RESTRICTING ASSOCIATION’S ACTIVITIES

On Monday afternoon in the Senate State and Local Government Committee a hearing was held on SB 5556, which was introduced at the request of Mr. Paul Telford. Telford was involved in litigation with WACO and WSAC in recent years. From WACO and WSAC’s standpoint, this bill does not change the current practices, since both associations are in total compliance with Judge Hicks’ order prohibiting the use of any association funds for the opposition of ballot propositions. However, the bill went beyond that, and into the area of open public records and further, dealt with the use of local facilities for political purposes. Although none of the testimony before the committee dealt with the latter issue, the article in the Daily Olympian focused solely on that issue with only a few side comments about the associations’ testimony. Also testifying in opposition to the bill were representatives from the Association of Washington Cities (AWC) and the Washington Public Ports Association, which pointed out that the bill was so restrictive that when the members met at an association function, they could not even take a vote as to how the officials felt as an organization on whether the public should support or oppose a ballot proposition. The committee appeared to be about evenly split between those who felt some revisions were necessary, and those who felt this overreached and potentially infringed upon elected officials’ right of free speech.

EXECUTIVE SESSIONS BILLS HEARD IN HOUSE AND SENATE (HB 1384, SB 5655)

Legislation that would narrow the use of executive sessions for potential litigation by local government legislative authorities and require that minutes be kept of those sessions was heard in the House State Government and Senate State & Local Government Committees this week. The State Auditor, Attorney General and newspapers testified in favor. They cited cases in Mercer Island School District and the city of Olympia as apparent problems and argued that the public needs to know what is discussed in executive sessions that are called as a result of potential litigation. By keeping minutes judges would determine if in fact there was the potential for litigation and uphold or rule against the local government.

Testifying against the bills were WSAC Past President, Diane Oberquell, the cities, ports, school directors, hospital districts, prosecuting attorneys and some private attorneys. The major concern voiced by all was the requirement that minutes be kept of these executive sessions. The act of minute taking eliminates the purpose of an executive session, to discuss litigation that may expose the local government to lawsuit and ultimately, the taxpayers who must pay settlements and awards of the courts. They all testified that the act of minute taking destroyed the attorney/client privilege.

The attorney general testified in the House that they would provide some language to protect the attorney client privilege. When their proposed amendment was circulated during the Senate hearing it still had a provision for taking minutes and the consensus of the attorneys who reviewed it was that the problem had not been fixed.

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Legislators on both committees ask pointed questions of the proponents about the why there was a need for taking minutes. Several legislators voiced the opinion that it would handcuff local officials and risk more lawsuits.

Members are urged to call legislators on the two committees to voice your concerns. The House State Government Committee members are McMorris and Romero, co-chairs, Miloscia, Schindler, Haigh, Lambert, McDermott, and Schmidt. The Senate State and Local Government Committee members are Patterson, Chair, Fairley, Gardner, Haugen, Kline, Tim Sheldon, Roach, Hale, Horn, McCaslin, and Swecker.
LEGISLATIVE RECEPTION AND RALLY FEBRUARY 14-15
A large number of county officials are signed up to attend the first ever joint city/county legislative reception on Wednesday February 14 at St. Martin’s Pavilion, in Lacey. The reception will be from 6:00-7:30 p.m. Over 600 city and county elected officials are expected to mingle with over 100 legislators and state officials. All legislators, state elected officials and agency directors have been invited by the three association presidents. If you have not extended a personal invitation to your legislators please do so first thing next week. Let them know you would like to see them at the reception and then make an appointment to visit them during the two days in town.

Thursday marks the Legislative Rally and is organized to let members spend time with legislators in their offices or attend committee meetings.

WSAC will be holding meetings of the Board, Legislative Steering Committee and WACO will have a series of affiliate meetings from Wednesday through Friday. A final agenda of all events is listed below.

WSAC/WACO LEGISLATIVE RALLY - OLYMPIA
AGENDA

February 14
9:00 a.m.  County Assessors’ Committee Meetings  Washington Counties Building
9:30 a.m.  County Auditors’ Legislative Meeting  Guesthouse Inn and Suites
10:00 a.m.  County Treasurers’ Legislative Meeting  WestCoast Olympia Hotel
11:00 a.m.  County Clerks’ Legislative Meeting  WestCoast Olympia Hotel
Afternoon  WACO - Meet with your Legislators  On the Hill
6:00 p.m.  Joint County-City Legislative Reception  St. Martin’s Pavilion

February 15
7:30 - 8:30 a.m.  WSAC - Lobbying Tips  Washington Counties Building
8:00 a.m.  County Treasurers’ Business Meeting  WestCoast Olympia Hotel
8:30 a.m.  County Auditors’ Business Meeting  Guesthouse Inn and Suites
8:30 a.m.  County Clerks’ Business Meeting  WestCoast Olympia Hotel
8:30 - 11:00 a.m.  WSAC - Meet with your Legislators  On the Hill
9:00 a.m.  County Assessors’ Business Meeting  Aladdin Motor Inn
9:00 -10:30 a.m.  WSAC Urban County Caucus Meeting  Washington Counties Building
11:15 a.m.–Noon  WSAC Legislative Update  Olympia Ballroom
Noon - 1:15 p.m.  WSAC/WACO Legislative Rally Luncheon  Olympia Hotel Ballroom
1:30 p.m.  Tri-Association Officers Meeting, AWC/WSAC/WACO  Washington Counties Building
1:30 p.m. onward  WSAC/WACO - Meet With Your Legislators  On the Hill
2:30 p.m.  Washington Counties Scholarship Committee Meeting  Washington Counties Building

February 16
8:00–10:00 a.m.  WSAC Board of Directors  Washington Counties Building
10:00– 1:00 p.m.  WSAC Legislative Steering Committee  Washington Counties Building

PLEASE RESPOND ASAP TO FISCAL NOTE INQUIRIES
Each legislative session, bills are introduced that may fiscally impact local governments. In order to quantify that potential impact, the Local Government Fiscal Note (LGFN) program at the Office of Community Development prepares local government fiscal notes in accordance with Chapter 43.132 RCW. A local government fiscal note is a concise analysis of the estimated revenue or expenditure impact of proposed legislation on local government.

