

the Courthouse Journal

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Washington Association of County Officials
Washington State Association of Counties

February 21, 2003
Issue No. 7

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Tri-Association Public Health Funding Bills Introduced in Senate and House This Week

The Tri-Association public health funding bills, **SB 5920** and **HB 2070**, were introduced in the Senate and the House this week. Senator Jim West is the prime sponsor on **SB 5920** and Representative Sandra Romero is the prime on **HB 2070**.

These bills will create a dedicated source of funding for local public health departments and districts. The bills will ask voters to approve a statewide levy of \$0.25 per \$1000 assessed value at the November general election. If approved, the levy would generate over \$141 million per year. The bills would relieve counties and cities that now make contributions to their health departments and

districts from making further contributions. This would provide savings of \$38 million to counties and \$15 million to cities annually. This revenue would replace the states backfill contribution of over \$24 million per year and would enhance public health to meet the growing demands placed on the system by bioterrorism, the anthrax scare and West Nile Virus. The bills also include performance measures to assure the public that they are getting what they voted to support.

WSAC and WACO members are urged to contact members of the Senate Ways and Means Committee in support of **SB 5920** and House Health Care in support of **HB 2070**.

Tri Association Legislation – HB 1669

HB 1669, phasing in state payment for even-year elections, was heard by the House State Government Committee on Thursday, February 20. The bill is part of this year's Tri-Association proposal, as well as a WACO legislative priority bill. Those testifying in favor of the bill were WACO President Greg

Zempel, Kittitas County Prosecutor; Kim Wyman, Thurston County Auditor; Mike Garvison, Skamania County Auditor; and Buell Hawkins, Chelan County Commissioner. The Association of Washington Cities was also there in support of the bill.

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Assessor Interest Bills set for Hearings Next Week

The House Finance Committee hearings next week include a 1:30 p.m. hearing on February 25 that will include **HB 1261**, which reduces the compensating tax imposed on land removed from open space from seven to three years; **HB 1708**, which would provide a property tax exemption for

severely disabled veterans; **HB 1976**, which would provide a property tax exemption to widows or widowers of honorably discharged veterans; and **HB 4200**, which would amend the State Constitution to allow extended levies for law enforcement purposes. Bills scheduled for executive session at this hearing include both **HB 1278**, the electronic filing personal property bill and **HB 1510**, modifying the prorationing of fire protection district property tax levies.

House Capital Budget will have a public hearing on February 24 at 1:30 p.m. on the two bills that would allow for a simple majority of voters to approve school district bond issues. **HB1212** and the accompanying Constitutional amendment **HJR 4203** hope to accomplish this task. The Hearing will be broadcast live on TVW. You can access TVW on the web at <http://www.tvw.org/>. Also on the 24th, House Local Government will have an executive session on **HB 1564**, which is the Treasurers' Bill that would clarify their fiscal provisions. On February 26, at 8 a.m., the House Commerce & Labor Committee will hold a public hearing on **HB 1897** establishing a trainee real estate appraiser classification. This is for appraisal certification through the Washington State Department of Licensing, not the Accreditation Program.

The House Trade & Economic Development Committee has set many bills for executive session next week. Several have been scheduled for multiple dates to assure they are addressed. These bills include: **HB 1281** the TIF/EDGE proposal promoting economic development and community revitalization; **HB 1742**, including sports and rec facilities in public facilities

districts; **HB 1751** providing tax incentives to support the state's semiconductor cluster (although after an email survey, this does not appear to impact most counties with the exception of Pierce and Clark).

It is another quiet week in the Senate with only one public hearing affecting assessors. On February 26 at 1:30 p.m. the Senate Government Operations & Elections Committee will hear public testimony on **SB 5326** creating regional fire protection service authorities and **SB 5659** authorizing additional funding for local governments.

County Treasurers

HB 1564, the county treasurers' cleanup bill, was heard by the House Local Government Committee on Thursday, February 20. Testifying in favor of the bill were Treasurers' Legislative Chair Rose Bowman, Lewis County, and co-chair Ron Strabbing, Grays Harbor County. Rose also discussed the amendment that they are proposing to Section 2, removing the provision that prohibits personal property from being sold at auction until all property taxes have been paid and instead providing that taxes owed will become an automatic lien against the proceeds of the auction.

