Plan to Attend the Legislative Rally and Reception

The annual legislative rally of county and city officials is scheduled for January 30 - February 1 in Olympia. The event will kick-off Wednesday evening from 6:00-8:00 pm with a reception at St. Martin's Pavilion, in Lacey. Over 500 legislators, county and city officials and local law enforcement sheriffs and police chiefs will be there. The counties and cities will hold separate legislative rally luncheons on Thursday and WSAC’s Legislative Steering Committee will meet on Friday at 10:30 am. WACO affiliate groups are also meeting during the week.

This is an important rally for local government. It will be an opportunity to bring local county and city elected officials to Olympia to try and convince legislators to retain the I-695 backfill and provide funding relief to local governments. Please call your legislators today and give them a personal invitation to attend the Wednesday evening reception. A registration form for the Legislative Rally and Reception is attached to this Courthouse Journal.

Senate Judiciary Hears Counties’ Plight

At the invitation of Senate Judiciary Chair Senator Adam Kline, local government officials gathered in the early morning of January 15 to address the Judiciary Committee and relay to them the impact of the projected state revenue shortfall on local government operations, with emphasis on public safety issues. Represented were the Washington Association of County Officials (WACO), the Association of Washington Cities (AWC), the Washington State Association of Counties (WSAC), and the Washington Association of Sheriffs and Police Chiefs (WASPC).

The most graphic illustration of the plight of cities and counties came when Senator Pat Thibaudeau brought to light that despite repeated losses of revenue “the sky has not fallen.” Kittitas County Prosecutor Greg Zempel likened the situation to the “boy at the dike.” Local government has continued to use all their resources to “plug the holes” but Zempel said, “We only have so many fingers and toes.”

Sheriff John Didion described the situation in Pacific County where eleven deputies are responsible for the protection of a population of 21,000 that swells to 121,000 when ocean beaches draw summer crowds. He also recounted that there have been three methamphetamine labs discovered in Pacific County this month which require two deputies to secure the scene 24 hours a day until cleanup is completed. There is no hope for additional personnel.

The situation in Grays Harbor County is different, according to Prosecutor Stew Menefee, in that Grays Harbor has made public safety and criminal justice a priority to the detriment of other county offices. While the sheriff, prosecutor and clerk have not experienced personnel cuts, the assessor, treasurer, auditor and other county offices have had to bear the brunt of budget shortfalls. Menefee commented, “Grays Harbor County has been in financial trouble long before the passage of... (Continued on page 2)
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Initiative 695.”

In Whatcom County, Sheriff Dale Brandland has had asked judges to release prisoners early to relieve overcrowding. No misdemeanants are held. Brandland says, “Because there is a line waiting to get into the jail, there is no accountability for chronic serial misdemeanants.” Sheriff Brandland also noted that if assistance goes away, the 2200 square miles of Ferry County would have only three deputies left to cover it.

Chelan County Clerk Siri Woods let the Committee know of the great gains Chelan County has made through criminal justice assistance and what they will lose unless it continues. Her office has initiated a facilitator program to assist litigants who have no attorneys and, most importantly, a collections program in Superior Court. Without in-house collections, Chelan County will lose $500,000 in legal financial obligations paid by offenders annually. Those two programs are the first to go since the functions are not mandated. Woods also extolled the virtues of the collection programs that has provided vital assistance to offenders in helping them with realistic approaches to court orders and has boosted the court collection rate from 10% to 68%.

WSAC President LeRoy Allison, Grant County Commissioner, brought three messages to the Committee: 1) reduction of funds to the counties must be accompanied by elimination of mandates; 2) drastic cuts will bring the “chickens home to roost;” 3) cuts in counties are going far beyond criminal justice.” He urged the members to remember in their deliberations that the public’s priorities are public safety and criminal justice, health and welfare.

Pierce County Council member Kevin Winnett concluded the presentation by telling the Committee the status of Pierce County problems. “Pierce County takes the lead in all the wrong things,” he said. His reference was to number of meth labs and low ratio of law enforcement to the number of citizens, but he countered by saying Pierce County is last in generation of new revenues. He brought the point home by stating that in the area of Roy and McKenna between the hours of 3:00 and 7:00 a.m., it will take law enforcement over an hour to respond to calls.

The cities of Yakima and Tacoma had told of the astronomical caseloads of city attorneys that topped 1600 cases per attorney in Yakima, re-arrest rates as high as 40%, and the effect of early release of offenders from the Department of Corrections.

Legislature convenes to deal with budget shortfall and transportation crisis

This week marks the opening of the legislature and one of the most difficult sessions they have faced many years, with the Democrats holding a slim majority in the Senate and House. Before the session began there was talk of bipartisan efforts to help solve the budget crisis. After the first day of the session most of that talk had disappeared and the Speaker of the House was saying they would move legislation with or without support from across the aisle.

