LEGISLATIVE BULLETIN

Serving Washington’s Counties

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April 13, 2001

http://www.wacounties.org

Bulletin #14

LEGISLATURE NEARS THE END WITH SPECIAL SESSION IN SIGHT

All indications are that the Legislature is headed for a special session as they head into their final week. They are limited to a 105-day session this year, which is Sunday, April 22. With the Easter weekend this week both houses have indicated at this time that they will only meet for a short time on Friday and then return on Monday. Losing these two days and counting the two days they lost during the earthquake time, is running out to reach agreement on the operating and transportation budgets. Further, members of the Legislature are reaching that testy point in a session where feelings are wearing thin and hyperbole reigns. Already the press has reported the Governor and Co-speaker Ballard exchanging barbs with one another.

Further, both parties have lobbed statements at each other over why Boeing is leaving the state. This has led to Republican attempts to repeal prevailing wage laws and project labor agreements, both sacred cows to the Democrats. This, along with the growing frustration of members in general and exacerbated by overcrowded conditions due to the earthquake, is likely to push both budgets into an extra session.

The good news on the operating budget is that the fiscal chairs, Senator Lisa Brown, and Representatives Barry Sehlin and Helen Sommers are working together. However, it has been confirmed that at least one version of the House budget will cut the 695 backfill by $25 million for counties and cities. See the 695-backfill article below.

The Transportation chairs, Senator Mary Margaret Haugen, and Representatives Maryann Mitchell and Ruth Fisher are working toward a transportation solution to address congestion relief and other multi-modal transportation needs. The package has yet to be agreed to, and on the important question of regional governance, the House and Senate appear to be taking different approaches. See the transportation article below.

WACO and WSAC will keep in touch with our members on a day-to-day basis to let you know what is happening next week.

I-695 BACKFILL

Every county official needs to call their Representatives and ask for their support to ensure that the full I-695 backfill is in the House Budget. We expect that there will be a bipartisan budget brought to the floor of the House next week. Based upon our best information, we expect that every county will receive less funds than they would have received in either the Senate Budget or the Governor’s Budget. Attached to this bulletin is a table that shows the funding levels that we have been told will be included in the House Budget and the loss that will be incurred by each county. We are already making contacts with House members asking them to co-sponsor a floor amendment to reinstate the funding for cities and counties criminal justice and to keep the promise that was made last year to us.

Keep in mind the following points as you talk to your legislator. There was specific language in the 2000 Supplemental Budget that the I-695 backfill would continue and be increased each year by the I-601 growth factor. Counties asked and received this promise as a condition for the 47% cut we took. The House budget is still over $1 billion larger than the last biennial budget and very few state programs are taking such a cut.

There will be a floor amendment to increase the city and counties criminal justice funding to the level that was promised. When you talk to your Representatives, ask them to honor their commitment and promise that they will vote for the floor amendment to the House Operations budget. Notify the WACO or WSAC office as soon as you have such a commitment. You should consider a conference call with as many county officials on your end of the call as possible.

TRANSPORTATION PACKAGE IS IN A MAJOR TRAFFIC JAM

With only nine days left before the end of the legislative session, the legislature is still grappling with how to solve the revenue questions on the transportation package and how to resolve the differences on the efficiency/accountability package. The major policy issues that need to be resolved are:

- Governor authority over the Secretary of Transportation
- Statewide revenue package
- Regional revenue package
- Environmental Streamline Permit Process

This week the Senate Transportation Committee adopted two versions of a regional transportation package, the Senator McDonald version SSB 6140 and the Senator Patterson version SSB 6172. The House Democrats released their version of a regional package, HB 2239. Attached is a summary of all three bills. HB 2239 is the preferred version by many of our counties. This bill recognizes that counties are the regional form of government and that we are poised to address the transportation needs of the respective regions. The questions of who selects the projects, who pays and who governs are still actively driving the debate over how the regional package evolves. In the meantime, the statewide revenue package is getting tangled up in the question of should there be operating dollars for transit.

As reported in last week’s bulletin, the Senate completed their work on the accountability and efficiency bills. However, the House has yet to address these bills. The decision of when these bills will be addressed rests, at this point, with leadership and is caught up in higher-level debates. The House Transportation Committee attempted to execute their version of the “Bare Bones Budget” but it was tabled by the debate over prevailing wage and project labor agreements.

As we enter into the last week of this session, we fully expect that this topic will continue into special session.

For questions or comments, please contact Jackie White (WSAC staff).

TIME TO FILE PDC FINANCIAL AFFAIRS STATEMENTS

When a local government official fails to file the annual financial affairs statement on time, that individual finds themselves as part of the Public Disclosure Commission’s enforcement caseload. The PDC encourages you to file on time, and the time to do so is now!! The PDC has a link on its home page to the financial affairs form templates and instruction manual, and a contact person at the PDC is Doug Ellis at 664-2735. You might help keep someone out of trouble!

COMMISSIONER STEFANIW IN TOUGH FIGHT WITH CANCER

Chelan County Commissioner has suffered a recurrence of the cancer she has been fighting for the past six years. In 1995, Commissioner Stefaniw was diagnosed with breast cancer and underwent surgery. In 1996 she was elected to the Chelan County Board of Commissioners. A couple of years later she had more surgery. After treatments she began her recovery and continued an active role as county commissioner. She was reelected in November, but in December she was diagnosed with brain tumors and had surgery in January to remove them. Shortly after that, she was back at work. However, by the end of March she was diagnosed with five more tumors.

Esther is now at her home with her family and still retains her good sense of humor. An article from the Wenatchee World Online is attached to the back of this article in which she gave an emotional interview to a local radio station. In that radio interview Esther, who campaigned in 1996 on a commitment to get the county into compliance with the Growth Management Act, said, “Unless a miracle comes along pretty soon, I think I’ll be doing growth management from heaven.” Her friends will recognize the humor she used to describe difficult issues, a humor that has served her well. It is also a reminder that some of the difficult challenges facing county officials need to be balanced with a smile and a laugh. Many have smiled and laughed with Esther.

While Esther is not taking phone calls at her home so she can spend time with her family, she would welcome cards. Her address is PO Box 88, Manson, WA 98831.

All of us in the county family wish Esther the best in her difficult journey ahead. Our thoughts and prayers are with you, but most importantly, we smile and laugh with you in the miracles you have given those you’ve touched.