SHB 1069, authorizing additional waivers on interest and penalties for delinquent property taxes, passed out of the House Finance Committee this week, with amendments that satisfied the county treasurers, and is currently on the House calendar. The substitute bill says that interest and penalties would be waived on late property taxes if the tax bill is not sent to the taxpayer due to an error by the county.

The Courthouse Journal

Published weekly by the Washington Association of County Officials (WACO) and the Washington State Association of Counties (WSAC).

We welcome your suggestions and contributions. The weekly deadline is noon Wednesday.

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NOTE: Legislative Committee schedules and agendas can be found at <http://www.leg.wa.gov/wsladm/calendar.cfm>

Fee Bills Mired

HB 1744, The WACO priority to increase Superior Court filing fees, and **SB 5846**, the fee increase proposed by the Equal Access to Justice organization, both seem stuck in opposite houses for a variety of reasons. Neither has been set for hearing and proponents for both groups continue to lobby the bills. Both agree a fee increase is critical but disagree on the distribution of the state's share of the increase.

Garnishments

SB 5592, Allowing attorney issued garnishments, is set for hearing in the Senate Judiciary Committee on Wednesday, February 26, at 8 a.m. Its counterpart, **HB 1816**, will be heard in House Judiciary on February 27 at 8 a.m. While **SB 5592** includes superior courts, **HB 1816** allows attorneys to issue writs of garnishment in district courts only. County clerks have expressed their firm opposition to inclusion of superior courts and have been assured that they will be excluded in **SB 5592** and the bill will be amended to reflect that.

Recovery of Court Costs

SB 5858, Recovery of court costs, more clearly defines reasonable attorney fees and will be heard in the Senate Judiciary Committee on February 28, Friday, at 8 a.m.

Legal Financial Obligations

HB 1941, Financial restitution to sexual assault programs, provides that 5% of an inmate's gross wages will be deducted if he is employed in a correctional industry and has been convicted of a sexual assault, the money is to be deposited in the Public Safety and Education Account and appropriated solely for the office of crime victims advocacy to fund sexual assault programs. **HB 1941** will be heard in the House Criminal Justice and Corrections Committee on February 26, Wednesday, at 1:30 p.m.

HB 1836, Revising interest on legal

financial obligations, will lower the interest rate on obligations ordered after the effective date of the act to 4%. **HB 1836** will be heard in the House Judiciary Committee on Thursday, February 27, at 8 a.m.

HB 1571, Enhancing enforcement of child support obligations, is set to move out of the House Juvenile Justice and Family Law Committee on Thursday, February 27, at 10:00 a.m. **HB 1571** has already been heard by the committee. It would share a mandatory 20% deduction from inmate wages between child support orders and court-ordered legal financial obligations. Last year the county clerks were successful in securing the mandatory deduction for payment toward legal financial obligations. Many thanks to WSACC President Rena Hollis for spotting **HB 1571**. The question now remains: How do you choose between the two?

SB 5803, Assault on a police officer, will be heard in Senate Judiciary on Thursday, February 27, at 8 a.m. SB 5803 makes such an assault "a most serious offense."

HB 1931, Training for law enforcement officers for interaction with the developmentally disabled and mentally ill, will be heard in the House Criminal Justice and Corrections Committee on Wednesday, February 26, at 1:30 p.m.

HB 1932, Requiring recording of custodial interrogations, is set for hearing in the House Judiciary Committee for Friday, February 28, at 1:30 p.m. Comments from sheriffs indicate big costs and other problems with HB 1932. A comprehensive analysis by Pam Loginsky of WAPA was e-mailed to all sheriffs on Thursday. If you would like to receive the same, please contact WACO or WAPA.

WASPC Website

A comprehensive listing of law enforcement issues and priorities can be found by going to the website of the Washington Association of Sheriffs and Police Chiefs at

www.waspc.org/legislation.