The budget shortfall is $1.25 billion and the Governor has proposed that $88.6 million will come from the 695 backfill promised to counties and cities in the last session. Most legislators are saying the loss of the backfill is a done deal. On the other hand, there is little discussion on removing mandates from local governments to offset the loss of revenues. Members need to remind their legislators that counties are enforcing state mandates, which many of them voted to pass onto counties.

Some legislators are suggesting that it would be okay for counties to dramatically cut services to communities as a way to remind voters who supported tax cutting initiatives that there is a price to be paid. Of course it is easy to take that position when it is local officials who have to make the unpopular choices of cutting programs. For counties’ that inevitably means cuts will be in law and justice since that is where up to 70% of the general fund is spent.

It is still a long ways to go before the legislature presents it’s version of a budget. It is important for every member of WSAC and WACO to contact your legislators and let them know that your county’s public health and safety is at risk if they do not fund the 695 backfill.

On a more positive note the county regional transportation bill will be heard in the House next week and key leadership is working with the counties to help pass WSAC’S preferred version of the bill. See the full story below. Also, there is a broad effort on both sides of the aisle in both houses to try and find common ground not only for a regional bill, but a statewide gas tax to help pay for transportation projects. The hope of some legislators is that a transportation package can pass before they bog down in the inevitable fight over the budget shortfall.

Overall, it is pretty much like the beginning of most sessions, a few shots across the bow of each party, but then the commitment to try and pass legislation for which everyone can claim credit. Stay tuned.
WACO Loses Employee to Thurston County

Thurston County Auditor Kim Wyman has announced that she has hired a new chief deputy - WACO Research Associate Barbara Sandahl has taken the position. B.G. will be leaving WACO for her new duties effective February 1. B.G. has held a half-time position with WACO for the past seven years and has done a great job shepherding all the county auditors’ issues! She will also be leaving the Secretary of State’s office, where she also holds a half-time position as a programs coordinator in the elections division. She’s done a miraculous job juggling her many responsibilities. We will miss B.G. a lot but this is a tremendous opportunity for her.

Much success and congratulations, B.G.!

Transportation/Overview

The 2002 legislative session began swiftly with the House Transportation Committee holding a hearing the first day on the Governor’s efficiency and accountability bill (HB 2304). HB 2304 incorporates some of the recommendations made by the Blue Ribbon Committee on Transportation (BRCT). Specific to counties, the bill contains a modified provision of the benchmark recommendations that were considered last session. In addition, the bill contains a section that would require Counties to comply with new maintenance “standards of good practice” that would be developed by the County Road Administration Board. The fiscal note on this provision estimates the costs to Counties to be $4.3 million. WSAC staff testified requesting an amendment to place a provision that would link new revenue with the new requirement. The House Committee adopted the bill with the amendment failing on a 12-14 partisan vote on Wednesday of this week. The Bill is scheduled for action on the House floor today and we anticipate that WSAC’s amendment will be considered.

First Week Struggles to a Close in the Human Services Arena But Second Week Promises More Activity

The first week of session closed with little activity in the human services, juvenile justice, and housing areas. There were the usual budget presentations dramatically illustrating the reductions facing DSHS and opportunities to make WSAC concerns known in areas across the agency. In some of the committees, legislation was heard that has a direct impact on counties. Among some of the committees, legislation was heard that has a direct impact on counties. Among the hearings were those on HB 2060, the increase in the recording fee for affordable housing. House Local Government and Housing had a good hearing on this bill with testimony from both WSAC and WACO. Concerns about ensuring that smaller counties receive adequate funds from the increase in fees will be addressed in an amendment tinkering with the distribution formula to provide a base for smaller counties. Since the bill passed the Senate last year, it appears it has a fairly decent chance of making it through this year. Planned for a later hearing is the San Juan County bill authorizing them to use part of the real estate excise tax for affordable housing in their county.

In House Criminal Justice and Corrections, HB 2298 received a hearing. This bill would authorize two demonstration projects to serve the mentally ill in jails. It includes an implementation planning team made up of both state and local representatives and a set of desirable goals and objectives. Unfortunately it only has $50,000 attached to it at present, adequate for the task force but not the desired services or evaluation. But the policy is indeed admirable and WSAC appreciates the legislature’s interest in this area. Karen Daniels, Thurston County Jail Administrator, also testified in favor of the bill and did an excellent job in illustrating the need as well as the potential for cost savings from implementing the proposed legislation.

Also in House Criminal Justice and Corrections, David Boerner, Sentencing Guidelines Commission, made a presentation about their support of drug sentencing reform and the importance of getting more treatment out in the community through reducing the sentences of certain low-level drug offenders. The bills, SB 6361, and HB 2338, will both be heard next week. HB 2338 will be heard Tuesday, January 21 at 10 a.m. in House Criminal Justice and Corrections and SB 6361 will be heard in Senate Judiciary on Thursday, January 24 at 10 a.m.