KITSAP COMMISSIONER RECOVERING FROM HEART BYPASS OPERATION

Commissioner Tim Botkin has recently undergone a quadruple heart bypass operation and is now recovering at his home in Silverdale. The operation was done at the end of March and Commissioner Botkin is expected back to work before the end of April. Commissioner Botkin was elected in 1998. Cards can be sent to the Kitsap County Commissioner’s office.

WSAC WESTERN DISTRICT MEETING CRUISES ALONG

Nearly 40 county commissioners and councilmembers participated in the WSAC Western District Meeting last Thursday and Friday in Oak Harbor. Island County was a wonderful host, arranging an excellent Thursday evening dinner cruise that everyone enjoyed. At the Business Meeting, Clark County Commissioner Betty Sue Morris was elected Secretary-Treasurer and upon a
motion by Mason County Commissioner Mary Jo Cady, the body voted to donate $1,000 of the District’s fund balance to the Counties’ Scholarship Fund.

Some of the meeting highlights included a most informative water resource management presentation by Island County staff and a roundabout of County Success Stories (see story below) led by WSAC Western District President and storyteller supreme Glen Huntingford. Although the luncheon address by Transportation Commission Chair Connie Niva contained no happy news -- explaining the major financial problems facing the state’s transportation system and the political barriers to resolving them -- she managed to get us all laughing from time to time with Olympia stories.

During the Legislative Update, the membership had a healthy debate about shorelines legislation and how the Association should respond to legislative efforts to provide funding, time extensions and regulatory relief for some counties from the newly adopted rules. Commissioner Pat Hamilton warned counties that legislative efforts could undermine the success of a lawsuit joined by twenty-seven counties challenging the adoption of the rules as beyond the scope of Ecology’s authority. Other members responded that their main concern is getting adequate funds as well as time for implementation.

**COUNTY SUCCESS STORIES**

County success stories were highlighted at the WSAC Western District Meeting last Thursday. Successes noted by Commissioners and Councilmembers included San Juan County’s success in saving its DSHS Office in Friday Harbor from a move to the mainland, Thurston County’s Rails to Trails program, a new Law and Justice building and new juvenile detention facility in Island County, and quarterly intergovernmental meetings in Jefferson County between the county, the city, the Public Utility District and the port.

There were too many successes listed to share them all here and now. We will be printing more to come from next week’s Eastern District Meeting in two weeks and will be asking each County to provide its own success stories to be published in the *Courthouse Journal* over the rest of the year.

**SEEKING WESTERN WASHINGTON COUNTY TO HOST 2004 SUMMER CONVENTION**

Bids for the 2004 Summer Convention will be reviewed by the WSAC Board of Directors at their meeting on Tuesday, June 12, at the 95th Annual Summer Convention in Yakima. Bids must be received in the WSAC office no later than Monday, June 4.

Association bylaws direct that the Convention alternate between eastern and western locations. 2004 is a Western Washington venue. The bid materials are to include a letter of the commissioners’ intent to host the meeting and information about the properties that meet the Association requirements. In-person presentations are always welcome. Requirements for the Summer Convention include a MINIMUM of 225 guestrooms and 9 meeting rooms, ranging in capacity from 35 to 300.

Contact Kim Zydek at the WSAC office, (360) 753-1886, or e-mail kzydek@wacounties.org, for more information.

**WACCCs SCHOLARSHIPS AVAILABLE FOR WSAC SUMMER CONFERENCE**

**Calling all Clerks!** — It’s conference time again. There are conference scholarships available this year for members of the WACCCs (Washington Association of Commission/Council Clerks) to attend the WSAC Summer Conference in Yakima, June 12-15, 2001. Application deadline is Friday, April 20. These will be scholarships for up to $500 to cover conference registration, travel and lodging expenses. Application forms may be obtained through Vickie Musgrove, Cowlitz County Commissioners Office, 207 4th Avenue North, Kelso, WA 98626, phone (360) 577-3020 or email MusgroveV@co.cowlitz.wa.us.

**TRANSPORTATION**

**TRANSPORTATION BILLS OTHER THAN THE BRCT PACKAGE**

**SB 5733** — An act relating to county road construction projects is now on its way to the Governor’s desk. The House yesterday with a 96-1 vote adopted SB 5733. Current law permits counties to utilize day labor to construct or improve county roads that are limited to no more than the annual county road construction budget or a specific dollar amount. The percentage and the dollar amount vary depending on the total annual county road construction budget. This bill would allow the annual limit to be increased by 10 percent in counties with a population of less than 50,000 people.

**SHB 1394** - Clarifying the use of county road funds in salmon recovery projects passed out just before the clock ran out on floor cut-off day. The bill will now go to the House for concurrence. The Senate Transportation Committee amended this bill before passing it out of committee. The amended bill narrows the county road funds to be expended for just fish passage barriers and limits the amount of county road funds that could be used beyond the right-of-way. As amended, the county road dollars that can be expended for this purpose are limited to one-half of one percent of a county’s annual road construction budget and must not exceed twenty-five percent of the total cost of activities related to fish barrier removal on any one project. In addition, the language clearly states that the local legislative authority makes this determination.

Please contact Jackie White, WSAC staff, for more information or comments.
**TAXATION & FINANCE**

**TAX INCREMENT FINANCING**

**ESHB 1418** was amended on the Senate floor to raise the percentage threshold that must be obtained from enough districts, when combined, that levy 75% of the property tax. The 75% is still computed based upon the current year’s levies. The amendment to allow counties the ability to “opt out” was not included in the floor amendment. **ESHB 1418** now goes back to the House for their consideration of the changes made in the Senate. There was one other significant change; the House bill requires a public vote before these projects proceed and the Senate took out the voting requirement. The future of the amended version in the House is uncertain.

**COMPENSATING TAX/DEATH WINDOW**

**SHB 1450** moved to the Senate Calendar on Wednesday and passed the Senate the same day by a vote of 48-0. The Senate passed the amended version that was described in last week’s bulletins. When **SHB 1450** returns to the House, we expect the House will concur with the Senate amendments and then work in the future to “open the window” the rest of the way.

