booking fees at county jails.

The other jail-related bill requires state reimbursement for jail time served by inmates who ultimately are sentenced to the state Department of Corrections (DOC) and receive credit against that DOC sentence for the time served pre-trial in the county jail. This amounts to a cost-avoidance for DOC and is costing county jails approximately $30 million a year.

Both bills have bi-partisan support in both the House and Senate, including members of the corrections committees and the House Appropriations Committee. The bills each have 16 House sponsors and four Senate sponsors.

**APPEALS COURT SUMMARIZES COUNTY PROBATION DUTY**

A state Court of Appeals opinion may help clarify Supreme Court cases dealing with local liability for probation services. *Estate of Ashley R. Jones et al. v. State of Washington, DSHS, Island County et al.*, issued December 26, 2000, elaborates on the Supreme Court’s rulings in the *Taggart*, *Savage*, *Tyner*, *Bishop* and *Hertog* cases. The Jones opinion reverses a summary judgment that was issued in favor of the county.

The Jones case, which arises from claims of negligence against Island County and the state, seems to offer a relatively concise general rule on when a government has a legal duty to prevent a third party from causing harm to another, and when quasi-judicial and personal immunity applies. Based on the major Supreme Court cases in this area of law, Jones makes the following statements.

(County officials are encouraged to consult with their own legal staff and should not rely exclusively on the following summary.)

- First, while generally there is no duty to prevent a third person from causing harm to another, when a parole officer takes charge of a parolee he or she assumes a duty to protect against reasonably foreseeable dangers – despite the absence of a custodial relationship or continuing dominion over the parolee. This duty of supervision applies equally to county probation officers supervising probationers.

- Second, probation officers have a duty to monitor and report violations. Where there is a failure to adequately monitor and report violations quasi-judicial immunity does not preclude liability for negligent supervision.

- Third, while parole/probation officers have qualified personal immunity that immunity does not run to the government, which remains liable for an officer’s negligent supervision.

- Fourth, a judicial order will not act as a superseding intervening cause terminating government liability where the government fails to provide all material information to the court for its decision. In the context of a claim for negligent investigation, failure to provide all material information to the court may be the proximate cause of injury.

The Jones case made three claims against Island County. The estate claimed that Island County failed to properly supervise the probationer because it did not properly investigate or report evidence of possible violations, that the county negligently failed to forward all material information to the court for sentencing determination, and that the county negligently failed to forward relevant information to a state agency.

**PUBLIC HEALTH & SOLID WASTE**

Hearings of interest to public health & solid waste the Week of January 22nd:

House Commerce & Labor, 1/26/01, 1:30 pm, House Hearing Room B
Work Session: Reports on Family leave.

House Health Care:
Tuesday, 1/23/01, 1:30 pm, House Hearing Room C - **HB 1042** - Establishing sterilization requirements for the commercial practices of electrology and tattooing.

Thursday, 1/25/01, 9 am, House Hearing Room C - **HB 1083** - Requiring the registration of certain school health personnel.

Work Session: Update by the Department of Health on Implementation of the Epinephrine Bill.
Possible Executive Session:

**HB 1042** - Establishing sterilization requirements for the commercial practices of electrology and tattooing.

Friday, 1/26/01, 10:00 am, House Hearing Room C (Also on TVW)
Work Session on Prescription Drugs

Senate Environment, Energy & Water:
Tuesday, 1/23/01, 3:30 pm, Senate Hearing Room 1
Work Session: Water: Water law background and current and strategies.

Senate Health & Long-Term Care:
Monday, 1/22/01, 1:30 pm, Senate Hearing Room 4
**SB 5186** - Modifying department of social and health services' family planning services

Wednesday, 1/24/01, 1:30 pm, Senate Hearing Room 4
**SB 5074** - Creating the Women's health advisory committee.
**SB 5098** - Defining the cost for reproducing health care records

Thursday, 1/25/01, 3:30 pm, Senate Hearing Room 4
**SB 5211** - Requiring comparable mental health benefits.
**SB 5173** - Requiring food service establishments to post letter grade card based on an inspection.

Senate Human Services & Corrections:
Friday, 1/26/01, 8 am, Senate Hearing Room 4 (Also on TVW)
Public Hearing: **SB 5236** - Ensuring the health and safety of newborn infants who have been abandoned and exempting from
criminal liability persons who abandon them into the custody of a qualified person.

Senate Natural Resources, Parks & Shorelines:
Monday, 1/22/01, 1:30 pm, Senate Hearing Room 2
**SB 5093** - Modifying provisions concerning the unlawful dumping of solid waste.