Hearings Scheduled on Law & Justice Bills

The following bills of interest are scheduled for hearing the week of February 24:

HB 1936 relates to the cross-deputization of tribal law enforcement officers. The bill will be heard at 1:30 p.m., Wednesday, February 26, in the House Criminal Justice and Corrections Committee.

HB 1954 would allow retired judges serving as a judge pro tempore to decline financial compensation, and is scheduled for hearing at 8 a.m., Thursday, February 27, in the House Judiciary Committee.

SB 5778 would create a new \$15 fee for amended civil filings in district court and small claims court. The bill is scheduled for hearing at 8 a.m., Wednesday, February 26, in the Senate Judiciary Committee.

SB 5848 would increase from 1 percent to 1.5 percent the interest rate for government on past-due amounts for goods and services and would authorize up to \$100 per day penalty in actions to collect interest. It will be heard at 8 a.m., Wednesday, February 26, in Senate Judiciary Committee.

Transportation and Public Works

CRAB and TIB merger

The Senate Highways and Transportation Committee is scheduled to vote **SB 5527** out of committee on Tuesday, February 25. Call the Senate Highways and Transportation Committee members to tell them to vote no on the bill. This bill will create more confusion and will not save money for counties.

Building Code Bills heard in the House

The House Local Government Committee held a public hearing on two of the four building code bills that have been introduced in the House. **HB 1048** is the bill that would adopt the National Fire Protection Association codes and standards. This bill is opposed by the State Building Code Council and the coalition supporting the suite of International Building Codes. **HB 1734** is the Building Code Council's request legislation. This bill will adopt all of the

International Building Codes except the plumbing code. This bill is supported by local governments.

The chair has indicated support for **HB 1734**. There could be amendments to the bill that clarify how standards would be used during the rule making process.

RTID Light moves out of committee

The Senate Highways and Transportation Committee passed out **SSB 5585**. This bill would allow counties, cities and port districts to create new transportation benefit districts. The money raised can only be used for capital investments. If you are a rural county, 40% of the money can be used for projects other than highways of statewide significance. Urban counties can only use up to 20% for highways of statewide significance. The governance will be shared with the district members. The bill provides several revenue streams that can be imposed without a

vote of the people.

Key hearings next week

House Transportation Monday, February 24 3:30-5:30 pm House Hearing Room-B

HB 1960 governing regional transportation planning

House Transportation Tuesday, February 25 3:30-5:30 pm House Hearing Room-B

HB 1384 Increasing transportation permit efficiency

Proposed Legislation Affecting Conservation Futures Levies

Two bills broadening the counties' authority to impose conservation futures levies are being considered by the House Committee on Local Government and the Senate Committee on Parks, Fish and Wildlife.

Presently, the counties are authorized to levy up to six and a quarter cents per thousand dollars of assessed value for conservation futures. Twenty-six counties have chosen not to use this authority: of the 13 who do use it, nine are levying at the maximum rate, and four at a lower rate. The revenue is used for a variety of projects, including both fee purchases and purchases of development rights. Some counties have purchased agricultural easements using futures money.

The proposed legislation would make part of this revenue available for maintenance and operation, and would increase the maximum levy rate. **HB 1411** and **SB 5140** would increase the maximum rate to 10 cents, and would allow counties, at their discretion, to use up to 10 percent of revenue for maintenance and operation. **HB 1140** and **SB 5113** would increase these limits to 11 cents per thousand and 25 percent for maintenance and operation. This is limited to maintenance and operation on lands initially acquired with conservation futures funds.

The provisions of these bills which allow maintenance and operation use fit the Tri-Association goal of increasing flexibility in the use of existing funds. WSAC has testified in support of these flexibility provisions at committee hearings. At its most recent meeting, the WSAC Legislative Steering Committee voted to support raising the maximum levy rate to 10 cents per \$1,000 valuation.

Bills Limiting State Land Purchases

Forty-six percent of the upland* area of Washington state is either publicly

owned or owned by tribes. If you include publicly owned submerged lands, which account for 2.5 million acres, the state's area is divided evenly between private ownership and public or tribal ownership. Twelve of Washington's 39 counties have less than 40% of their area in private ownership.