**DEPARTMENT OF REVENUE REQUEST LEGISLATION**

**SHB 1202** passed the Senate on Tuesday and the amendment offered by the assessors to allow electronic filing of personal property affidavits was amended into the bill. The amendment was sponsored by Senators Karen Fraser, Lisa Brown and Dino Rossi, so a “thank you” note to them for their efforts would be appreciated. We expect the concurrence to the amendment to be routine when it returns to the House, so it appears that **SHB 1202**, including the assessors’ suggested change, will soon be sent to the Governor.

**SHB 1467** moved to the Senate Calendar on Wednesday and passed by a vote of 37-11. This is another Department of Revenue request bill and, among other things, it eliminates the obsolete language in statute as a result of the court declaring Referendum 47 unconstitutional.

**SHORT ROTATION HARD WOODS**

**SB 5108** passed the House Wednesday and extends the growth term from 10 to 15 years before such short rotation hard woods would have to pay the yield tax.

**PARK MODEL MOBILE HOMES**

**SHB 2184** has passed the Senate. **SHB 2184** allows park model mobile homes to pay the real estate excise tax rather than sales tax after the initial sale. It simply treats park model mobile homes the same as other manufactured homes and conventional homes.

**HIGHER EDUCATION/HOSPITALS**

**ESHB 2191** has passed the Senate and is on the way to the Governor. It reinstates the exemption for non-profit organizations that purchase and lease properties to be used by institutions of higher education, as well as certain properties leased by hospitals.

**PROPERTY TAX SUMMARY**

In summary, out of the property tax measures that have passed or are likely to pass, there are very few that will do any significant harm to counties or the administrative workload of county assessors. The two recommendations that assessors offered to WACO should pass. In addition, the assessor affiliate recommendation to provide for the open space/timber act two-year death window, although it is not all that we asked for, will pass as well. Thanks to King County Assessor Scott Noble for his diligent efforts as the assessors’ legislative co-chair and to all the other assessors who have followed through on e-mail requests for contact with legislators at appropriate times.

**LAW & JUSTICE**

**LEGISLATURE ADOPTS E-911 OPERATIONAL ASSISTANCE BILL**

The governor’s desk is the next stop for **SB 5335**, which will continue state-funded operational assistance for local enhanced 911 service. Without passage of this bill, state assistance would have ended in July. The state aid helps ensure that each county, regardless of population or local 911 tax revenue, can provide high-quality E-911 service.

While **SB 5335** continues state aid to counties, the bill changes the purposes for which state E-911 tax revenue may be used, replacing the limitations on salary assistance with a general authority to assist counties. The bill authorizes the state E-911 coordinator to adopt rules that define the allowable purposes based on the following priorities: (1) assuring that 911 is operational statewide; (2) assisting as necessary to ensure that counties can achieve a basic service level for 911 operations; and (3) assisting counties with capital investments necessary to increase 911 effectiveness.

**SB 5335** was a high priority for several counties, and was a WSAC priority. Thanks to all the county officials and staff who helped move this through the Legislature! Your calls, emails and testimony at committee hearings made a difference.

The governor’s office has not yet scheduled a bill-signing ceremony. If one is scheduled, county officials will be notified by e-mail. Your attendance will be welcome.

Senator Sid Snyder, D-Long Beach, sponsored the legislation. The bill passed the Senate 48-0 and the House 95-1.
**HOUSE APPROVES INCREASE IN TRAFFIC FINES**

The House on Wednesday voted 77-14 to approve **SB 5309**, which would increase fines for traffic infractions and traffic crimes. The Senate previously passed the bill 40-9.

The bill, sponsored by Senator Dow Constantine, D-West Seattle, would increase fines for traffic infractions (e.g. speeding) by $10 and would increase fines for traffic crimes (e.g. DUI) by $50. The revenue from these increases would be distributed to local governments and the state under the current distribution formula for fines. Assuming 50 percent collection, counties are estimated to receive $2.08 million per year and cities are estimated to receive $2.4 million per year. The state PSEA would take in about $6 million per year.

Although this bill was introduced at the request of cities, a House amendment would benefit counties by adding drug courts as a recipient of state Public Safety Education Account (PSEA) funds. If the Senate agrees to the drug court amendment, counties would receive funds from the PSEA to help fund drug court operations. This money would be in addition to the counties’ regular distribution of revenue from the fines. Another House amendment, which failed in the Appropriations Committee, would have provided a small amount of PSEA funds for local jail expansion.

**ROLLER COASTER RIDE FOR SHERIFFS’ LEGISLATIVE PRIORITY**

**HB 1560** restricting the use of the term “sheriff” and “sheriffs posses” was defeated on the Senate floor by a vote of 23 yea, 24 nays, and 2 excused. After a bombardment of phone calls from county sheriffs, a motion was made to bring the bill up for reconsideration of the vote. A second motion was made to table the motion for reconsideration, and it passed by a vote of 25 yea, 21 nays, and 3 excused. For details please contact Brenda Bamford @ 360-586-4219 Ext. 124 or bbamford@wacounties.org

**ESSB 6143**: Sex offender notification publication, was passed by the Senate yesterday. **SB 6143** is intended to give better community notification when the highest-risk offenders move into a neighborhood. The substitute bill adopted in committee requires newspapers to have a policy to print all statutorily required notices and the county sheriff to submit the community notification of a level III sex offender to a legal newspaper in the area of the sex offender’s address, publish a current list of level III offenders two times a year and make the list publicly accessible through a website. The misdemeanor of interfering with community notification is deleted. **ESSB 6153** was further amended on the Senate floor requiring the county sheriff to update the website monthly. The sponsor, Senator Tim Sheldon expects the bill to pass the House as well.

**CRIME LABORATORIES**

We need them both! Law enforcement, prosecutors and members of the Forensic Investigations Council have been lobbying House Capital Budget members to get them to reinstate $500,000 in capital expenditures to buy land and begin design of a crime laboratory in Vancouver. The laboratory will replace the current Kelso site that can no longer support the increased demands that are made on its services. The Senate capital budget does include money for pre-design of the Spokane Crime Laboratory for which Eastern Washington University has offered land at $1.00 per year. Lobbying efforts are aimed at educating legislators that it was never a question of “either-or” or preference to one lab over the other. Both laboratories are sorely needed and both sites present opportunities law enforcement and prosecutors can’t afford to miss. Please contact your legislators and let them know how critical continued expansion of the WSP Crime Labs is!