The LGFN staff receives 60 percent more requests for fiscal notes than any state agency. To help fulfill the Legislature’s requests they often must confer with local county staff – sometimes with very short turn-around time. This simply reflects the fast-paced nature of the legislative session.

On one recent day, the LGFN staff received 48 requests for fiscal notes, bringing the total to 100 for the week and 240 through the fourth week of the session – a heavy workload for a small staff. They have very little time to spend on each fiscal note and any assistance local county staff can offer in the form of returning a phone call, providing a reference, emailing relevant data, etc., is greatly appreciated.
Why should county officials and staff respond on short notice to LGFN requests? The LGFN staff strive to provide accurate, timely and complete information to the legislature, and to do so they rely on individual counties for timely and accurate raw data. Without this data, the LGFN program cannot provide a valuable service to the legislature and help quantify mandates on local jurisdictions.

For more information about the LGFN program, contact Valiant Richey, the newly appointed LGFN program manager. Val worked as a fiscal note analyst during the 2000 legislative session and has a Master’s degree in Political Science from Boston University. He can be reached at valiantr@cted.wa.gov or 360-725-5036.

**LAW & JUSTICE**

**Supporters Testify on Felony Reimbursement Bill**

County officials and lobbyists turned out early Wednesday, February 7, to testify in favor of **SB 5427**, which would reimburse counties for jail time served by inmates who are sentenced to the state Department of Corrections (DOC). The bill was heard in Senate Human Services and Corrections Committee, chaired by Senator Jim Hargrove, who prime-sponsored the bill.

Testifying in favor of the bill were: Yakima County Commissioner Jim Lewis, Yakima County Director of Corrections Ken Ray, Clark County Budget Director Glenn Olson, Whatcom County Sheriff Dale Brandland speaking on behalf of the Washington Association of Sheriffs and Police Chiefs, as well as lobbyists for King, Pierce and Snohomish counties. Attending, but not testifying, were Cowlitz County Commissioner Jeff Rasmussen and Cowlitz County Director of Corrections Bill Weiss.

The bill includes a fiscal note showing a $34-million-a-year impact to the state if it takes on this responsibility. The bill would reimburse counties for jail time served by inmates who are sentenced to the state DOC and receive credit against the DOC sentence for the time served pre-trial in the county jail. This amounts to a cost-avoidance for DOC.

Committee members expressed concern about the large fiscal impact on the state, but county officials pointed out that it currently is an unfair burden on the counties. Witnesses requested that the committee refer the bill on to the Ways and Means Committee, where the fiscal issues may be discussed further.

The WSAC Legislative Steering Committee has endorsed **SB 5427**. A companion bill in the House, HB 1262, is assigned to the Appropriations Committee but has not yet been scheduled for hearing.

**911 Bills in Committees**

County officials testified this week in favor of **HB 1181**, a proposal to ensure ongoing county operational assistance from the state E-911 office. Other individuals and groups, including hospital districts, fire commissioners and the Association of Washington Cities, signed up in support of the bill at the February 7 hearing in the House Technology, Telecommunications and Energy Committee.

Pacific County Sheriff John Didion, and CAPCOM Director Jim Quackenbush (Thurston County 911) participated in the panel of witnesses speaking in support of the bill. The WSAC Legislative Steering Committee endorsed the proposal last fall. Another 911-related bill, **HB 1477**, was heard Monday, February 5 in the House Local Government and Housing Committee. This bill would allow counties to impose an additional one-tenth of one percent sales tax to support E-911 operations and facilities. At the request of Kitsap and Pierce counties the WSAC Legislative Steering Committee also endorsed this local option.

**Attention Sheriffs**

A big pat on the back goes to Whatcom County Sheriff Dale Brandland, Grant County Sheriff Bill Wiester and Lewis County Sheriff John McCroskey for an excellent job of testifying on **HB 1560**, restricting the use of the term “sheriff” and “sheriff’s posse.” Negotiations are in the works with two deputy sheriff associations over the use of the term “sheriff.” If a compromise is struck it is possible that an amendment to the bill would be offered. Stay tuned; the bill could be up for executive session as early as next week.

**Nonpartisan Sheriffs**

**SB 5141**, requiring the office of county sheriff to be nonpartisan received a do pass recommendation in the Senate State and Local Government Committee late last week, and has moved to Rules. Sheriffs with members on the Senate Rules Committee should call them and ask for the bill to be pulled.

**Bail Bond Agencies**

**HB 1483**, authorizing agreements with bail bond agencies to serve bench warrants for courts of limited jurisdiction, will be heard in the House Judiciary Committee on Thursday, February 15, at 8:00 a.m. **HB 1483** is different from the draft bill the sheriffs
reviewed earlier in the session in that the draft authorized limited jurisdiction courts to contract with bail bond recovery agents. Sheriffs who will be in Olympia on the 15th are asked to testify on this bill or forward your comments to WACO.

**Exemption from Public Disclosure**

*SB 5255*, exempting certain information on criminal acts from public disclosure, will be heard on Thursday, February 15, at 10:00 a.m. in Senate Judiciary. *SB 5255* prohibits public inspection and copying of records containing specific and unique vulnerability assessments or response plans intended to prevent or mitigate criminal acts of terrorism, the public release of which has a substantial likelihood of threatening public safety.