The state continues to purchase more land. Purchases for habitat and ecosystem conservation are concentrated in rural counties, where privately held land is already scarce. These purchases create three categories of problems. First, they reduce the property-tax base of counties that are already financially strained. Second, they shut down development in communities that are struggling to maintain their local economies. Third, they create problems when the lands are not properly maintained.

Many land purchases are made with revenue that agencies are not free to use for maintenance and operation. Because of these budget constraints, agencies buy land for habitat conservation but are unable to manage the land for that purpose. Non-native weeds take over publicly owned land, damaging habitat for native species and making weed control more difficult for neighboring land-owners. This is contrary to the original purpose of land acquisition, and damages people's confidence in government.

It is rarely appropriate for the state to buy more land when land the state already owns is not properly maintained. A local, general-purpose government is in a good position to assess the impact of proposed land purchases on the local community, while a state agency with a narrower mission is not. Consequently, WSAC has supported legislation that would give county governments a voice in these decisions.

SB 5020 would apply only to land purchases in counties where over 70% of the land is in public or tribal ownership. There are six such counties. In these counties, the bill would allow purchases of over five acres only if the county legislative authority consented to the

transaction, the money for the purchase came from a source other than the state, and the Legislature specifically authorized the purchase. It would also require bonding or some other financial guarantee of proper maintenance. This bill was heard on January 13 in the Senate Committee on Natural Resources, Energy & Water. The House version, **HB 1730**, was read on February 6 and referred to the Committee on the Capital Budget.

While supporting these bills in principle, WSAC has expressed concern about their present form. The problems caused by increased state ownership affect all counties, so legislation that addresses these problems should include all counties. Also, the present language might have unwanted consequences for road building, Department of Corrections projects, or other state purchases that benefit local economies.

SB 5518 would apply to all counties, but only to purchases of land for the primary purpose of habitat conservation or ecosystem preservation. It would require only that the county legislative authority consent to the purchase by resolution. This bill was heard on February 20.

A substitute version of **SB 5518** has been proposed, requiring an opportunity for a hearing at the county level rather than a resolution of consent. In addition, this version provides for maintenance guarantees. WSAC has testified in support of these bills.

** Dry land and wetlands, as distinct from riverbeds and lake bottoms which are completely submerged.*

Stormwater Legislation Showered with Criticism

Initial public hearings this week on municipal stormwater legislation had no advocates, but for most of the jurisdictions faced with implementing Phase II stormwater requirements.

Until now, only four counties, two cities and the State Department of Transportation have had to develop and

Environment, Land Use and Resources

implement stormwater management programs. This is “Phase I stormwater.”

Now, an additional 13 counties and about 90 additional cities in our state are required to obtain stormwater permits from the Department of Ecology for “Phase II stormwater.”

But no Phase II permit exists. The Department of Ecology has yet to write the Phase II permit. Although everyone who spoke agreed that the Legislature should give Ecology some direction, only the Phase II jurisdictions and the construction industry agreed with the premise of **HB 1689** and **SB 5645** that the Department ought not go beyond the minimum federal environmental protection agency (EPA) requirements in writing the state permits.

Environmental groups and the Puget Sound Water Quality Action Team said counties and cities should do more to address stormwater. The bills would allow that – if they and their taxpayers want to. Both environmental and business interests worried that reliance on Best Management Practices (BMPs) alone won’t result in compliance with water quality standards. Business interests also expressed concern that overreliance on BMPs will shift stormwater responsibility onto them. Phase I communities argued that the standards and requirements should be the same for all communities within a watershed.

So, where to go from here? WSAC suggested that the committees and interested parties consider the bills as a starting point, based on the premise that counties and cities should not be required to do more than what EPA requires – unless the state pitches in with financial assistance. Interested parties have already begun discussions to see if there can be agreement on steps to take to make progress on stormwater that we as a state – and our counties and cities and citizens – can afford.

Annexing Unincorporated Islands

The cities and counties have reached

an agreement on an additional method of annexing unincorporated islands. The negotiations were led by Pierce County and Puyallup. The proposed substitute to **HB 1755** is described below.