**COURTS**

**Tax Warrants:** **SHB 1793**, tax warrants, passed the Senate on Monday. The increase in the filing fee will not take place until July 1, 2003. The implementation date was delayed to allow state agencies the opportunity to include the increase in their respective biennial budgets. Thanks go the sponsors of **SHB 1793**, Representatives Brian Hatfield and Joe McDermott, and to Representative Pat Lantz, who kept **SHB 1793** moving.

**Restitution:** **SHB 1117**, collection of restitution, passed the Senate on Tuesday. **SHB 1117** allows lower courts to extend judgments for restitution beyond ten years for collection. The county clerks were of the understanding that **SHB 1117** would be amended so that the judgment would be satisfied in the court where the judgment resides. If a judgment had been transcribed to Superior Court, it would be satisfied there. **SHB 1117** was not amended so the process will have to be clarified next session. Two other bills, **SB 5827**, enforcement of judgments, and **SB 5175**, restitution, did contain the suggested language; but both failed in Senate Rules.

**ENVIRONMENT, LAND USE & RESOURCES**

**LEGISLATORS CONTINUE SEARCH FOR MIDDLE GROUND ON SHORELINES**

A moderate-conservative House coalition this week unveiled an attempt to move forward a solution to the shorelines battle. Representatives Mark Doumit (D-Wahkiakum County), Bob Sump (R-Ferry County), Kelli Linville (D-Whatcom County) and Gary Chandler (R-Grant County) have developed a possible striking amendment to **ESSB 5378** in an effort to develop some middle ground acceptable to both houses and the Governor.

The proposal would take some further steps toward integration of the Shoreline Management Act and GMA and coordinate timelines for required updates for Shoreline Master programs, critical areas ordinances, and GMA comprehensive plans. It would provide an exemption from the new shorelines guidelines for agricultural practices and allow counties with 80 percent or more of their land base
in natural resource use, preservation or open space to use their existing shorelines programs, coupled with other regulatory programs as an “alternative compliance method.” Timelines would stretch out to 2007 for some counties and their cities.

The Governor’s office has expressed concern that the “alternative compliance method” does not require review and approval by the state. Without that addition, that part of the bill will not receive his support. And without the section as it is, it probably would not be passed from the House.

**FEDERAL WILDLAND FIRE SUPPRESSION AGENCIES CALL FOR PROPOSALS**

Communities in Oregon and Washington will benefit from a federal multi-agency community assistance program designed to reduce wildland fire threats and at the same time add to local economies. The U.S. Forest Service, Bureau of Land Management, National Park Service, Fish and Wildlife Service and Bureau of Indian Affairs packaged three existing Forest Service community grant programs and a new Department of the Interior Wildland Urban Interface Fuels community assistance program as part of the National Fire Plan effort to mitigate wildland fire hazards.

There is a total of nearly 10 million dollars available in fiscal year 2001 for people to apply for in the Pacific Northwest. A majority of grants awarded will be under $250,000.

The four programs are: Economic Action Program, Economic Action Program Pilot Projects; Community Planning for Fire Protection; and the Wildland Urban Interface Fuels.

Each program has a different focus, but combined they expand community participation in hazard mitigation, increase interagency and community coordination, and encourage grass-roots solutions to reduction of wildland fire threats. The projects must be focused on areas with high risks from wildland fire, or be in a county impacted by wildland fires in 2000.

Some of the projects that could be funded include:

- Expand markets for the by-products of hazardous fuels reduction
- Demonstrate ways to use small roundwood in structures
- Pilot techniques for adding value to low value woody material
- Purchase equipment for demonstrating economic processing of small diameter wood
- Develop community-based fire plans and plans for reducing hazardous fuels in the wildland urban interface
- Conduct activities to reduce hazardous fuels, including mechanical treatment and prescribed fire
- Provide incentives, technical assistance and education programs to encourage reduction of hazardous fuels in fire-prone communities

Completed applications, in two funding rounds, must be received by April 30th or June 15th, 2001. Proposals received after June 15, 2001 cannot be accepted. Mail proposals to:

National Fire Plan Program
Cooperative Programs
USDA Forest Service, Attn: Charlie Krebs, Director
PO Box 3623
Portland, Oregon 97208-3623

As required by report language accompanying the 2001 Appropriations Act, the Department of Agriculture and the Department of the Interior plans describe actions needed to implement a National Fire Plan, including: 1) additional personnel and equipment, 2) facilities maintenance and construction, 3) fire science, 4) hazardous fuels treatments, 5) burned area rehabilitation. The grant and community assistance program supports the hazardous fuels treatments and burned area rehabilitation aspects of the National Fire Plan.

More information on eligibility requirements and project evaluation criteria for the four programs, and the required grant application forms can be found on the Internet at http://www.fs.fed.us/r6/coop/. Applications may also be sent by fax to 503-808-2339, or by email to r6_nfp@fs.fed.us.

**MANDATORY 120-DAY LAND USE BILL (ESHB 1458)**

This week the Senate passed out this bill after amending it by clarifying that local governments should not exceed 120 days in processing permits or setting project type deadlines, but may do so in both cases when written findings are made. The striking amendment also clarifies that the proposed new language doesn’t retroactively affect any local ordinances in effect prior to July 1, 2001-the effective date of this legislation. And, it establishes a 2-year study for the buildable land counties and the cities within to produce documentation on permit processing performance by project type. It makes this reporting due yearly instead of quarterly, and eliminates the requirement that it be maintained in perpetuity.

This bill now is before the House for concurrence. Please contact Jackie White, WSAC staff, for question or comments.

**GOVERNOR’S WATER BILL FINALLY PASSES THE HOUSE**

Engrossed Substitute HB 1832, a rewrite of the Governor’s omnibus water bill, has been sent to the Senate where it will be considered in a public hearing on Monday, April 16, at 4:00 p.m. The bill includes clarification that the authority of conservancy
boards includes approval of transfers; expands the use of trust water rights; includes up to $300,000 added funding for WRIA (Water Resource Inventory Area) planning efforts; creates separate processing lines for new water rights and water rights changes; prohibits lawsuits against counties or conservancy boards for the boards’ proposed decisions; allows limited transfers of family farm water rights, including to supply water inside an urban growth boundary; and provides tax incentives for water conservation. The re-write provides funding for establishment of instream flows, whether by the WRIA planning unit or Ecology, allows multi-county conservancy boards, and elaborates upon procedural requirements for conservancy boards.