The House Juvenile Justice Committee continued some of their learning sessions from last year and received an excellent presentation on the Integrated Treatment Model now being implemented on a limited basis at both Maple Lane and Echo Glen. It serves those youth who are the most challenging for Juvenile Rehabilitation especially those with mental illness and includes discharge planning and coordination with the local RSN for ongoing services.

Drug-affected babies were the topic over in Senate Human Services and Correction on Friday, January 18. This continues the discussions held over the last few years regarding how best to break the cycle of substance-abusing women having multiple births of drug-affected

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First Week Struggles to a Close
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Health District Authority to Levy Civil Penalties

HB 1087, which provides health districts with the same authority to level civil fines that county health departments currently have, is scheduled for a hearing in House Local Government and Housing on Monday, January 21, at 1:30. The bill has been heard each year for the last several years. The bill is strongly supported by the Attorney General’s Office and the Health Alliance for Tobacco Control and Children’s Health. The bill basically requires that all tobacco products in public places where minors are permitted must be either locked in a cabinet accessible only by a clerk or behind the counter – again accessible only by a clerk. The bill prohibits the sale of single cigarettes except in those establishments where minors are not allowed.

Restricting Youth Access to Tobacco

HB 1549 is scheduled for a hearing in House Health Care on Thursday, January 24 at 8 AM. This bill has been heard each year for the last several years. The bill is strongly supported by the Attorney General’s Office and the Health Alliance for Tobacco Control and Children’s Health. The bill basically requires that all tobacco products in public places where minors are permitted must be either locked in a cabinet accessible only by a clerk or behind the counter – again accessible only by a clerk. The bill prohibits the sale of single cigarettes except in those establishments where minors are not allowed.

Security Committee Hears the Local Perspective Re Community Safety and Security

The House Select Committee on Community Security is off and running hearing from local and state folks about what is needed to increase community safety and security.

On Thursday, January 17, the Committee heard from public health officials, county emergency management programs, cities and state agencies.

Representing local public health were Dr. Ward Hinds, Health Officer, Snohomish Health District and Chair of WSALPHO, our local health affiliate, and Dr. Tom Locke, Health Officer, Clallam and Jefferson Counties.

The public health messages underscored the critical impacts if counties lose 695 backfill funding. They noted that local health systems will reduce and in some cases lose their capacity to respond to disease outbreaks and bioterrorism events.

They also reminded committee members that the public health response to a bioterrorism concern is not just response to the event, but also extensive and on-going work to educate key folks in the community (such as law enforcement and fire fighters, hospitals, physicians, pharmacists, etc.) who have never had exposure to potential biological terrorism agents. For example, most physicians today have never seen a case of smallpox, and as a nation we are no longer protected from this deadly disease.

In order to maximize the opportunity to contain such an event as a smallpox outbreak, the speakers reminded the Committee that active disease surveillance is important. An active surveillance system will provide for recognition of the problem at the earliest possible time. In Washington, the current surveillance system is a passive one. This is still an effective disease surveillance system, but it takes longer to identify outbreaks/problems.

Dr. Locke, who also represents local health officials on the State Board of Health provided the Committee with a copy of the Board’s report on Public Health Emergency Preparedness. Both Dr. Hinds and Dr. Locke underscored the relevance of the findings in the report. Basically, the local public health system knows what to do, how to do it and does it to the best of its ability. We are not unprepared, but we are underprepared for a significant disease outbreak or event whether naturally occurring or man-made.

On the county emergency management front, emergency management directors Eric Holdeman of King County and Stephanie Fritts of Pacific County presented information about local planning, preparedness and response activi-
Security Committee
(Continued from page 4)

ties. Even as they distinguished between the disparate resources available in large and small counties, they explained that both large and small counties do currently plan and train for various natural and man-made hazards. In addition, Holdeman highlighted the regional planning efforts among several Puget Sound-area counties, and Fritts explained the multi-jurisdictional nature of planning in many small counties. Both noted the importance of “all hazard” planning rather than focusing only on “homeland defense.” Both identified “communications” as a potential problem that could limit the efficiency and effectiveness of local emergency management during a serious event. They expressed concern about a lack of compatibility in equipment as well as a lack of coordination among various incident response organizations and individuals.

District Courts Have Their Day in Senate Judiciary

This week several criminal justice bills that could affect counties were heard by the Senate Judiciary Committee.

SB 5262 changes the threshold amounts for property crimes like theft or possession of stolen property, to reflect inflation since the law was first written in 1975. This bill could save counties money since they only have to prosecute more serious thefts involving larger amounts of money: felony theft was increased from crimes involving $1,500 to $3,000. Theft of smaller amounts of money would now be misdemeanor.

SB 6293 increases the ability of district and municipal courts to hold hearings electronically or by video conferencing. This bill would expand those courts’ jurisdiction to include violations of state law, not just local ordinances. This would save counties time, effort, and money by no longer having to physically transport defendants to hearings.