**Bills Introduced This Week**

*HB 1882*, Changes the name of WASPC to Washington Association of Sheriffs and Constables. *SB 5852* and *SB 5853*, racial profiling bills.

**Courts**

**Court Reform Bills**

The Senate Judiciary Committee heard testimony on the bills resulting from the Project 2001 court reform effort of last summer. These bills are in tune with the legislative priorities WSAC’s Legislative Steering Committee took positions on this fall.

*SB 5395* authorizes the implementation of the cornerstone proposal of Project 2001 – trial court coordinating councils. Councils would be composed of local legislative officials, judges, and other members of the community. The bill includes seed money that the Office of the Administrator for the Courts would distribute to help get the councils off the ground. The money would also fund projects the councils may choose to undertake.

*SB 5472* provides flexibility for cities and counties choosing to contract for court services. It would eliminate the current law that requires cities to wait ten years before forming a municipal court after disbanding a municipal court and contracting with their county. The bill requires counties or cities terminating their contracts to provide one year’s notice.

*SB 5394* expands the role of judges pro tempore and allows judges from other levels of courts to serve as judge pro tempore in Superior Court. *SJR 8209* would amend the state constitution to allow for this change. The House Judiciary Committee held a public hearing on the companions to these bills last week, but has not yet addressed them in executive session.

**Clerks Priority Bill for Tax Warrants**

*HB 1793*, tax warrants is scheduled for Friday, February 16, at 10:00 a.m. in the House Judiciary. A request has been submitted to change the hearing to Thursday when the county clerks meet in Olympia but it is doubtful that this can be accomplished. *SSB 5115*, the companion bill on tax warrants, is still in Senate Rules. Please call your senators on Rules and ask them to “pull” *SSB 5115*. The sooner *SSB 5115* moves out of the Senate, the better.

**New Bills This Week**

*HB 1864*, removing information from family law files, is the result of the privacy issues the clerks introduced last session. *HB 1864* will remove personal and financial information from public view. *HB 1825*, judicial officers, would require all judicial officers including court commissioners to be elected. This promises to produce election costs to counties and may pose a myriad of problems to counties large and small. Please forward your comments to WACO.

**Environment, Land Use & Resources**

**Claim Forms for Shoreline Update Expenses Still Needed**

It’s not too late! WSAC is still collecting claim forms from counties to reflect the unfunded mandate that has been imposed by the new shoreline rules. If your county has not yet returned the claim forms, please get them in to WSAC as soon as possible by fax or email. Thank you to the many counties that have responded. We will be faxing duplicate claim forms out to each county from which we have not yet heard. If you have any questions or concerns, feel free to call or email Stacy Connole, WSAC staff, at (360) 753-1886 or intern1@wacounties.org.

**Hearings on Shorelines Bills Begin**

Both The House and Senate will begin hearings on a broad variety of Shorelines Management bills this week. The Senate Natural Resources, Parks and Shorelines Committee will conduct a work session on the newly adopted rules on Monday, February 12 at 1:30 p.m. and hold a hearing on at least three bills on Wednesday, February 14 at 1:30 p.m. The scheduled bills are the Governor’s proposal, *SB 5378*, the WSAC-developed bill, *SB 5458*, and *SB 5684*, a bill developed by the business community. Senator
Jacobsen, who chairs the Committee, may also add to the agenda **SB 5889**, a bill he introduced this week that would require all jurisdictions in areas with threatened or endangered listings of fish to follow the “Path B” approach.

The House Local Government and Housing Committee holds hearings on its bills on Wednesday at 8:00 a.m. and on Thursday at 10:00 a.m. also expected to begin hearing bills on the topic that week.

The House bills are summarized as follows: Representative Joyce Mulliken (R-Grant County) has dropped bills to repeal the rules (**HB 1374**) and to require legislative approval of new rules (**HB 1656**). Representative Gary Chandler (R-Grant County) has introduced a bill (**HB 1561**), endorsed last year by WSAC, to merge the Shorelines Management Act into the Growth Management Act. Representative Brian Hatfield (D-Pacific County) has introduced **HB 1261**, which exempts counties and the cities within them from the new shorelines rules if they meet certain criteria (low population density, 75 percent or more of the land base in resource production or preservation, a small number of shoreline permit issued).

The Senate bills are summarized as follows: Senator Ken Jacobsen (D-King County), has introduced three bills. In addition to the one noted in the first paragraph above, he has sponsored **SB 5378** – the Governor request bill which extends the implementation dates by one to three years – and **SB 5458**, which exempts counties and the cities within them from the new shorelines rules if 75 percent or more of the county land base is in resource production, preservation, or open space. Senator Tim Sheldon (D-Mason County) has introduced **SB 5684**, to require legislative approval of the new rules. It is a Senate companion bill to **HB 1656**.

**WATER BILLS CASCADE INTO HEARINGS**
Legislators in the House and Senate will be very busy this week hearing testimony on a score of water rights and water resources planning bills. At the top of the list is the proposal developed over the last two weeks by Jim Waldo, the Governor’s water czar. It has been introduced as **HB 1608** and as **SB 5869**. It contains sections expanding the scope and membership of water conservancy boards, certification of water rights examiners, public utility tax deductions for water conservation, changes to family farm water rights, and changes in how HB 2514 grants may be issued. Each of the topics also has been introduced as a separate piece of legislation.

Other bills include the topics of water transfers, relinquishment, water metering and reclaimed water. The House Agriculture and Ecology Committee will hear water bills on Tuesday at 7:00 p.m., Thursday at 8:00 a.m., and Friday at 10:00 a.m. The Senate Environment, Energy and Water Committee will hear its water bills on Tuesday at 3:30 p.m. and on Thursday at 8:00 a.m. The Senate Committee also will hear a bill still in development on implementing the Water Storage Task Force recommendations on Friday, February 16, at 8:00 a.m.