Senate bills addressing parts of the Governor’s proposal remain in House Rules. No Senate bills regarding the authority of conservancy boards emerged from Senate Committee.

**ENDANGERED SPECIES ACT ON PRESIDENT’S THREATENED LIST**

President Bush has asked Congress to give his administration full authority over the listing of endangered species and to block citizens from filing lawsuits to force animals and plants onto the list. His proposal to waive parts of the Endangered Species Act and give Interior Secretary Gale Norton sole discretion over listings is contained in Bush's $1.76 trillion budget. The proposal has come under strong criticism from environmental groups, whose lawsuits challenging Department of Interior inaction has been the main source of recent listings.

### HUMAN SERVICES, JUVENILE JUSTICE & HOUSING

**STATUS ON BILLS OF INTEREST TO HUMAN SERVICES**

- **SHB 1650** and **SSB 5583** are the two bills that came out of the JLARC study on the public mental health system. They are quite different but both have been supported by the RSNs and WSAC as essentially implementing the recommendations from the JLARC study. As they went through the process, the Senate put their language on the House bill and the House put theirs on the Senate bill. The prime sponsors of each bill have met over the last week and agreed on a version of the two bills which we expect to see within a few days. A final tactic by the Senate was to also hang the mental health ombuds bill on the House bill, **SHB 1650** as the bill was passed out of the full Senate. We have been informed that it is not included in the agreed upon bill from the two prime sponsors but have learned to expect the unexpected so await the final version being concurred with by both houses.

- **SHB 1863** and **SSB 5419** are the drug sentencing reform bills. The House version remains in House Appropriations and the Senate version has been passed out of Senate Ways and Means and the full Senate. The bill reduces the sentencing seriousness level from an 8 to a 7 for certain drug offenses and eliminates the triple counting for multiple offenses which would have increased these same offenses. The savings from reducing these sentences is directed to counties for treatment purposes including assisting in funding drug courts. Methamphetamine offenses are excluded from the group of offenses that is reduced. The counties will participate in the group that determines where the funding goes both for the share that goes out in a formula and the smaller share that will be distributed as grants. There are still objections in the House that the bill is soft on crime and the prosecutors and law enforcement are adamant that the language needs to be tightened up ensuring the money goes for treatment and is not siphoned off for other general fund purposes.

- **HB 2011** and **SSB 5986** are the two companion Pierce County psychiatric facility bills. They got caught up in a disagreement between some of the Health Care Committee chairs and only today got placed on the Second Reading Calendar in both the House and the Senate. They need to be moved out today.

- **ESHB 2137** is the school explosives bill. It passed the Senate yesterday and returns to the House for concurrence. This bill includes bomb threats and arson on school grounds and requires a mental health evaluation by the person or agency designated by the RSN. It also goes back and fixes last year's firearms on school grounds bill deleting the CDMHP and inserting the person or agency designated by the RSN. The rewrite provides funding for establishment of instream flows, whether by the WRIA planning unit or Ecology, allows multi-county conservancy boards, and elaborates upon procedural requirements for conservancy boards.

- **ESHB 2168**, **ESSB 5845**, and **SSB 6151** all deal with siting of less restrictive alternatives for sex offenders and group homes/work-release facilities for JRA and DOC. **6151** includes sentencing enhancements for sex offenders as well as the proposed 36-bed facility on McNeil Island. It has passed the Senate. **2168** just includes Juvenile Rehabilitation and Department of Corrections facilities and has the agreed upon county/city planning language. It has been passed out of the Senate and sent back to the House for concurrence. **5845** has the sexually violent predator 3-bed facilities in it and has not had the planning language fixed as yet. It still is in House Appropriations but not subject to any cutoffs. These three bills are still somewhat up in the air as Pierce County lobbies for taking just a 3-bed facility and not the 36-beds and some of the original House sponsors are not comfortable with the Senate amendments to that bill.

- **SSB 5417**, the opiate substitution bill has passed both houses. The House placed several amendments on the bill and the Senate still needs to concur with those amendments. Rep. Kathy Lambert is to be thanked for her efforts to strengthen the county/city role in determining where these programs are sited.

- **ESB 5051**, the expansion of the chemical dependency ITA has passed both houses and has been delivered to the Governor. We’ve heard that the public defenders will ask the Governor to veto the bill as an expanded intrusion into people’s private lives. If so inclined, please send letters of support to the Governor.
That’s where some of the most important bills to County Human Services are today. The cut-off is today at 5:00 for bills to get out of the opposite house. Several of them have been considered necessary to implement the budget and are exempt like the drug sentencing bills. The House budget is now not expected until next week. We continue to work with the House on the RSN funding formula and appreciate those members’ efforts, especially Rep. Schual-Berke and Rep. Tokuda, to find a solution that causes the least amount of harm to anyone.

**HEALTH, PUBLIC HEALTH & SOLID WASTE**

**LOCAL TOXICS CONTROL ACCOUNT**

The Senate Budget contains transfers from the Local Toxics Control Account (LTCA) to the State Toxics Control Account in the amount of $11 million. The intended use of the funds include methamphetamine lab clean up, areawide soil contamination problems, and clean up of contaminated sites as part of the clean sites initiative. An additional transfer of $3,180,000 from the local toxics control account to the oil spill prevention account would be used to partially fund a rescue tug. The toxics control accounts are experiencing an unexpected “spike” in revenue, and the proposed transfer would consist of much, if not all of this “spike”. Therefore, the local toxics control account would not be decreased below the funding level of the current biennium by this transfer.

The WSAC Legislative Steering Committee will consider the following recommendations at its meeting today: Given the extremely tight budget this session and the vulnerability of funding for local governments, WSAC should not oppose the transfer of some of the unanticipated revenue “spike”. However, WSAC should support the position that the use of those funds be for purposes that are also important to local government, that there be no reduction in funding to local governments, and that other funds should be found to fund the rescue tug. WSAC should further remind Legislators that this must be viewed as a one-time transfer because local governments still have on-going mandated responsibilities under the Model Toxics Control Act for which LTCA funding is necessary.