Local Government, Joint Task Force:
Thursday, 1/25/01, 7:00 pm, Senate Conference Rooms B & C
Work Session:
1. Task Force Long and Short Term Priorities.
2. Discussion of 2001 Interim Activities

**BILLS OF INTEREST TO PUBLIC HEALTH AND SOLID WASTE**

**HB 1022**: This declares that it is unlawful for a person to transport a child, seventeen years old or younger, in or upon the uncovered bed of a pickup truck, unless that pickup truck has seats with seatbelts in the bed of the truck and the child is securely fastened in the seatbelt.

**HB 1042**: Establishing sterilization requirements for the commercial practices of electrology and tattooing. Finds and declares that the practices of electrology and tattooing involve an invasive procedure with the use of needles and instruments which may be dangerous when improperly sterilized presenting a risk of infecting the client with bloodborne pathogens such as HIV and Hepatitis B. Declares it is in the interests of public health, safety, and welfare to regulate the sterilization procedures in the commercial practices of electrology and tattooing in this state. In reading the bill, it appears that it comes under DOH's licensing authority and would not impact local public health jurisdictions.

**SB 5173**: Requiring food service establishments to post a letter grade card based on an inspection. Directors the State Board of Health to adopt rules establishing a letter grade based on an inspection scoring system for all food service establishments and requiring the posting of a letter grade card upon issuance at the food service establishment so as to be clearly visible to the general public and to customers entering the food service establishment.

**HB 1058**: Providing assistance to treat breast and cervical cancer for low-income women. Reenacts and revises RCW 74.09.510. It adds the following language regarding eligibility for medical assistance:..."and (9) women who are: (a) Under sixty five years of age; (b) have been screened for breast and cervical cancer under the state breast and cervical cancer program administered by the
health insurance. Medical assistance provided under this subsection is limited to the period during which the woman requires treatment for breast or cervical cancer.”

**SB 5186 – DSHS REQUEST BILL:** Modifying department of social and health services' family planning services. Authorizes the department to, upon receipt of approval from the federal health care financing administration, implement a waiver under section 1115 of the federal social security act to provide family planning services to persons with family incomes at or below two hundred percent of the federal poverty level.

**HB 1080 AND SB 5211:** Requiring comparable mental health benefits. Finds that without comparable mental health benefits for children, families are often unable to pay for needed services. As a result, many children do without the treatment they need, which significantly impacts their ability to learn, and their opportunities for a productive future. Finds that the costs for leaving mental disorders untreated or undertreated are enormous, and often include: Decreased job productivity, increased job turnover, loss of employment, increased disability costs, deteriorating school performance, increased use of other health care services, treatment delays leading to more costly treatments, suicide, family breakdown and impoverishment, and institutionalization, whether in hospitals, juvenile detention, jails or prisons. Declares an intent to require comparable mental health coverage for children and catastrophic mental health coverage for adults under the terms of this act.

**HB 1087:** Authorizing health districts to issue civil penalties. Declares that health districts have the power to levy fines upon violators of environmental health statute, rules, and regulations. Any person who violates a public health statute, is subject to a civil penalty, assessed by the local board of health in whose jurisdiction the violation occurs. Penalties collected are to be placed into the pooling funds available for public health purposes as provided in RCW 70.08.080 and 70.12.030.

**SB 5207:** Regulating DNA testing. Establishes a DNA commission to:
1. Develop a statewide strategy for evaluating and recommending public policies relating to the use of DNA;
2. Conduct a survey and produce a resource guide for citizens relating to the use of DNA;
3. Evaluate methods for protecting an individual's privacy interest in his or her DNA;
4. Analyze the incidence of discriminatory actions statewide based upon genetic information;
5. Develop recommendations relative to civil rights' protections as they relate to genetic information;
6. Analyze available remedies to compensate individuals for the inappropriate use of their genetic information;
7. Identify appropriate disincentives to improper use of DNA;
8. Identify incentives for further research and development in the area of DNA that promotes public health, safety and welfare; and
9. An initial report of its findings and recommendations shall be provided to the appropriate committees of the legislature by July 1, 2002.

The Commission would consist of 24 members and the Governor's appointments would include two members representing local public health.

**SB 5222:** Requiring the registration of certain school health personnel. Declares that no certificated or noncertificated school district employee may practice or represent himself or herself as a school health aide by use of any title or description of services without being registered to practice by the department, unless otherwise exempted by this act.