The agreement adds a new method to the existing island annexation method. It would allow the county and city to commence a process to annex these islands through an interlocal agreement. The agreement shall describe the boundaries to be annexed. A public hearing shall be held by each body. Following the adoption and execution of the agreement by both legislative bodies, the city or towns shall adopt an ordinance providing for the annexation.

If a county legislative body initiates the process and the affected city or town rejects the process, the county shall have the authority to initiate the process with the legislative body of any other city or towns that are contiguous to the area.

If more than one city or town adopts an interlocal agreement providing for the annexation of the same unincorporated territory, then an election shall be held. The cost of the election shall be borne by the county.

If a county and city or town adopt an interlocal agreement to annex, the annexation shall not be subject to referendum

GMA Update Relief Bill Passes Out of Senate Land Use and Planning Committee

SSB 5680 would allow any county that has a population density less than 55 people per square mile, as determined by the Office of Financial Management, would not be required to review and revise their comprehensive plans, development regulations, critical area ordinances, and resource land ordinances. The cities in these same counties would also have the ability to make the same declaration. When a county reaches a population density over 55 persons per square mile, this will have two years to review and revise its plans and regulations.

The bill passed out of committee with an acknowledgement that 55 persons per square mile might be too high. So we are anticipating the number to drop.

Shoreline Management Act and GMA integration

SB 5880/HB 1933 have been introduced to help solve some of the concerns from the recent Central Growth Management Hearing Board’s decision about Everett’s shoreline master program update. The Board ruled that water dependent uses were not a priority within the SMA and that the new 14th GMA goal, the shoreline management act, was a priority over the other 13 goals. These two bills clarify that water dependent uses are a priority and the 14 goals are to be balanced.

Key hearings next week

House Local Government

Monday, February 24 1:30-3:30 pm
House Hearing Room-E

HB 1801 relating to annexations by utility agreements

House Local Government

2/26/03 8-10 am

House Hearing Room-E

HB 1923 requiring county and city coordination of comprehensive plan reviews

HB 1933 modifying shoreline and growth management provisions

HB 1937 removing concurrency requirements under the GMA

House Local Government

2/27/03 1:30-3:30 pm House Hearing Room-E

HB 1769 establishing a schedule of time limits under which local governments must develop and amend shoreline master programs

Senate Land Use and Planning

2/24/03 3:30-5:30 pm

Senate Hearing Room-3

SB 5880 modifying shoreline and growth management provisions

SB 5661 allowing the use of agricultural lands not currently being farmed to be used as sites for recreational activities.

Federal Land Agencies Adopt Science Strategy for Interior Columbia River Basin

(Boise, ID; Portland, OR) –

The Forest Service and the Bureau of Land Management (BLM) today announced the completion of the nine-year old Interior Columbia Basin Ecosystem Management Project. With the signing of a Memorandum of Understanding the federal agencies – Forest Service, Bureau of Land Management, NOAA Fisheries, US Fish and Wildlife Service, Environmental Protection Agency and the Forest Service’s Forest and Range Experiment Stations – will cooperatively implement the “***The Interior Columbia Basin Strategy***” to guide the efforts to update land use plans for National Forests and BLM lands in the four-state region.

“It is the interest of all parties to this MOU to utilize the findings of the Project’s Science Team, new information and best available science as it emerges during the life of the Strategy,” said Intermountain Regional Forester Jack Troyer. “The science developed during the Project will guide our work to update land use plans, as well as on the ground management. Our goal is to manage public lands in the Interior Columbia Basin to meet community needs for goods and services

in an ecologically sustainable way.”

The agencies released a Final Environmental Impact Statement (EIS) and proposed decision for the management of federal lands in eastern Oregon and Washington, Idaho and western Montana on December 15, 2000. Instead of a formal, basin-wide decision from the Project however, the regional decision makers elected to adopt a strategy of incorporating the science into ongoing land use planning efforts.

Completion of the Project received support from regional leaders. Idaho Governor Dirk Kempthorne said, “I am pleased to see the completion of this project in a manner that will allow the science to be used in decisions made at the local level, by those most affected by land-use decisions on our federal lands. In our July 2000 four-governor agreement on salmon recovery we noted the interior Columbia River Basin needs a balanced strategy that can provide for stable and predictable multiple-use management on federal lands for fish and wildlife and other purposes while permitting needed flexibility, particularly on private lands. The existence of such a strategy is long overdue.”