SB 6292 would require judges and judicial officers to be attorneys and members of the Washington bar. Currently non-attorney judges are allowed; with this bill, judicial districts with a population over 5,000 would not be able to have any non-attorney judges, and districts with populations under 5,000 would be able to have non-attorney judges if they passed a qualifying exam.

Perhaps the most troublesome bill for counties, SB 6404 would require sheriff officers to attend sessions of district court in their counties. Currently, law enforcement presence in district court is determined on a case-by-case basis. This bill could take law enforcement officers off the streets and put them in a courtroom. Following testimony by the Association of Counties and the Washington Association of Sheriffs and Police Chiefs (WASPC), Committee Chair Adam Kline indicated that fiscal impact likely would stop this bill. WASPC estimated that full implementation of the bill could cost as much as $4.5 million.

Several other bills were heard by the Senate Judiciary Committee as well, but would have little to no impact on counties. SB 6290 has to do with courtroom forms and internal court procedures; SB 6317 awards costs including legal fees to the prevailing parties in small claims cases; SB 6291 would let court commissioners appointed by municipal court judges to reside in cities or counties outside the court’s jurisdiction; and SB 6297 says that the dues for members of the District and Municipal Court Judges Association can be paid from county or city general fund budgets.

Bills of Interest to Sheriffs

SB 6404, modifying sheriff’s duties, would require a deputy present at all sessions of district court (See above). Sheriffs should take special note of SB 6294, sex offender registration, which is set for hearing in Senate Human Services and Corrections Committee on January 23 at 8:00 a.m. SB 6294 requires the sheriff to send out sex offender notifications in different languages where there is a significant population for whom English is not the primary language. It would require notices in Spanish, Russian, Vietnamese, Cambodian, Laotian, and Chinese. If this proposal poses a problem in your county, please call WACO.

Increased Juror Compensation Through Property Taxes

SB 6311 increases juror compensation from twenty-five dollars a day to fifty-five dollars a day. The revenue to pay for this increase would be provided by allowing counties to levy an annual property tax of up to two cents per thousand dollars of assessed value upon the assessed valuation of all taxable property in the county for purposes of juror compensation.

County Clerks’ Bills Are Moving

The County Clerks legislative package is on the move. SB 6401, an act referring to the office of county clerks, which basically corrects archaic language, and SB 6417, an act for the filing of wills, are both set for hearing at 10:00 a.m. on Monday, January 21 in the Senate Judiciary Committee.

SB 6402, deduction of legal financial obligations from inmate accounts, has been referred to the Senate Committee on Human Services and Corrections Committee, Senator Jim Hargrove, Chair. SB 6458, the bill to make jury fees consistent, will most likely be referred to Senate Judiciary today.
County Treasurers’ Administrative Changes Bill

The County Treasurers’/WACO cleanup bill, SB 6466, has been introduced in the Senate with Senator Georgia Gardner as the prime sponsor.

Distribution of Taxes

SB 6437, and its companion bill HB 2467 have been introduced. Originally drafted by the county treasurers, the Ports’ Association made some technical changes and has taken responsibility for the issue in this year’s legislature. The bills add language that on the first day of the month, the treasurer shall distribute pro rata “to the taxing districts for which the county treasurer also serves as the district treasurer” according to the rate of levy for each fund, the amount collected as consolidated tax during the preceding month. Language also clarifies that on or before the tenth day of each month the county treasurer shall not only remit the taxes to city treasurers, but also to the taxing districts who have their own treasurers.

Fire Patrol Assessments

Several county assessors, treasurers, a Department of Natural Resources (DNR) representative, and WACO staff will meet with Senator Hargrove and Representative Doumit on Friday, January 25, at 12:30 p.m., concerning fire patrol assessments. As a result of problems implementing HB 2104, that passed during the last legislative session, we will be trying to come up with changes that will be more manageable in the fire patrol assessment, billing and collection process. The counties were surveyed for the number of total fire patrol parcels for those districts who have their own treasurers as the prime sponsor.

Proposed Change In The Use Of Revenues Under The County Conservations Futures Levy

The conservation futures tax is a local option property tax assessed at the county level, at a maximum rate of 6.25 cents per $1,000 of assessed value. Revenue from the tax may be used to purchase or acquire development rights for open space, agricultural, and timber lands. Twelve counties currently levy the conservation futures tax. The Legislative Task Force on Local Parks and Recreation Maintenance and Operations recommended that counties be given the option of using a portion of the conservation futures tax revenue for operation and maintenance of properties acquired. In SB 6331 a county would be able to use up to twenty-five percent of the revenues from the conservation futures tax for development, operation, and maintenance of properties acquired under 50 acres in size and those 50 or more acres in size and DNR has analyzed that information, applied an earlier suggested graduated fee schedule, and developed a spreadsheet. Legislation has yet to be developed.