**FLOODPLAIN MAPPING, MODELING, AND POLICY WORKSHOP**
The Washington Department of Transportation and the Department of Ecology are holding a workshop on Floodplain Mapping, Modeling, and Policy Workshop on March 7-8, 2001 at St. Placid’s Priory in Olympia, Washington.

Speakers and presenters will include notable experts in the field of floodplain modeling, GIS, and flood mapping. The focus of the workshop is to discuss new developments in improving floodplain mapping/modeling technology and the implications of these innovations for the policy issues of floodplain management.

This workshop presents an excellent opportunity to explore the relationship between the technical and policy facets of floodplain mapping, modeling, and management.

St. Placid’s Priory is located on College Street near the Department of Ecology and the Martin Way exit off I-5. To register, please contact Mary Lynum at mlyn461@ecy.wa.gov or 360/407-6908 by March 2, 2001.

**PERMIT PROCESSING TIMELINE MANDATED: INPUT NEEDED FROM COUNTY PLANNERS**
The House Local Government & Housing Committee heard testimony on **HB 1458**. This bill reinstates the statutory timeline of 120 days for permit processing counties and cities faced under 1995 legislation that expired in June 2000. However, under **HB 1458** local governments would not have the legal liability waiver they once had, and would face legal liability should the 120 timeline not be met. There are provisions in the bill that stop the clock, and it also mandates when the clock must start ticking again. During the hearing, the legislature heard concerns that the ebbs and flows in development applications and the inflexibility of a statutorily imposed timeline, with no waiver of liability, could be costly for local governments. Developers, realtors, and others voiced strong support of the bill. During testimony, there was a legislative request that WSAC and AWC provide the committee with copies of permit processing ordinances and the average time that permit processing takes. WSAC staff sent a request for this information to county planners – thanks to those that have already responded! We still have not heard from many counties, and time is of the essence. If your county has not yet sent copies of your ordinance and average timelines, please contact Stacy Connole, WSAC staff at (360) 753-1886 or intern1@wacounties.org.
SHORELINE BILLS SCHEDULED FOR HEARING

Shoreline bills will come to the forefront of the legislature’s attention next week. Multiple bills on this contentious topic are scheduled for public hearings in both the House and the Senate.

The House Local Government & Housing Committee has scheduled two consecutive days of hearings for four shoreline bills on February 14 at 8:00am and February 15 at 10:00am. The bills scheduled for a public hearing are: **HB 1261** – Concerning the development or amendment of shoreline master programs; **HB 1374** – Repealing the recently adopted shoreline master program guidelines; **HB 1561** – Providing for integration of shoreline master programs into growth management planning; **HB 1656** – Requiring legislative approval of shoreline guidelines. In addition, **HB 1104** – Providing funding options for salmon recovery, is also scheduled for these meetings.

On the Senate side, the Natural Resources, Parks & Shorelines Committee will hold a shoreline management work session on February 12 at 1:30pm. On February 14 at 1:30pm the following bills are scheduled for public hearing: **SB 5378** – Providing a shoreline management master program development or amendment schedule; **SB 5458** – Modifying the review timelines for shoreline master programs and other critical areas; **SB 5684** – Requiring legislative approval of shoreline guidelines. If you have any questions, please contact WSAC staff Jackie White, jwhite@wacounties.org or Paul Parker, pparker@wacounties.org.

HEALTH, PUBLIC HEALTH & SOLID WASTE

**SB 5675** – An act relating to food service regulation. This bill had a hearing in Senate Agriculture and International Trade. The bill was brought forward by the food service industry and calls for the creation of a ten-member committee to “develop recommendations on updating food service rules, revision of requirements that will likely provide uniform interpretation, and those rules that should apply uniformly throughout the state without local variation”. The goal of the bill supporters is preemption of local government (through their local Boards of Health) from adopting regulations different from the food service rules adopted by the State Board of Health.

**SB 5231** – Treatment of Biomedical Waste. This bill had a hearing this week in Senate Environment, Energy and Water Committee. The Committee also had a proposed substitute bill to consider. WSAC and WSALPHO testified in support of the original bill if they would consider one important amendment. The bill regulates the handling of cultures and stocks by the generators of those stocks and reflects what is really a worker safety issue. WSAC and WSALPHO testified that the section should be added to Labor and Industries Statutes (RCW 49.17) rather than where the bill placed it (RCW 70.95K). RCW 70.95K is a solid waste statute and by placing it there it puts local health jurisdictions in the role of ensuring compliance. Local health jurisdictions are not currently involved in workplace safety issues. That is the purview of Labor and Industries. The original bill also has an important component of safety in that it prohibits subjecting stocks and cultures to any process that creates the potential for the generation or release of airborne pathogens from the waste before treatment. So, cultures and stocks could not be subjected to grinding unless they had first been treated.

**HB 1710** - Regulating Franchise Fees Imposed Upon Solid Waste Businesses and Services

Provides that any franchise fee imposed upon solid waste collection or transportation businesses or services shall be limited to the amount necessary to recover actual administrative expenses incurred by a city, town or county that are directly related to receiving and approving a permit, contract, license, and franchise to a solid waste collection or transportation business or service, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

**HB 1773** - Investigating whether a dairy farm is discharging pollutants.

Declares that, prior to the conclusion of the investigation, if the department determines the dairy farm is discharging pollutants, the dairy producer will be provided an opportunity to request: (1) That an additional water sample test be conducted to confirm the initial findings of the department; and (2) When fecal coliform bacteria levels are found to be in violation of chapter 90.48 RCW, chapter 173-201A WAC, or the federal clean water act, that the department determine the genetic fingerprint of the source of the violation through microbial source tracking using DNA ribotyping or other identification method agreed to by the dairy producer and the department. If the department determines the source of the violation is something other than dairy nutrients, no corrective action by the dairy farm will be required under this act.