**STATUS OF BILLS RELATING TO PUBLIC HEALTH, HEALTH CARE, AND SOLID WASTE**

**SHB 1042** – Sterilization procedures for Electrology and Tattooing – Passed Senate

**SHB 1163** – Garbage & Junk Vehicles – House Speaker Signed

**E2SHB 1180** – Public Health System Funds – Senate President Signed

**SHB 1187** – Public Disclosure/Terrorism – Senate Rules 2

**SHB 1320** – Adult Family Homes – Senate Passed

**SHB 1365** – Infant and Child Products – Senate Passed

**E2SHB 1658** – State Oyster Reserve lands – Senate Passed

**SHB 1759** – Sale of Hypodermic Syringes – Senate Passed

Senator Thibaudeau introduced a floor amendment, which passed, and then the amended bill passed the Senate. The amendment strikes everything after the enacting clause and inserts the language that is in Section 1 of the original SHB. All other sections are stricken. Also on page 1, line 1 of the title, after “syringes,” the remainder of the title is stricken and the following is inserted: “and amending RCW 69.50.412.” The effect of the amendment is to eliminate all provisions in the bill relating to pharmacies and the legal sale of hypodermic syringes. The remaining provision legalizes the possession of up to 10 syringes for persons 18 and over. This limited legalized possession will apply to both sterile and nonsterile syringes. It is questionable if the House will concur with the amended bill.

**HB 1911** – Neurodevelopmental Therapies – This bill was brought to the floor Thursday. Floor debate included both pro and con sentiments. Folks speaking in opposition expressed concerns about the effect of increased coverage mandates on already extraordinarily high premiums. The bill failed. Senator Thibaudeau, strategically voting no, immediately moved for re-consideration. The bill’s fate is uncertain.

**ESSB 5017** – Sale of Precursor Drugs – Senate President Signed

**SB 5093** – Unlawful Dumping of Litter – House Rules R

**SB 5186** – Family Planning Services – House Appropriations, but it is included in the Senate budget. There is some question about whether or not the bill itself is necessary to implement the waiver or if the budget language is sufficient.

**SSB 5255** – Public Disclosure/Terrorism – Senate President Signed

**ESB 5258** – Disclosure of Health Care Information – Delivered to Governor

**SB 5296** – Youth Access to Tobacco – Died in House Commerce & Labor

**SSB 5401** – Elimination of Boards and Commissions (does not include elimination of the SWAC) – House Passed

**SSB 5679** – HIV/AIDS Prevention Study – House Rules R. This bill passed out of House Appropriations with an amendment. The amended bill requires that the HIV/AIDS Prevention Study Committee review the coordination of the current AIDS Omnibus Act funding and other HIV/AIDS prevention funding streams, and develop specific outcome based prevention strategy recommendations that are consistent with the current funding level. Legislative findings concerning the growth and changes in AIDS care services and programs are removed. If funding for the bill is not provided by June 30, 2001, in the Omnibus Appropriations Act, the bill is null and void.

**2SSB 5820** – Breast & Cervical Cancer Treatment – This bill remained in House Appropriations (where the House bill had died), however, it is in the Senate budget and it is hopeful that it will also be included in the House budget.

**SSB 5837** – State Oyster Reserve Lands – House Rules R.
ESSB 5993 – Smoking in Public Places – While this bill died in House Commerce & Labor, efforts continue to try to salvage this legislation.

SSB 6020 – Access to Dental Care – Senate President Signed

SJM 8001 – Prescription Drug Cooperative Program – House Rules R

AUDITORS

ELECTIONS

Blanket Primary: The House Select Committee on Elections held a work session on HB 2240, which deals with the issue of the blanket primary. The committee did not take public testimony on the proposal. Under this proposal, major parties may choose by rule, to make a determination by July 1 preceding an election, whether or not they will use the votes on the traditional ballot for their party nominees. However, the bill also gives the parties the authority to repeal this rule at any time. It is unclear as to what effect this right of repeal may have on the administration of any primary conducted pursuant to the provisions of this bill. Every voter, whether voting by absentee or at the poll, will be given all four ballots. No fiscal note had been requested on this proposal prior to the work session. However, a local government fiscal note was requested by a number of committee members. The committee members appeared to be concerned about the fiscal impact on the counties.

It is anticipated by the county auditors that this will be an extremely expensive proposal, and of even greater concern is how this proposal will affect the integrity of the election process. The other concern expressed by county auditors is that the counties using punch card systems may be unable to handle this proposal.

Two committee work sessions have been scheduled regarding the primary process. The first is on Monday, April 16th, at 8:30 am, in the Senate State and Local Government Committee, Senate Hearing Room 3. The House Select Committee on Elections has also scheduled a work session on Tuesday, April 17 at 8:00 am, in House Hearing Room E. Auditors who plan on attending the House committee should first check with Barbara Sandahl at WACO to inquire whether the committee meeting has been cancelled. Both meetings are scheduled as work sessions for the committee members and not as public hearings. However, auditors are encouraged to attend either of these meetings.

Absentee and Mail Ballot Bill, SB 5275, the absentee/mail ballot bill, a WACO and WSACA priority bill, has passed the House. The bill was amended in the House State Government Committee and will be sent back to the Senate for concurrence. The amendment was made to section 2 of the bill, which would have allowed a voter to obtain an absentee ballot on the day of the election. The bill was amended to keep the existing language where a voter can obtain an absentee ballot no later than the day before an election.

Please contact your Senators to ask them to concur with the House amendments and for their support on SB 5275.

Conservation District Bill, ESSB 5904, which revises procedures for choosing conservation district supervisors, has passed the House. The bill will have to go back to the Senate for concurrence, as it was amended in the House. Suzanne Sinclair had testified on the bill in the House committee supporting an amendment by the bill’s sponsor, Senator Morton, which would have required conservation districts to notify the county auditor of the affected county by May 1 of the year in which an election is to take place, and that the election is to be conducted under Title 29.

The bill passed the House without this amendment, instead the language in the bill states in Section 1 subsection (3) “Any conservation district choosing to have its elections governed under this title shall make the choice in time to provide appropriate prior notice to any affected county auditors.”

Suzanne will contact Senator Morton to request the amendment language supported by the auditors in the House committee, be included in ESSB 5904. In order to accommodate the timing of the possible passage of the bill and allowing for the Governors signature, Suzanne will request the amendment include a June 1 notification date from the conservation districts instead of the May 1 date. May 1 may have likely come and gone by the time the bill passes and the Governor signs the bill.

Recount Bill SHB 1644, while not a WSACA bill, is a good bill that clarifies recount procedures. This bill is a Secretary of State request bill and has passed the Senate and will move on to the Governor for his signature on the bill.