County Auditor News

Suzanne Sinclair and Bob Terwilliger attended their first legislative hearing for the 2002 legislative session. The House Local Government and Housing Committee heard testimony on HB 2060, which provides funds for affordable housing by charging an additional $10.00 on each real estate document recorded in a county auditor’s office. Bob and Suzanne pointed out the difficulty in determining what documents classify as a real estate document.

Bob also suggested that the committee consider amending the bill to use a distribution formula similar to the one used by auditors for the recording O&M fund so the monies received by small counties would be meaningful. Suzanne said that while she is a proponent of supporting affordable housing this may not be the best way to fund affordable housing as only a specific portion of the population records documents. It appears that the bill will be amended to answer the concerns of the auditors and should be similar to the Senate bill from last year, 2SSB 5936. This bill allowed for a fee to be collected on all documents recorded, not just limited to real estate documents.

Bob also testified on HB 1437, which authorizes a primary for park and recreation district commissioner elections. Bob explained the potential problem of when a district has no funds to pay for their elections and that was the reason why the statutes were amended in 1996.

Suzanne was in Olympia on Thursday afternoon to appear before the Senate State and Local Government Committee to comment on the Secretary of State’s legislative package. Suzanne testified in support of the Secretary of State’s legislation but, asked that if the federal funding does not come through for the conversion from punch card tabulating systems to optical scan systems the state pick up the tab as counties would be unable to. A section in SB 6322 requires that all counties convert to
They’re back... County Law Libraries and Youth Courts

Two proposals from last year are still alive and well. HB 1470, a bill to fund county law libraries languished in the House Judiciary Committee but was heard by the same today, January 17. SB 5692, youth courts, is on the Senate Floor Calendar for third reading. Upon a vote by the Senate, it will make another trip through the House. The youth court bill is a WACO carryover priority.

Environment, Land Use & Resources

GMA Timeline Bill on the Senate Floor Calendar

The Washington State Association of Counties (WSAC) and the Association of Washington Cities (AWC) is advocating for amendments to the current statutes that now require all GMA planning jurisdictions to review and update if necessary, local GMA plans and development regulations by September 2002. SB 5841 would establish new deadlines beginning in 2003 for critical area ordinances and 2004 for comprehensive plans over a 4-year period. The Senate passed SB 5841 last session but the House did not take action. This session the Senate placed the bill directly on the floor calendar with the intention of passing it quickly to the House. The House Local Government and Housing Committee Chair, Representative Dunshee, is working on a similar measure that most likely will be heard the third week of session. This bill is still in draft form. Attached is a comparison of the two bills.

WSAC and our partners within the AWC appreciate consideration of these measures and encourage all GMA-planning jurisdictions to convey your support for these bills to your legislators.

Recycling Bill Resurfaces

Representative Linville held a hearing this week in House Agriculture and Ecology on HB 2308. It is similar to the bill she introduced and worked on last session. This bill does not revolutionize recycling in Washington but it moves a step forward. This bill adopts a state goal of establishing programs to eliminate residential or commercial yard debris in landfills by 2012 in those areas where alternatives to disposal are readily available and effective. It does require counties to do anything if alternatives to disposal are not readily and effective. The bill also directs the Department of Ecology to investigate the use of scrap ties as alternative daily cover for landfills and the feasibility of establishing and maintaining an incentive program for market development. It also directs the Department of Transportation to evaluate the use of scrap tires in civil engineering and highway construction applications.

Energy Facility Site Evaluation Council Seeks Input On Standards For Siting Energy Facilities

The state body that reviews and decides whether major energy plants (over 350 megawatts) and major transmission lines should move forward is working to develop siting and operational standards to speed up the decisionmaking process. The Energy Facility Site Evaluation Council (EFSEC) plans to adopt clear, quantifiable standards later this year, and has convened a workgroup to determine what topics should be addressed and how.

Items under consideration for standards include, air quality, water use, water quality and wetlands, fish and wildlife, soils and seismicity, and noise.

It is important for counties to engage in this process for at least two reasons: (1) a representative from each county with a proposed facility is included in the siting approval process; and (2) nearly all proposed facilities that are smaller than the EFSEC siting threshold will be sited in counties – and the standards developed will no doubt come into play. WSAC wants knowledgeable elected officials or staff to volunteer to participate in the process.
A working draft of the water legislation being considered by the Joint Executive Legislative (JEL) Water Policy Group has been posted on the WATER 2002 Website. The JEL Group is requesting comments by Monday from all parties on the draft bill. The Group will reconvene Monday evening, January 21, to review comments on this draft and continue to develop a version for formal introduction into the legislative process.