**HB 1794** - Requiring Local governments To Ratify Rules and Regulations Enacted by Local Boards of Health.

Provides that each local rule or regulation may not take effect until ratified by the legislative authority of each county, city, and town represented on the local board of health.
HB 1824 - Restricting disposal of hazardous substances.
Finds that a deposit of hazardous substances on real property that results in increasing the contamination level of that property has potential significant adverse environmental impacts. Declares an intent to prohibit such deposits except in limited circumstances, such as deposits on state-designated disposal sites or on properties that are part of an approved county solid waste plan. Declares that, with these limited exceptions, no hazardous substance may be deposited on real property containing the hazardous substances to a lesser quantity and degree than the hazardous substance being deposited.

HOUSE AND SENATE HEARINGS THE WEEK OF FEBRUARY 12TH – 16TH
House Agriculture & Ecology
2/13/01  1:30   HHR A
HB 1411 - Providing public notice of release of hazardous substances.
HB 1824 - Restricting Disposal of Hazardous Substances.

House Children & Family Services
2/12/01  1:30 pm  HHR E  (Also on TVW)
HB 1362 - Changing Competitive Grant Requirements for Community Mobilization Programs

House Commerce & Labor
2/16/01  1:30 pm  HHR B  (Also on TVW)
HB 1719 - Modifying Tobacco Laws

House Local Government & Housing
2/12/01   1:30 pm  HHR B
HB 1794 - Requiring Local Governments to ratify Rules and Regulations enacted by local boards of health.

Senate Environment, Energy & Water
2/16/01  8:00 am  SHR 1
SB 5483 - Modifying Solid Waste Disposal Standards
SB 5716 - Providing Guidelines for Recycling and Waste Reduction

Senate Judiciary
2/12/01   10:00 am  SHR 1
SB 5603 - Providing for citizen enforcement of health and environmental laws.

HUMAN SERVICES, JUVENILE JUSTICE & HOUSING

KING COUNTY’S MENTAL HEALTH COURT CONTINUES TO GATHER KUDOS
An official evaluation of the Mental Health Court was just completed giving the program top marks. This program also served as a model for the recent federal legislation that passed Congress unanimously and was signed into law by former President Clinton. That legislation will fund 100 pilot mental health courts around the country.

Congressman Jim McDermott noted, “The King County Mental Health Court is a great national model.” McDermott was a big advocate of the new federal legislation. It contains language crediting King County and Broward County in Florida with this innovation.

Since the Court’s inception in February 1999, it has served over 500 seriously mentally ill misdemeanor offenders. The most common mental health diagnoses for those served by the Court are psychotic and bipolar disorders; approximately 50% are homeless when initially referred to the Court; at least 80% have a co-occurring substance abuse disorder. The offenders who choose to participate in the program are linked with services, released to the community with a structured treatment plan, and closely supervised by the Court until the court case is either dismissed or closed.

Researchers from the University of Washington and the Washington Institute for Mental Illness Research and Training reported in their evaluation and early outcome analysis that the Court is “organized, well-managed and routinely applied specialized knowledge and expertise… to the mentally ill defendants; has enhanced communication between systems and agencies that previously worked in relative isolation and has increased awareness of the needs of mentally ill misdemeanants. Linkage of defendants to mental health and other resources has been significantly increased by Mental Health Court activities. Overall, the rate of new bookings after contact with the Court decreased significantly for those who chose to participate in the program.”

PIERCE COUNTY RSN AND PUGET SOUND BEHAVIORAL HEALTH RECEIVE HIGH MARKS
The Pierce County Regional Support Network (RSN) and Puget Sound Behavioral Health received high marks on a three-week audit that was just completed by the State of Washington’s Department of Social and Health Services’ Mental Health Division.

The audit included a certification review of Puget Sound and an administrative and medical review of the RSN, as required by law. As a result of the review, both Puget Sound and the RSN are certified. “We have demonstrated what a strong system we have here for the citizens of Pierce County,” said Pierce County RSN Administrator Fran Lewis.

The state audit staff complimented the RSN’s continuum of care throughout Pierce County and the quality management process. The staff gave high marks for outreach to children, work with diverse populations and the broad range of services offered. The RSN’s management information system and use of data in the decision-making process also was praised. The Mental Health Division was also impressed with how the mental health providers in the community and the RSN work together in a collaborative way, according to Lewis. “I am extremely proud of both our inpatient and outpatient staff,” Lewis said. “Once again, we have demonstrated that collaborative relationships and hard work have made the Pierce County RSN one of the best.”

Two community mental health providers, Good Samaritan Behavioral Health and Comprehensive Mental Health, also passed their licensing reviews with high marks. Pierce County became a RSN in 1992 and is responsible for administering publicly funded mental health services in the county.