Vehicle Licensing: Auditor’s Licensing Bill SSB 5274, has passed the House, but must go back to the Senate for concurrence. In addition to the original language of the bill, which clarifies the competitive bidding process for sub-agencies, the bill includes the sub-agent fee increase language, as well as the language regarding the transfers of sub-agencies to children, siblings and employees of the existing owner of a sub-agency. The bill passed out of the House with additional language that adds $.50 to the current filing fee that is to be deposited into the Licensing Services Account. The $.50 fee was eliminated under I-695. These funds are to be used for support and maintenance of sub-agent and auditors vehicle licensing equipment. Please ask your Senators to concur on this bill.
TREASURERS

TREASURERS’ CLEANUP BILL

SB 5638, making technical corrections in county treasurers’ statutes, passed the House on Thursday, 95-0. Late in the game, a problem came up concerning the section on boundary line adjustments, so that was removed by floor amendment. In addition, a floor amendment was passed taking out the $500 exemption language. The bill will now go back to the Senate for concurrence on amendments made both in committee and on the House floor.

GENERAL GOVERNMENT

ARCHIVES

HB 1926, local government records, was amended and passed out of the House Appropriations Committee late yesterday. The amendment embodies an agreement between WACO and the Secretary of State which does the following: 1) removes the sunset on the $1.00 surcharge on documents recorded by the county auditors to support the local government section of the State Archives; 2) establishes grant programs to local government with surplus monies from the first $1.00; 3) increases the surcharge to $2.00 with the second dollar collected to be used exclusively to pay the debt service on a regional electronics records facility in eastern Washington; and 4) when the debt service is paid, the $1.00 is to be split between local governments through the centennial documents fund through the State Treasurer and the local government records section of the Archives. Please contact all your representatives and make them promise to pass HB 1926.

SIGNING OF BILLS

The following bills have passed both houses and will be transmitted to the Governor. WACO has requested that the Governor’s Office notify us when each bill is scheduled for signing. They include: SHB 1793, tax warrants; SHB 1864, family law court files; SB 5393, truancy records; and HB 1216, sudden infant deaths.

Often, very little notice is given. If you are especially interested in attending the signing of a bill, please call the Governor’s Office at (360) 753-6780 and asked to be notified directly. WACO will notify you as soon as notice is received. If you have not attended a bill signing, it is a brief but memorable event where you will be photographed with the Governor and receive a pen commemorating the passage of the bill. It is also the climax to a successful legislative session!

If the Legislature is still in session, the Governor has five days after receiving the bill to take action. If he takes no action, the bill automatically becomes law. If the Legislature has adjourned, he has 20 days to take action. It may take several days after the passage by the second House for a bill to be transmitted the Governor.

GASB 34 – BARS UPDATE

The State Auditors Office (SAO) is conducting five roundtable sessions around the state to discuss the first draft of the GASB 34 portion of the BARS update for 2002. Category 1 entities (counties with populations of more than 50,000 population) are required to report their 2002 financial statements according to GASB 34. Category 2 entities can choose to report under the requirements of GASB 34.

You can participate in these sessions by either being an active participant in the discussions, by observing the discussion, or you can submit your comments in writing to the SAO. The SAO will send you a copy of the draft if you request one. For information regarding the dates and locations or to sign up to participate in a session, please contact Alexa Johnson at 360/664-3149 or E-mail johnsoal@sao.wa.gov.

MEETINGS & CONFERENCES

CONFERENCE ON WILDFIRE RISK

The Western Rural Development Center has organized a conference entitled “Managing Wildfire Risk at the Residential Interface.” Scheduled for May 15-16, 2001 in Salt Lake City, the goal is to bring together community leaders, policy-makers, resource professionals, and extension educators to learn about innovative community-based programs and educational resources used throughout the West to address wildfire risks. There will be no greater opportunity this spring to come up to speed on what new assistance programs and funding is emerging from the federal level. Visit the website at: www.ext.usu.edu/confer/wildfire for continually updated information on the workshop.

BOARDS & COMMISSIONS

STATE BOARD NEEDS COUNTY PUBLIC WORKS DIRECTOR – APPLY VIA WSAC

The state Public Works Board has an opening for a county public works director to represent counties as a “public works manager” as provided in RCW 43.155.030. The state Public Works Board reviews and recommends local infrastructure projects for low-interest state loans from the Public Works Trust Fund.

State law requires the Washington State Association of Counties (WSAC) to submit three nominees for this position to the governor. To be considered as a nominee for this position by the WSAC board of directors, please contact WSAC staff member Sophia Byrd at sbyrd@wacounties.org or 360-753-1886. More information about the Board, its membership, meeting dates, etc., is available at www.crab.wa.gov/ptfw.
Snohomish County Public Works Director Peter Hahn currently serves in this position and will complete his second four-year term on June 30. He is not eligible to serve another term.

**COMING EVENTS**

**April**
- 19-20 WSAC Eastern District Meeting, Colville
- 22-28 National County Government Week.
- 25-27 WA Assn of Prosecuting Attorneys’ (WAPA) Annual Spring Training Program, WestCoast Olympia Hotel, Olympia.
- 26-28 WA State Assn of County Clerks and Superior Court Administrators’ Joint Conference, Lakeway Inn, Bellingham.

**May**
- 7-9 Washington State Association of County Auditors’ Elections Conference, Yakima.
- 23-26 National Association of Counties’ (NACo) Annual Western Interstate Region (WIR) Conference, Hilton Waikoloa Village, Hilo, Hawaii

**JOB ANNOUNCEMENTS**

**EXECUTIVE DIRECTOR - Washington Association of County Officials (WACO)**

WACO is a private non-profit association of county officials of thirty-nine counties. This full-time position in Olympia, Washington, plans, directs, coordinates and administers association and staff activities under the policies established by the WACO Board of Trustees; represents WACO before the Legislature; and meets with state agencies, other associations and county officials to coordinate activities relating to county operations; as well as plans and develops programs, budgets, etc. Requirements: A comprehensive knowledge and experience in county government; knowledge of laws, court decisions, and opinions governing county government operations; and possess excellent oral, written, and organizational skills. Applications with a resume and a cover letter are due by 05/01/01 at 5:00 p.m. Application packets are available by calling WACO at (360) 753-7319, at 206 Tenth Avenue SE, Olympia, WA 98501-1311, or khouts@wacounties.org. EOE

**JUVENILE DETENTION MANAGER, Yakima County.** Responsible for the daily operation and management of the Juvenile Detention Facility including facility safety/security, staff supervision and training, purchasing, budgeting and detention services. Minimum qualifications: equivalent to a Bachelor’s Degree in a related field and five years progressively responsible experience including two years in a supervisory and managerial capacity in a juvenile detention environment. Salary Range: $47,366 - $69,873. Closing date: June 1, 2001 (received, postmarked or e-mail). Apply to: Yakima County Human Resources Department, 128 N. 2nd Street, Yakima, WA 98901. Telephone: (509) 574-2220. Internet: www.pan.co.yakima.wa.us. E-Mail: human.resources@co.yakima.wa.us. EOE.