Former Oregon Governor John Kitzhaber stated, “I’m pleased that the strategy for federal lands in the interior Columbia River Basin is being finalized. Restoring the health of the eastside forests was a priority of mine throughout

my administration. We learned a lot about how to do this with good science and collaborative processes through numerous restoration projects over the last years. This strategy and the science from the Project will be valuable in the updating of the Forest Plans and furthering our efforts to restore forest ecosystem health.”

The Project, initiated in January 1994, addressed the landscape health issues facing the Columbia River Basin such as the threat of wildfire, noxious weeds, and the protection and restoration of habitat for fish and wildlife species. The Project also addressed the socio-economic effects of federal land management decisions.

*Copies of the Memorandum of Understanding and **The Interior Columbia Basin Strategy** are available on the website, <http://www.icbemp.gov/html/eiss.shtml>.*

Fluoridation Heating Up This Session

Several bills requiring a vote on whether to fluoridate water have been introduced this session in response to the Tacoma-Pierce County Board of Health imposed requirement for fluoridation of public water systems serving a minimum number of connections in Pierce County. **HB 1068** requires a vote on any local ordinance providing for fluoridation. **HB 1646** requires approval before adding fluoride to public water systems. **SB 5764** establishes an approval requirement for fluoridation of public water systems. Several of the impacted water providers in Pierce County have sued the Tacoma-Pierce County Health Department complaining that the Board of Health mandated fluoridation over the top of them and the citizens they serve. This is the first time that a local board of health has mandated fluoridation. Other local boards have taken positions in support of fluoridation when the issue has been placed on the ballot or when a city council or water district board is considering the issue. As always, the issue of fluoridation is highly controversial and despite the strong science supporting the benefits of fluoridation, the strong support of the dental community and the fact that many communities throughout the nation have had fluoridated water for many years with no known adverse effects, there is a strong anti-fluoridation constituency. The issue for many this year is the belief that the water provider and/or the citizens it serves should have a say in whether or not to add fluoride to their drinking water.

On a related note, on Tuesday, February 18, the Port Angeles City Council voted 6 - 1 to fluoridate the Port Angeles water system. The vote followed a four and a half hour public hearing.

Also on February 19 the Washington Superior Court upheld the Tacoma-Pierce County Board of Health's resolution mandating fluoridation of public water systems. Judge Lisa Worswick ruled that the Board of Health's actions were constitutional and

that fluoridation properly falls within the responsibility of local boards of health. She noted that Washington law requires local health boards to preserve and promote the public's health, and to control infectious and contagious diseases, such as dental caries. Judge Worswick granted a summary judgment motion in favor of the Board of Health and Health Department on all claims and dismissed the challengers' complaints. She held that the Board of Health's powers include the power to mandate fluoridation, and that statutes governing water districts do not conflict with the statute granting the Board of Health its powers. The Judge also upheld the SEPA process and declined to find that fluoridation is forced medication or that the resolution imposes a tax. The Board of Health and Health Department agreed to grant the challenging litigators a 30-day stay before enforcing the resolution to allow time for those purveyors to comply.

Russian Delegation to Visit Human Services Program

Two members of a Russian public health delegation will be visiting the Pierce County Chemical Dependency Division of Human Services Wednesday, Feb. 19 to learn about chemical dependency treatment and prevention programs and services.

The visitors -- Irina Melnichuk of the Artyom City Department of Health and Galina Pautova of the Partizansk City Department of Health -- will be given an overview of treatment and prevention programs as well as a tour of the Crisis Triage Center. They want to see first hand how the division administers its chemical dependency services.

The two health directors are part of a delegation of 10 public health officials who are spending three weeks in the Puget Sound area meeting their counterparts and learning about public health in the United States. Their visit is sponsored by the Foundation for Russian American Economic Cooperation Community Connections Program. Community Connections is a professional exchange program that

provides Russian professionals with interactive training through internships, seminars, home stays, and cultural activities.