A working draft of the 79-page water bill can be found on the following website: http://www.wa.gov/water2002/. A summary of the general intent and design of the bill follows. Comments can be sent to any or all of the following JEL Group members:

Sen. Karen Fraser (fraser_k@leg.wa.gov)
Senator Jim Honeyford (honeyfor_ji@leg.wa.gov)
Senator Debbie Regala (regala_de@leg.wa.gov)
Senator Bob Morton (morton_bo@leg.wa.gov)
Representative Bruce Chandler (chandler_br@leg.wa.gov)
Representative Steve Kirby (kirby_st@leg.wa.gov)
Representative Kelli Linville (linville_ke@leg.wa.gov)
Representative Dave Mastin (mastin_da@leg.wa.gov)
Jim Waldo, Governor’s Water Team (Jim.Waldo2@gov.wa.gov)
Curt Smitch, Special Assistant to the Governor (curt.smitch@ofm.wa.gov)
Tom Fitzsimmons, Director of Ecology (tfti461@ecy.wa.gov)

If you’d like to provide comments to ALL of the members of the group, you can send your comments to Keith Phillips (kphi461@ecy.wa.gov) and he will forward your comments to the entire group. When providing comments, please refer to the section and sub-section to which comments pertain. (Don’t refer to page and line number as these will vary based on the printer used.)

**Summary Of Policy Group Working Draft**

**Working Draft Objectives:**
- Set and achieve instream flows for fish
- Increase the certainty and flexibility of water rights for public water systems and for agriculture
- Provide funding for water infrastructure projects
- Improve the water resource management system

**Instream flows (See Sections 2, 3 and 7)**
- Provide one definition for instream flows
- Establish clear standards for instream flows
- The department of ecology sets instream flows through watershed planning or negotiated rulemaking
- Require instream flows to be set statewide by the year 2010

**Water resource management program (See Section 15)**
Instream flows are adopted within a water resource management program that describes how water will be managed in a basin. Water users in the basin elect whether or not to participate in the program; participants are granted increased flexibility and certainty for their water rights.

The program must:
- include benchmarks and timelines for achieving instream flows, including a final benchmark that clearly defines when instream flows are achieved
- specify tools to be used for achieving instream flows, and who will be responsible for implementing these tools
- include monitoring, and default actions that will occur if benchmarks and timelines are not met
- describe the proportional share for users that elect to participate in the program

**Water resource management programs will be based on:**
- watershed plans developed under chapter 90.82 RCW (“2514”), where available
- state-recognized programs and agreements – FERC, HCPs, irrigation district agreements, etc.

**Water management environmental contracts (See Section 16)**
- The department of Ecology is authorized to enter into contracts with one or more of the larger water users in a basin
- The contracts provide increased flexibility and certainty for water rights in exchange for efficient use of water and proportional contributions to meeting instream flows

**Increased flexibility/certainty for water rights held by public water systems would be provided immediately for:**
- Defining municipal supply purpose to secure protection from relinquishment
- Removing limits on the population or number of connections served
- Allowing perfected rights can be used anywhere in the service area
- Inchoate rights can be used to address health and safety emergencies
- Interties can be used to serve growth as long as instream flows are not harmed

New rules would be established for water conservation for public water systems:
- Minimum requirements for efficient water use
- Conservation planning
- Water use efficiency performance standards

**Increased flexibility/certainty for water rights for agriculture would be provided immediately for:**
- Simple conversion of agricultural water rights from one purpose to another
- Ability to rest water rights and preserve them for future agricultural use
- Additional exemptions to “use it or lose it” (relinquishment) for climate

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change, long-term crop patterning, and hardships resulting from death in the family, bankruptcy or foreclosure.

Additional flexibility and certainty of rights is provided where: (See Sec 34)
- A water user has elected to participate in a water resource management program and is meeting their share of the program obligations
- A water user has entered into an water management environmental contract that provides the increased flexibility and certainty, OR
- The final benchmark for instream flows has been achieved for a given basin

For public water system rights:
- The water right place of use is the current or future service area
- Water may be used for any beneficial purpose
- Inchoate rights may be changed
- Interities may serve new growth

For agricultural rights:
- “Use it or lose it” is extended from 5 to 15 years
- No partial relinquishment of rights for lands maintained in agricultural production
- The standard for adding acres or purposes of use is moved from the highest two of 5 years to the highest two of 15 years.

Funding is provided for water infrastructure projects:
- safe drinking water and reclaimed water projects
- agricultural irrigation water conservation and instream flows
- water storage and conveyance for multiple instream and out of stream purposes
- water for fish
- implementing watershed planning projects

Additional features to improve the water resource management system:
- Clarify permit requirements and exceptions for water storage (e.g., rain barrels, farm ponds, etc.)

Stormwater Manual Workshops

This past fall the Department of Ecology (Ecology) released its Stormwater Management Manual for Western Washington. The manual has been updated to contain new information and technical standards, and to expand the applicability beyond Puget Sound to all of western Washington. This updated manual replaces the document initially developed and published by Ecology in 1992.