**Human Services, Juvenile Justice, and Housing Hearings for Week of 2/12 – 2/16**

**Feb. 12, 1:30**
House Children and Family Services

**HB 1362**, Changing competitive grant requirements for community mobilization programs

**HB 1695**, Reorganizing state agencies involved in social services policy

Executive Session on **HB 1124**, Evaluating mental health programs for children

Senate Health & Long-Term Care

**SB 5176**, Authorizing adoption of rules to implement medical marijuana law

**Feb. 13, 8:00**
Senate Judiciary – four bills relating to driving under the influence, **SB 5557, SB 5558, SB 5670, SB 5690**

**Feb. 13, 1:30**
House Health Care – four bills relating to prescription drug costs, **HB 1753, HB 1720, HB 1703, HB 1774**

Senate Ways and Means – Work Session on ward closures at the state psychiatric hospitals

**Feb. 14, 8:00**
Senate Human Services and Corrections

**SB 5845, SB 5885** – relating to siting of sex offender treatment facilities

**Feb. 14, 10:00**
House Juvenile Justice

**HB 1699**, suspending the driving privileges of juveniles who threaten to bomb a school building

**HB 1764**, strengthening juvenile sex offender registration

**HB 1788**, changing provision regarding dissemination of information on public school students

**Feb. 15, 8:00**
Senate Human Services and Corrections

**SB 5583**, regarding the JLARC mental health study recommendations

**Feb. 15, 10:00**
House Children and Family Services

**HB 1292**, changing provisions relating to persons incapacitated by a chemical dependency

**Feb. 15, 3:30**
Senate Health & Long-Term Care

**SB 5821**, providing a wage increase for direct care workers in long-term care service
Feb. 16, 8:00
House Criminal Justice & Corrections
HB 1722, providing community custody sentences for drug offenses

**TAXATION, BUDGET & FINANCE**

**Compensating Taxation/Death Window**
On Wednesday afternoon, the House Finance Committee considered HB 1450, which was introduced in the House by Representative Phil Rockefeller. This bill is a result of a constituent contact over the repeal of the two-year death window in 1992. Representative Rockefeller is aware that we are promoting the same type of legislation in the Senate and that we will be happy to support his bill when it comes up for hearing in the House. A substitute Senate bill has been prepared to make it the same as the assessors’ request bill (SB 5228) which is in the Senate Ways & Means Committee.

Lewis County Assessor Dianne Dorey came up for the hearing and testified along with WACO staff. Further testimony was given by two citizens from Kitsap County, as well as Nels Hansen from the Farm Foresters Association. All in all, it was an excellent hearing. The only potential problem with the bill is that it does show a $90,000 loss to the State of Washington due to the reduction in compensating taxes that could occur. We emphasized that this was an unfair burden and that the fiscal impact should not be a reason to deny taxpayers a promise that was made at the time they enrolled in the program.

**Department of Revenue/Referendum 47 Cleanup**
On Tuesday afternoon, the House Finance Committee considered HB 1467, which primarily deals with the elimination of the language that was declared unconstitutional in the Referendum 47 challenge. There are few other changes in the bill, all of which are non-controversial and simply help clean up the statutes. However, an amendment was offered on behalf of a constituent who was utilizing a house as a business office. The amendment said that when a property is a permitted non-conforming use, the assessor could only value it on the basis of the conforming use. WACO staff testified that the bill worked both ways. When a residential area had transitioned into a commercial area, a single family home, at some point, could be a permitted non-conforming use and under this language the assessor would be required to value the property as if it was a commercial property. The reason for pointing this out was obvious—had the amendment become law, we would have been taken to task by the committee for taxing a homeowner as a business, even though that’s what the legislature would have directed us to do. I do not believe the amendment will be incorporated in the bill, unless it is substantially rewritten. Further, this is a substantial amendment and does not belong on a housekeeping bill.

**Timber Tax**
This week, we have received word from the timberland owners that with some minor amendments, they will support the assessors’ proposed changes to the Timber Tax Statute. This agreement comes none too soon, since SB 5702 is scheduled for hearing next Wednesday afternoon in the Senate Ways & Means Committee. Unless some unexpected turn occurs, the bill has an excellent chance of moving ahead, since it benefits both counties and landowners and has no fiscal impact on the State. In the meantime, a bill was introduced in the House which incorporated the same amendments. The prime sponsors of the bill are Representative Cairns, Co-Chair of the House Finance Committee, and Representative Brian Hatfield, from the 19th District.

**Senior Citizen Tax Exemptions**
Next Thursday afternoon at 3:30 p.m. the House Finance Committee will hold hearings on several senior citizen tax exemption proposals. Assessors who are coming to Olympia for the legislative rally, assessors’ meeting, etc., may want to stay over and attend a hearing on Thursday afternoon. The agenda includes HB 1393, HB 1408, HB 1438, HB 1486, HB 1574, HB 1642. Use the WACO website at www.wacounties.org/waco/main.html for a link to the Legislature.

**Forest Fire Protection Assessments**
Three bills relating to forest fire protection assessments were heard by the Senate Natural Resources, Parks and Shorelines Committee this week. SB 5447 (DNR request), increases the assessment of $.22 on each acre exceeding 50 acres, to $.25, and the owner who has paid assessments on four rather than two parcels of less than 50 acres may obtain a refund. SB 5499 (OFM request) raises the assessment from $.22 to $.25, and the provision allowing refunds for the $14.50 per parcel assessment on lands 50 acres or less is eliminated. SB 5217, extends the time period in which a landowner may apply for a refund of a forest fire protection assessment. Treasurers’ Legislative Chair Rose Bowman, Lewis County Treasurer, testified on the bills with some reservations. She emphasized that the treasurers want to keep the refund process straightforward.