**ASSISTANT DISTRICT COURT ADMINISTRATOR, Spokane, Washington.** Highly responsible, complex administrative and supervisory work as the assistant administrator of Spokane County District Court. Requires BA/BS in judicial, public or business administration or related AND four (4) years court administration or management experience, including two (2) years supervisory OR certification from the Institute for Court Management + 2 yrs experience. $3420- $4616/month + excellent benefits. Closes 4/27/01, 5pm. For complete job description and application materials, contact Spokane County Human Resources at (509) 477-5750, TDD. Equal Opportunity Employer. www.spokanecounty.org

**THE GRAYS HARBOR COUNTY Department of Public Services, Planning & Building Division, has an opening for a Building Inspector I with a monthly salary of $2,566 to $3,066 DOQ. Minimum qualifications: Bachelor’s Degree in building technology or closely related field; or an AA/AS in a building trade with one year of experience in building code enforcement or related activity, or four years of experience in building code enforcement or related activity; ICBO Building Inspector Certification or certification within one year of employment and a valid WSDL. Applications and a complete job description may be obtained from Grays Harbor County Management Services, 3rd Floor Admin. Building, Suite 33, P.O. Box 790, Montesano, WA 98563, (360) 249-4144 or on our website at www.co.grays-harbor.wa.us. Closing: April 30, 2001 at 5:00 p.m. Grays Harbor County is an Equal Opportunity Employer.

**DOH seeks TEMPORARY WORKER HOUSING HEALTH & SAFETY INSPECTORS.** The Department of Health’s Temporary Worker Housing Program has four Health and Safety Inspector positions open in Central Washington. Salary: $16.54 - $21.16/ hour DOQ. These are non-permanent positions anticipated to work the months of May through October. The positions conduct inspections for compliance with health and safety standards at migrant farmworker housing facilities; documents deficiencies and gathers physical evidence; clarifies regulations, advises housing operators on needed improvements, develops housing operators’ plans of corrections and monitors progress; prepares written report of findings, and recommends and assists with enforcement action. For more information about the positions, contact Rozanne Stewart at (360) 236-4410.
Stefaniw: 'Keep me in your prayers'

Commissioner's cancer battle worsens

By Michelle Partridge, World staff writer

WENATCHEE -- Two weeks after taking an indefinite medical leave from work, Chelan County Commissioner Esther Stefaniw breezed into the courthouse Tuesday morning for a brief visit.

"Hi kids," she cheerfully called out to fellow board members and staff as she rolled into the commissioners' office in a wheelchair pushed by her son, Christopher. "I'm not really sure why I'm here. I guess just to prove that I could. I didn't want anyone to think I didn't mean to keep the job. At least for a couple more weeks anyway."

Stefaniw, a public official in North Central Washington for 16 years, is dying.

"My run is up," she told Steve Byquist, a longtime family friend and talk show host for KOZI radio in Chelan, in an emotional interview that aired last Friday. "I'm going to die here pretty soon." Two tumors removed from her brain in January have returned, along with three more, she said.

The 52-year-old commissioner from Manson started her second term in January and has battled cancer on and off for six years. She talked about five minutes Tuesday with a handful of county employees. They told her she looked great. "Well, image is everything," she said with a grin, pointing out her tan business suit. "I'm great. Just look at the ensemble."

She retrieved some papers from her office and talked to Kathy Ward, an administrative assistant, about what commission work Stefaniw needed to do at home.

County employees wiped away tears after she left, and then Commissioners Ron Walter and John Hunter got back to work.

In her interview with Byquist, Stefaniw said she wants to continue working on water-related issues that impact the county and especially farmers. She said it's the most critical challenge facing the county right now.

"I'm going to do everything I can for as long as I'm able to make sure we hold that (water) in our own hands and that nobody comes here and tries to take it away from us," she said. "I never have advocated civil disobedience. But we should not allow the folks in Seattle or California to take it away from us."

Stefaniw was first elected to the commission in 1996, unseating a popular four-term commissioner, after pledging to bring the county into compliance with the state's Growth Management Act. The county did that last year. In the radio interview, she said, "Unless a miracle comes along pretty soon, I think I'll be doing growth management from heaven."

She was a member of the Manson School Board from 1985 to 2000, and was director of the Washington State School Directors' Association in 1992 and 1993. She was also a member of the Washington Arts Commission and served on Sen. Slade Gorton's advisory committee on local government issues.

Stefaniw was diagnosed with breast cancer and underwent surgery in 1995. Two years later, the cancer came back and also involved one of her lungs. She had more surgery and radiation.

Then last Christmas Eve, Stefaniw suffered a seizure while attending church. After tests revealed two tumors in her brain, she had surgery on Jan. 2 to remove them. She returned to work exactly two weeks later, joking that she couldn't stay home because there were no good daytime television shows.

Stefaniw missed work for much of March while she went through alternative therapy at the Gerson Institute in Mexico. She came back to work on March 26, but has not attended a session since.

While undergoing an MRI on March 30, doctors discovered five tumors in Stefaniw's brain, said Byquist, who is handling all public statements for the family. In the radio interview, Stefaniw said that she could go through more treatment for the tumors, but "I don't think it would increase at all my or my family's quality of life, and I will die anyhow."

Stefaniw and her husband, Mark, have operated an apple and pear orchard in Manson since 1975. They have four children, who have all returned home to be with their mother. Stefaniw asked that people limit their visits and phone calls to allow her more time with her family.

"Whatever time I have left, I want to love my husband, I want to love my children. I'm sure you understand," she said. "Keep me in your prayers," she said. "And if I linger very long, I think you should visit because this could get boring."