The workshops are geared for those responsible for implementing the provisions of the Stormwater Manual. This includes county planning and public works staff responsible for permitting, planning, and/or design related to stormwater requirements.

Pre-registration is required. No registrations or payments will be accepted at the workshops. The registration form is part of the PDF located at the following Internet address; http://www.ecy.wa.gov/biblio/0210003.html Please fill out the e-form, print it, and send it with your payment to the address listed. The deadline is February 5. The Stormwater Homepage can be found at: http://www.ecy.wa.gov/programs/wq/stormwater

DSHS Offers Employers Website For Child Support Payments

The Department of Social and Health Services (DSHS) has developed an Internet website which allows faster and less costly processing of child support payments.

Developed primarily for employers who pay child support for their employees, as well as for individual paying parents, the Child Support Internet Payment Service (CSIPS) is available statewide. The interactive site provides a secure and convenient way to make child support payments online by Electronic Funds Transfer.

According to Georgiann DeKay, director of the department’s Division of Child Support (DCS), CSIPS was created as a direct response to requests from employers. “We heard from many employers-both public and private-who told us they wanted an online way to pay monthly child support for their employees,” DeKay said. Since employers remit about 60 percent of child support payments in our state every month, they wanted an online way to pay them. More than 180,000, or around 75 percent of the payments, are checks sent by regular mail. DeKay said that approximately 94 percent of payments by check are processed within two days of receipt, while 100 percent of the electronic payments are processed the same day they are received.

On average, DCS collects some $60 million in child support each month in the form of about 250,000 payments. More than 180,000, or around 75 percent of the payments, are checks sent by regular mail. DeKay said that approximately 94 percent of payments by check are processed within two days of receipt, while 100 percent of the electronic payments are processed the same day they are received.

CSIPS is operated on a secure server and uses 128-bit encryption. Users are identified by an ID and password known only to them. Employers can cre...
ate and maintain payment files on-line or import data from their existing payroll programs. The web-based system also allows employers to schedule payments in advance and vary amounts for each employee. Users can change or cancel their CSIPS account at any time and can update bank account information as often as needed. They also can cancel payments and view the last six months of their account history. There is no cost to use CSIPS.

“The system benefits everyone by saving costly paperwork and labor-intensive handling costs, while helping to ensure payment accuracy,” added DeKay. “It is easy to use, gets child support to families faster, and gives users complete control of their payments in a secure environment.”

Christy Ridout, DSHS chief information officer, praised the work accomplished by the division. “This Web site is an example of e-Government work at its best,” she said. “DCS, which has a long history of innovation, took an old way of paying child support and made it easier using Internet technology. The result is a Web site that allows employers and parents to save time, while saving the state money.”

Washington State has been recognized nationally as a leader in the use of technology to improve child support collections. A year ago, the division’s Support Enforcement Management System was the first information technology system in the nation certified to meet all federal requirements and was cited in the February 2001 issue of Government Technology, a leading national publication.

Washington was also one of the first to meet requirements for a centralized payment processing center, and the division’s payment processing imaging system received the Award of Merit from the American Society for Public Administration in 1998.

Those interested in using CSIPS can set-up an account or view a demonstration of the site at: www.childsupportpayment.dshs.wa.gov. They also may contact the Division of Child Support toll-free at 1-800-468-7422 for more information. Customers operating in a high security network environment who experience difficulty in accessing the site also may call this number for technical assistance.

WSAC Seeks Nominees for Freight Mobility Strategic Investment Board

WSAC needs to fill its two slots on the 12-member Freight Mobility Strategic Investment Board. One of the appointments will be for a full four-year term; the other will carry out the term (ending in 2004) of recently retired Snohomish County Commissioner Barbara Cothen. At least one of the two positions must be filled by a representative from a county having a strategic freight corridor within its boundaries. WSAC must submit names of least four persons for consideration by the governor. If you are interested in serving on this board, please submit your letter of interest to WSAC by February 8. For more information, please contact Cynthia Sachs at 360-753-1886.

Courthouse Ramblings

Former Whatcom County Treasurer Hugh Cory, 86, passed away January 13, in Bellingham. Mr. Cory joined the treasurer’s office in 1948 and was appointed Whatcom County Treasurer in September 1957, serving in that position until his retirement in 1975. He was a past president of the Washington State Association of County Treasurers and was responsible for developing legislation that allowed counties to invest idle cash. Prior to the legislation, the banks were receiving interest on those funds. Eventually, the investment of this money became the third largest source of revenue for the counties. Mr. Cory was a great fisherman and at one time caught three fish in one day on the Skagit River. The three fish weighed a total of 105 pounds, which at the time was a record, and was mentioned in an issue of Sports Illustrated. Mr. Cory also served his country by spending 26 years in the Army and Army National Guard. He is survived by two sons, three daughters and eight grandchildren. His daughter-in-law Barbara Cory is the current Whatcom County Treasurer, as well as president of the Washington Association of County Officials (WACO).