For further information you may contact Sheri Badger deMille, Human Services Public Information, 253-798-6112; or Dick Ferguson, Media and Community Relations, 253-798-3979

Public Health/Solid Waste Related Bills Being Heard Next Week

On February 24 in Children & Family Services Committee a work session entitled "Vision Screening and Early Intervention for Young Children" will be held at 1:30 pm in House Hearing Room D.

HB 1930 – Enacting procedural enhancements to the master settlement agreement and **HB 2038** – Modifying tobacco escrow refund provisions - will both be heard in House Finance on February 27 at 8 am in House Hearing Room C.

HB 1913 – Granting authority to the Department of Community, Trade, and Economic Development to address concerns with lead-based paint activities – will be heard in House Fisheries, Ecology, and Parks on February 27 at 8 am in House Hearing Room A.

HB 1942 – Regulating electronic waste – will be heard in House Fisheries, Ecology, and Parks on February 28 at 1:30 pm in House Hearing Room A.

HB 1727 – Providing that no fee may be charged for death certificates of sex offenders supplied to law enforcement agencies and **HB 1783** – Requiring insurance coverage for colorectal cancer screening – will both be heard in House Health Care on February 25 at 8 am House Hearing Room B.

HB 2019 – Revising provisions for nonsubsidized basic health plan coverage, **HB 2015** – Providing for greater access to health insurance for small employers and their employees, **HB 2018** – Concerning eligibility requirements for the Washington state

Public Health and Human Services

health insurance pool, and **HCR 4403** – Creating the Health Care Access Options Working Group – will all be heard on February 26 at 6 pm in House Health Care in House Hearing Room B.

HB 1825 – Requiring newborn hearing screening, **HB 1827** – Requiring information on meningitis immunization for college students, **HB 1849** – Creating a list of health care providers willing to serve as volunteer resources during an emergency or disaster, **HB 1868** – Prohibiting smoking in public places – will all be heard on February 27 at 10 am in House Health Care in House Hearing Room B.

HB 1852 – Facilitating collaboration among health care work force stakeholders to address the health care personnel shortage – will be heard on February 26th in House Higher Education at 1:30 pm in House Hearing Room D.

SB 5852 – Enacting procedural enhancements to the master settlement agreement – will be heard in Senate Commerce and Trade on February 27th at 8 am in Senate Hearing Room 4.

SB 5436 (PSSB 5436) – Regarding foods and beverages sold at public schools – will be heard in Senate Education on February 28th at 1:30 pm in Senate Hearing Room 1.

SB 5831 – Creating health skills panels in local areas to address health care personnel shortages – will be heard in Senate Health and Long-Term Care on February 25th at 1:30 pm in Senate Hearing Room 4.

SB 5885 – Concerning the distribution of funds to community health clinics, **SB 5828** – Requiring information on meningitis immunization for college students, **SB 5815** – Reviewing responsibility for mosquito abatement – will all be heard in Senate Health & Long-Term Care on February 27th at 10:00 am in Senate Hearing Room 4.

Human Services - Hearings February 24 – 28

Monday, February 24
House Children & Family Services –
1:30 House Hearing Room D

HB 1804 – Extending the ages included in special educational and training programs for disabled children.

House Commerce & Labor –
1:30 pm House Hearing Room C

HB 1604 – Increasing the number of health care facilities that are prohibited from requiring employees to perform overtime work.

House Appropriations – 3:30 pm –
House Hearing Room A

HB 1545 – Providing for consolidation of early learning and child care programs

Tuesday, February 25

House Finance – 1:30 pm House Hearing Room C

HB 1858 – Regarding taxation of persons providing chemical dependency services.

House Transportation – 3:30 pm House Hearing Room B

HB 1655 – Providing for determination of disability for special parking privileges by advanced registered nurse practitioners.

House State Government – 6:00 pm
House Hearing Room C

HB1813 – Expanding employment opportunities for people with disabilities.

Wednesday, February 26

House Children & Family Services –
1:30 pm House Hearing Room D

HB 1904 – Revising standards for reporting incidents involving harm to vulnerable adults.