**Treasurers’ Cleanup Bill**
SB 5638, the County Treasurers’ bill, making technical corrections to county treasurers’ statutes has been scheduled for a hearing in the Senate State and Local Government Committee on Monday, February 12 at 1:30 p.m.
OVERVIEW
All 27 Blue Ribbon Commission on Transportation (BRCT) bills are scheduled for public hearing before the Senate Transportation Committee the week of February 12-18. SBs 5740-5766 are scheduled Monday, Tuesday and Wednesday, hearing nine bills each day. The House Transportation Committee continues to hold public hearings on the 27 companion bills (HBs 1664-1687 and HBs 1689-1691). The package of BRCT bills attempts to mirror the 17 BRCT final recommendations, which fall into three subject areas: accountability/efficiencies/benchmarks, regionalization, and additional revenues. All of these bills were released as individual bills but are interdependent, and have significant financial, programmatic or administrative impacts on counties. Fiscal note analyses have been requested and the Office of Community Development has been working with counties in order to determine impacts. The attached summary describes the Senate bills that are scheduled before the committee next week. It is important to point out that these bills were released as a vehicle for discussion purposes and to that extent some of the House bills have already been changed into a proposed substitute and have been heard in that context before the Committee last week. Both transportation committees are eagerly seeking input from the various interest groups and the public on this package. And, the Washington State Association of Counties (WSAC) along with the County Road Administrative Board (CRAB) has been invited to assist the Transportation Committees in the development of these bills. The WSAC welcomes and encourages county representatives to submit comments to Jackie White as soon as possible.

OF GENERAL INTEREST

SB 5410 PUD PROVISION OF WHOLESALE TELECOMMUNICATION SERVICES
On Tuesday, February 6, the Senate Economic Development & Telecommunications committee held a hearing on SB 5410, an act relating to telecommunications services provided by public utility and rural port districts. The majority of the people speaking on the bill were in opposition. They presented a diverse cross section of rural Washington and were represented by speakers from counties, cities, school districts, hospitals, and independent business. Chief among their concerns was the lack of high-speed internet access provided by the telephone industry. The PUD's, they reasoned, were willing and able fill a niche that the telephone companies find economically unviable in rural settings. Costs of internet service were also a concern. Testimony was give that rates for internet service had dropped from $35 dollars per month when provided by the telephone companies to $9 per month when service was provided over PUD facilities. Finally, one provision in the bill prohibits PUD's from providing "facilities" to end users. This would mean that a PUD cable could go right by someone's home or place of business, but the cable could not be strung to the end user defeating the whole concept of PUD's providing wholesale telecommunication service.

Those speaking in favor of the bill were almost exclusively representatives of the telecommunication industry. Their fears are that PUD installation of cable will act as a disincentive to the phone companies upgrading and installing new network features. Allegations were also made that PUD's are offering retail services to end users which is contrary to the wording of RCW 54.16. No evidence of this occurring was presented during the hearing.

There is a companion bill in the House, HB 1284. At present, there is no hearing scheduled on the House version of the bill.

KITSAP COUNTY CORONER’S OFFICE CHOSEN FOR NATIONWIDE PROJECT
The Kitsap County Coroner’s office has become the headquarters for a $10 million federal demonstration project to establish uniform death investigation standards nationwide. According to the Bremerton Sun, “The goal is to raise the professionalism of coroners, medical examiners and others legally responsible for designating cause and means of death for people who die unattended. Proponents say the computerized information sharing system being tried out in Kitsap will uncover crimes, environmental hazards and other facts about deaths that otherwise wouldn’t be regarded as suspicious. “The computer-based program will demand uniform information from investigators, encouraging small jurisdictions to improve training and upgrade practices.”

The program, called the ViCAP ML program, is the acronym for the FBI’s Violent Criminal Apprehension Program. The ML stands for “medicolegal.” This is a nationwide database used to detect serial murders, so that homicides committed anywhere in the country can be automatically compared to similar killings. Louis Smit and Paul Moskvin, who are former deputy coroners for Snohomish County, were the ones who came up with the idea of the ViCap ML and worked with Kitsap County Coroner Greg Sandstrom and his chief deputy Don Ursery to get the test project up and running. They found willing support from the FBI and received funding from the Department of Justice. This month, Sandstrom will host the first 20 people for training on the program.
“ABOUT COMMUNITY” NEWSLETTER
The Office of Community Development (OCD) has developed a new newsletter to be published quarterly, called About Community. The first issue was recently sent out by e-mail and is posted on the OCD website at www.ocd.wa.gov/newsletter. The first issue includes an excellent explanation by OCD Director Busse Nutley of the original merger of Community Development with Trade and Economic Development, in 1996, the resulting disparate goals, and the separation of the two divisions, by the Governor, after legislation failed to do so in 1999.

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

ELECTIONS

BLANKET PRIMARY NEWS
Thurston County Auditor Kim Wyman and King County Records and Elections Manager Bob Bruce were in Olympia on Tuesday to attend the House Select Committee on Elections. Kim testified on proposed HB 1551, co-sponsored by committee chairs Val Ogden (D) and Dave Schmidt (R.) The bill primarily preserves the blanket primary, creates a voluntary party registration system, creates a candidate certification process, modifies write-in voter process and the procedures for minor parties and independent candidates remains the same. Kim’s comments were focused on the process as opposed to the policy on this bill. She said that having a separate document for voluntary party registration will create an additional expense for the counties and asked for clarification on one of the sections. On Wednesday, the committee again, heard testimony on HB 1551, adjourned, and went into work session status to review a proposed substitute to HB 1551. Next week in the House Select Elections Committee on 2/13 at 8:00 am, the committee has scheduled a work session on the blanket primary. On 2/14 at 10:00 am, the committee will hear testimony on HJM 4001, which requests the continuation of the blanket primary.

MORE ELECTION NEWS AND OTHER AUDITOR INFORMATION
On February 14, the Senate State and Local Government Committee will hear a number of election bills, including three county auditor request bills: SB 5273 – revising election filing dates; SB 5272 revising election notice requirements and SB 5275, the absentee and mail ballot bill. The hearing will be at 1:30 in SHR 3. On 2/15 at 3:30, Doug Lewis, Executive Director of the Elections Center will be discussing the Senate State and Local Government Committee on what is happening on the national scene to revise election standards. Also February 14, the House State Government Committee will hear four bills regarding elections: HB 1644, clarifying recount procedures; HB 1715, determining candidate order on the ballot; HB 1721, directing a state voters pamphlet; HB 1739, protecting the integrity of elections. The hearing will take place at 1:30 in HHRC.