Coming Events

January
14 Legislative Session Begins

14-18 Medicolegal Death Investigator Training Course, Central Washington University, Ellensburg. For information call the Criminal Justice Training Commission at (360) 459-6342.

16 Association of County Human Services (ACHS) Meeting, Olympia

30 Legislative Rally and Legislative Reception (WACO, WSAC, Association of Washington Cities (AWC) and Washington Association of Sheriffs & Police Chiefs (WASPC), St. Martin’s Pavilion, Lacey, 6:00—8:00 p.m. (WACO/WSAC meetings and affiliate meetings January 29-30 - check individual schedules.)

31 Training - Ethical Dilemmas: Integrity as a Tool for Successful Public Officials, Phoenix Inn & Suites, Olympia, with credit toward Certified Public Official (CPO).

February
7 Washington State association of Local Public Health Officials (WSALPHO) Meeting, Olympia

11-13 Washington State Association of County Auditors’ Recording Conference, Red Lion Inn, Wenatchee.
Job Opportunities

Department of Natural Resources - Assistant Region Manager – ORCA Straits District/Aquatics Region, Sedro-Woolley, WA. The Department of Natural Resources (DNR) employs approximately 1,400 permanent staff and manages six million acres of state-owned land with a biennial budget of approximately $400 million. The DNR is lead by the Commissioner of Public Lands, a statewide elected official. The Commissioner has an appointed executive management team of four individuals, one of whom is the Aquatics Region Manager. The Aquatics Steward is responsible for the Aquatics Resources Division (headquartered in Olympia) and the Aquatics Region managed from three district offices (in Sedro-Woolley, Enumclaw, and Chehalis).

Mission and Challenge: The mission of the DNR is to provide professional, forward-looking stewardship of our state lands, natural resources, and environment. The mission of the Aquatics program is to manage state-owned aquatic resources in a manner that maintains the ability to earn revenue from their use, while vigorously pursuing a healthy aquatic environment, accessible by the public. The DNR seeks a creative, dedicated professional to manage over one million acres of the state-owned aquatic lands within the Orca Straits District of the Aquatics Region. As a senior manager in the Department, the Assistant Region Manager will participate in protecting natural resources entrusted to our care; generating income for trust beneficiaries for today and in perpetuity; and striking a balance among complex and often competing public interests. SALARY: $56,575 - $64,536 annual salary range, plus a full benefits package.

Closing Date: received by February 6, 2002 @ 5:00 p.m. Location: Sedro-Woolley, WA. Sedro-Woolley is located east of Mount Vernon in Skagit County approximately 45 minutes north of Everett and 30 minutes south of Bellingham.

RESPONSIBILITIES: As one of three principal assistants to the Aquatics Region Manager, this position is responsible for the management of state-owned aquatic lands within the Orca Straits District. The District encompasses Snohomish, Skagit, Whatcom, Island, San Juan, Clallam, and Jefferson counties. Under direction of the Aquatics Region Manager, responsible for managing the aquatic resources program in their district in accordance with agency and program missions and priorities. Specifically, the Assistant Region Manager must:

- Ensure the aquatics program goals and objectives are implemented per the business plan;
- Oversee work of eight employees;
- Sign contract documents on behalf of DNR;
- Ensure State resources are managed to preserve their ecological and economic viability, including clean-up, pollution prevention, habitat conservation and protection and issuing use authorizations;
- Assess proper use of state-owned aquatic lands;
- Develop selected policy, procedure, and guidance for the aquatics program;
- Interact with both internal and external stakeholders, to include private industry, governmental groups, tribes, and environmental groups;
- Recommend new policy or policy changes to the program and executive management, as needed;
- Manage a budget allocation of approximately $500,000.

Desirable Qualifications: The successful candidate will have:

- A bachelor’s degree;
- Five-years of professional level experience in aquatic land management, environmental program management, natural resource management, planning, or environmental science, with a preference for aquatic experience;
- Experience providing leadership to a program and supervising professional staff;
- A strong understanding of budget development;
- Progressive and strategic leadership skills;
- Demonstrated ability to set, and maintain a focus on, program priorities;
- The ability to oversee a number of complex environmental projects simultaneously;
- The ability to collaborate and negotiate with diverse stakeholders;
- The ability to mentor and develop staff capabilities;
- The ability to communicate effectively through a variety of mediums;
- The ability to think independently and creatively to solve complex problems;
- The ability to work well in teams & encourage teamwork in others.

Application Process: E-mail submittals are preferred, but will accept hard copies. 1. Letter of interest describing your qualifications as they relate to this position. 2. A current resume. References will be requested at the time of interview.

Submit all materials to:
E-mail: jody.houser@wadnr.gov or Jody Houser, DNR 1111 Washington St SE 3rd Floor, PO Box 47033, Olympia WA 98504-7033.