**SB 5231:** Requiring the treatment of biomedical waste cultures and stocks prior to disposal. Requires generators of cultures and stocks to treat those cultures and stocks before final disposal in either of the following ways: (1) The generators may treat the cultures and stocks before transport from the facility; or (2) segregate the cultures and stocks from other biomedical waste and transport them to a treatment facility. Cultures and stocks shall not be subject to any process that creates the potential for the generation or release of airborne pathogens from the waste before treatment.

**SB 5236:** Ensuring the health and safety of newborn infants who have been abandoned and exempting from criminal liability persons who abandon them into the custody of a qualified person. Ensures the health and safety of newborn infants who have been abandoned and exempts from criminal liability persons who abandon them into the custody of a qualified person. Directs the secretary of the department of social and health services to convene a fifteen-member task force to recommend methods of implementing this act, including a program of public education regarding the provisions of this act.

**HB 1121:** Encouraging safe storage of Firearms. Declares that, except as otherwise provided in this act, a person is built of reckless endangerment if the person stores or leaves a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access, and a child obtains possession of the loaded firearm.

Requires that, when selling any firearm, every dealer shall offer to sell or give the purchase a locked box, a lock or a devise that prevents the firearm from discharging.
SB 5258: Regulating disclosure of health care information. Declares that it is a negligent violation of chapter 70.24 RCW to cause an unauthorized communication of confidential sexually transmitted disease information by facsimile transmission or otherwise communicating the information to an unauthorized recipient when the sender knew or had reason to know the facsimile transmission telephone number or other transmittal information was incorrect or outdated.

Declares that reasonable safeguards shall include affirmative action to delete outdated and incorrect facsimile computer, facsimile, or other databases. When health care information is transmitted electronically to a recipient who is not regularly transmitted health care information from the health care provider, the health care provider shall verify that the number is accurate prior to transmission.

BOARDS & COMMISSIONS

COUNTY REPRESENTATIVES NEEDED ON AFFORDABLE HOUSING ADVISORY BOARD

The Office of Community Development (OCD) has contacted us about the two vacancies that have occurred on the Affordable Housing Advisory Board (AHAB). One was Charlotte Garrido’s slot, now former Kitsap County Commissioner, and the other was Brian Royer, now an ex-Ferry County employee.

AHAB was established in 1993 for the purpose of analyzing solutions and programs to address affordable housing for all segments of the state, and for special needs populations. This included financing for acquisition, rehabilitation, preservation, or construction of housing; use of public land and buildings as sites for affordable housing; coordination of state initiatives; identification and removal of barriers to development and placement of affordable housing; stimulation of private and public sector cooperation in the development of housing; and development of solutions and programs affecting housing.

The Board consists of 21 members – 18 of which are appointed by the Governor. They include builders, lending institutions, realtors, apartment managers, developers, special needs representatives, and 2 Association of Counties’ representatives. Their meeting schedule for 2001 is January 24, 3 – 6 Olympia; April 18, 10 – 2 Sea-Tac; July 17, 10 – 2 Sea-Tac; October 17, 2 – 6 Tacoma. Hugh Spitzer is currently the chair and is highly interested in obtaining county representation. The Governor requires three nominations for each slot and the originating statute indicates one from the westside and one from the eastside will be appointed. Elected officials are highly desirable, however staff persons are also acceptable.

If you are interested in serving on the Board, please indicate your interest to WSAC staff, Jean Wessman as soon as possible. We would like to forward the names no later than February 18 if possible.

HUMAN SERVICES, JUVENILE JUSTICE & HOUSING

HUMAN SERVICES, JUVENILE JUSTICE, AND HOUSING HEARINGS FOR THE WEEK OF JANUARY 22 – 26

Hearings are picking up a little bit for human services, juvenile justice, and housing issues. But overall things remain slow with continued briefings in general areas instead of specific bills. In the House, the following are of interest:

House Children and Family Services: January 25, 1:30 – HB 1124, evaluating children’s mental health programs

House Health Care: January 26, 10:00 – Continued examination of prescription drug procurement

Juvenile Justice:
January 23, 8:00 – Briefings on community residential facilities, local detention facilities, and community commitment beds, costs and benefits of crime reduction programs
January 24, 10:00 – Briefings on community networks, juvenile drug courts, and juvenile offenders with co-occurring disorders
January 26, 1:30 – Briefings on Guardian ad litem and CASA, the court’s perspective on juvenile justice, the Community Accountability Act, and what King County is doing regarding at-risk petitions

In the Senate:
Senate Health & Long-Term Care:
January 25, 3:30 – SB 5211, Mental Health Parity and SB 5271, Providing insurance coverage for certain mental illness

Senate Human Services & Corrections:
January 24, 8:00 – Family Policy Council
January 25, 8:00 – SB 5122, relating to commitment of sexually violent predators, and SB 5123, revising the crime of escape as it
relates to sexually violent predators

January 26, 8:00 – use of federal funding for children’s mental health coverage and SB 5236, regarding abandoned newborns

Senate Labor, Commerce & Financial Institutions: January 25, 10:00 – SB 5134, modifying provisions of the mobile home landlord–tenant act, and SB 5135, applying the consumer protection act to manufactured/mobile home landlord-tenant act violations.