In the Senate Transportation Committee on Tuesday afternoon, Sue Burkley, Vehicle Licensing Manager for Thurston County testified on SB 5381. This bill requires that when a vehicle is sold, the license plate does not remain with the car. The new buyer would have to purchase a new plate. Sue’s testimony stated that this could be a problem for the consumer because they may also have to purchase a vehicle trip permit to transport the car to buy their new plate. She also mentioned that this legislation could cost consumers more money because of a 1997 law that requires a new license plate be purchased every seven years. Sue also pointed out that it could be a real problem to have current license plates/tabs sitting in garbage cans. The proposal would generate approximately 5 million dollars for the state.

DEATH INVESTIGATIONS

SB 5697, modifying missing person record retention policies, and SB 5698, time limit of 30 days for coroners and medical examiners to transmit missing persons information, will be heard in the Senate Judiciary Committee on Thursday, February 15, at 10:00 a.m. The companion bills in the House, HB 1611 and HB 1613, will be heard in the House Criminal Justice and Corrections Committee on Wednesday, February 14 at 1:30 p.m.

BOARDS & COMMISSIONS

AFFORDABLE HOUSING ADVISORY BOARD
WSAC is still looking for a few good people to volunteer to serve on this board. The Board analyzes solutions and programs to address affordable housing for all segments of the state and special needs populations. Counties have two slots. The Board meets quarterly in January, April, July, and October. These are governor-appointments. If you are interested please send an e-mail or short letter of interest to Jean Wessman, WSAC Staff. If you have additional questions about the functions of the Board please contact either WSAC Staff or Rhonda Freebury at the Office of Community Development, 360-725-2999.
NEWS from MSRC

To assist local governments in responding to Governor Locke’s order requiring state and local governments to cut electricity and natural gas use by 10 percent for at least 90 days, the Municipal Research and Services Center has posted a Web site with Energy Conservation information for local government officials at http://www.mrsc.org/environment/energyconservation.htm. If your county has information to share with other local governments on compliance, please send to MRSC at 1200 5th Avenue, Ste. 1300, Seattle, WA 98101-1159 or contact ldemeritt@mrsc.org.

COMING EVENTS

2001 Conferences Additions:
Two County Auditors’ Conferences were inadvertently left out of last week’s 2001 conference list. Please add the following to your calendars:

**June**  
20-22 Washington State Association of County Auditors’ Annual Conference, Quality Inn, Clarkston.

**July**  
16-18 Washington State Association of County Auditors’ Finance/Licensing Conference, WestCoast Wenatchee Center Hotel, Wenatchee.

COURTHOUSE RAMBLINGS

Yakima County Commissioners have adopted a recommendation from outgoing Sheriff Doug Blair, to appoint his chief civil deputy as acting sheriff. Ken Irwin, a member of the sheriff’s office since 1978 took over the sheriff’s duties February 1. Irwin will serve until commissioners appoint a permanent replacement from a list of three candidates submitted by the Yakima County Republican Central Committee. Irwin is applying for the appointment.

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An open house farewell party will be held for Adams County Assessor Jerry Crossler, in recognition of his 13½ years of service to the assessor’s office, the past 10 years in the top position. Jerry is heading to King County for a position with the King County accounting department. The party is on Tuesday, February 20, in the Assessor’s office in Ritzville, from 3:00 - 4:30 p.m.

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A retirement celebration for Okanogan County Treasurer Walt Womack, has been planned for Saturday, February 24, from 3:00 to 5:00 p.m., in the Agriplex Building at the Okanogan County Fairgrounds. Walt has been treasurer for 20 years.

JOB ANNOUNCEMENTS

Whatcom County, Bellingham, WA, has an exciting opportunity for a PC/LAN Technician II or III, DOQ. Salary Range: PC/LAN Tech II: $17.59-$22.95/hr., DOQ, and PC/LAN Tech III: $19.09-$24.93/hr., DOQ. Qualifications are as follows: PC/LAN Tech II requires a bachelor's degree in business or computer science and 4 years of experience INCLUDING 2.5 years of experience directly supporting personal computers and 1.5 years of experience directly supporting network systems, and the PC/LAN Tech III requires a bachelor's degree and 6 years of experience INCLUDING 4 years of experience directly supporting personal computers and 3.5 years of experience directly supporting network systems and 2 years of experience at or above the PC/LAN Technician II level, OR an equivalent combination of education, training and experience that provides the required skills, knowledge and abilities. Experience dealing with Internet connectivity, troubleshooting, security, and Transmission Control Protocol/Internet Protocol (TCP/IP) addressing and routing is preferred at both levels. Whatcom County offers excellent employer-paid medical, dental & vision benefits for employee and family, generous vacation and sick leave, average 12 holidays per year, and WA State Retirement system. Optional deferred comp & Flex 125 available. This position will remain open until filled with preference given to applications received by 3/5/01. 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 jobline at (360) 738-4550. Equal Opportunity Employer.

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Douglas County Transportation and Land Services has an opening for a Project Manager based in the East Wenatchee office. Salary range is $3,296 to $3,738 per month, depending on qualifications, attractive benefits package. This position is responsible for project management of construction projects. It also performs technical designs and is responsible for field and office engineering tasks. Requirements include but are not limited to 2 years of engineering school with 3 years of experience or 4 years of engineering school with 1 year of experience; a completed application and resume; and a valid Washington State driver’s license. Position is open until filled. For more information and an application packet please call Angie Collie at (509) 884-9451 or email at acollie@co.douglas.wa.us or the information can be found at our website, www.douglascountywa.net.