**COMING EVENTS**

**February**
- 2  WSAC Legislative Steering Committee Meeting, Washington Counties Building, Olympia
- 14  WACO Affiliate Meetings in Olympia: Assessors, Washington Counties Building and Best Western Aladdin Motor Inn; Auditors, Guest House Inn; Clerks, WestCoast Olympia Hotel; Treasurers, WestCoast Olympia Hotel.
- 14  Legislative reception for State Representatives and State Senators sponsored by WSAC, WACO and AWC, Saint Martins Pavilion, Lacey, 6:00 – 7:30 p.m.
- 15  WACO Affiliate Meetings continued, Olympia.
- 16  Legislative Rally Luncheon (WACO/WSAC), the Olympian Hotel, Olympia, noon.
- 17  WSAC Legislative Steering Committee Meeting, Washington Counties Building, Olympia

**COURTHOUSE RAMBLINGS**

**FRANKLIN COUNTY SEEKING DEPUTY PROSECUTOR**

Franklin County is currently accepting applications for a deputy prosecuting attorney to take on District Court responsibilities. Minimum qualifications: must be a member of the Washington State Bar in good standing, with a valid driver’s license. Bilingual skills would be helpful. Two years experience is desired. Salary range is $40,429 - $55,731/year, depending on experience and qualifications. To apply, submit a cover letter, resume, writing sample and references to: Steve M. Lowe, Franklin County Prosecuting Attorney, P.O. Box 1160, Pasco, WA  99301-1160. Questions may be directed to Jennifer Peterson, office administrator, at (509) 545-3543. EOE

**JOBS**

**ENGINEER III - SURFACE & STORMWATER MANAGEMENT PROGRAM - KITSAP COUNTY - SALARY RANGE:** $48,401.60 TO $61,755.20.  CLOSES: 2/09/01, Call (360)337-7185 for application packet and additional job listings.

The **Northeast Tri-County Health District** is recruiting for the following three positions:  
**SUPERVISORY ENVIRONMENTAL HEALTH SPECIALIST**: Located in the Colville office. Primary responsibilities include staff supervision, general administration of a variety of environmental health programs and some fieldwork. May have district-wide responsibility for the development and implementation of specific environmental health programs. Requirements: Bachelor’s degree in environmental health or closely related natural science; three year experience in environmental health programs; two years of supervisory experience.

**FOOD PROTECTION PROGRAM/PROGRAM MANAGER**: Located in the Colville office but work assignments are throughout the three counties. Has responsibility for all activities associated with the food program within the Health District. Provides management and coordination of food protection program. Requirements: Bachelor’s degree in environmental health or closely related sciences such as biology or food protection science; three year experience in Environmental Health, preferably in food protection programs, in a local health department or district.

**ENVIRONMENTAL HEALTH SPECIALIST**: Located in Newport office: This is an entry-level position in Environmental Health. Employees may enter this position with a Bachelor’s degree but without previous environmental health experience. Employees in this classification generally function to varying degrees in several environmental health programs. Requirements: Bachelor’s degree in Environmental Health, food science, biology, zoology, sanitary science or other closely related science as determined by the Health District may be substituted. Position open until filled. Contact Northeast Tri-County Health District, PO Box 270, Colville, WA. 99114;  (509) 684-1301 for job description and application.

**DIRECTOR OF DISTRICT COURT PROBATION**: Whatcom County, Bellingham, WA, Salary $49,500-$62,184/year. An exciting opportunity for a proven manager to lead Whatcom County's adult probation services. Requires a bachelor's degree in social science, criminal justice, public admin., or related field and 6 yrs. experience in adult or juvenile probation or corrections...
including 3 yrs. supervisory experience. Excellent employer-paid medical, dental & vision benefits for employee and family. 3 wks. vacation/yr. to start. Avg. 12 holidays/yr. WA State Retirement system. Optional deferred comp & Flex 125. The application period closes 2/16/01. For required application packet contact Whatcom County Human Resources, 311 Grand Ave., Suite 107, Bellingham, WA, or call (360) 676-6802. For detailed job announcement visit our website at www.co.whatcom.wa.us or call the job line at (360) 738-4550. Equal Opportunity Employer.