Senate Health & Long-Term Care –
1:30 pm Senate Hearing Room 4

SB 5790 – Changing the time period in which beds can be converted back to nursing facilities.

SB 5733 – Improving fairness and protection in boarding homes and adult family homes.

SB 5856 – Enacting regulatory reform for adult family homes.

House Juvenile Justice & Family Law –
6:00 pm House Hearing Room C

HB 1965 – Changing the age of consent for minors receiving outpatient mental health treatment.

House Health Care – 6:00 pm House Hearing Room B

Five bills on health care benefits and access – **HB 1870, 2019, 2015, 2018, 4403**

Thursday, February 27

House Health Care – 10 am House Hearing Room B

HB 1868 – Prohibiting smoking in public places.

House Children & Family Services –
1:30 pm House Hearing Room D

HB 1787 – Establishing a 211 network.

HJM 4012 – Encouraging counties and local governments to establish a Children's Advocacy Center.

House Appropriations – 3:30 pm House Hearing Room A

Work Session: Home Care Services

HB 1777 – Implementing the collective bargaining agreement for individual home care providers.

Friday, February 28

Nothing scheduled as yet in human services.

Death Investigations

HB 1981, sponsored by Representative Mary Lou Dickerson, was introduced this week and directs that a task force of legislators be created to study death investigations of children.

The task force will determine: whether the coroner system should be replaced with a state medical examiner system; if there is a need for statewide rules in child deaths; if protocols established in RCW 43.103.100 are being followed; if coroners are being reimbursed for autopsies for children under 3 years of age; and, any other issues as well. The task force must report back to the Legislature by December 1, 2003. No hearing has been set.

SHB 1223, Giving coroners jurisdiction over deaths of minors, will be heard on Monday, February 24, in the House Appropriations Committee at 1:30 p.m. **SHB 1223** is a substitute bill (amended in committee from the original) and provides that coroners and medical examiners promptly notify DSHS in of any instances when the death of minor when it is reported; provide autopsy and postmortem reports to DSHS in cases of abuse and neglect when DSHS has an open case or has had an open case in the year preceding the death; and share such reports with investigators when DSHS initiates a death investigation. The entire bill text is available at www.leg.wa.gov.

Emergency Management

EMC Task Force Letter to Counties

During the January 2003 meeting of the Washington State Emergency Management Council, action was taken to create a Task Force on Local Program Assessment.

The Emergency Management Council (EMC) has the statutory responsibility to advise the Governor and state Director of Emergency Management “on all matters pertaining to state and local emergency management”. Additionally, it is charged with preparing an annual assessment of statewide emergency preparedness. It has broad public and private membership, including city, county and state government leaders.

The increasing “all hazards” nature of emergency planning and coordination, coupled with current and emerging homeland security requirements, has made the profession of emergency management even more critical to all levels of government and to our citizens. The EMC strongly recognizes that emergency management agencies at the local and tribal level will play an increasing role, and the EMC further recognizes that part of its ongoing legal mandate is to understand the overall “state of emergency management” in Washington’s counties, cities and tribes.

The attached Charter for the EMC Task Force on Local Program Assessment outlines the purpose,

objectives and membership of the Task Force. Thurston County Commissioner Diane Oberquell and Bridgeport Mayor Steve Jenkins, both EMC members, have agreed to serve as Co-Chairs. The first meeting of the Task Force was held February 18 at Camp Murray.

The intent of the Task Force is not to evaluate first responder agencies or to evaluate the personnel who staff the emergency management agencies. Rather, the outcome expected by the EMC will be a composite of statewide emergency management program capabilities and needs, as well as an overview of how the governing statute (RCW 38.52) is meeting today’s requirements.

Another significant dynamic is the emergence of additional regional entities that oversee pieces of the emergency management/services picture. The newly formed Homeland Security Regions are but one example. The Task Force will be able to look at these governance/coordination structures and recommend changes if warranted. Of course, when the task force reports its findings and recommendations to the governor, we also will forward copies of this report to you.

The EMC is very sensitive about its role to look at local government programs but it also realizes the “system” of emergency management must work effectively, starting at the

local level. We should also mention that state-level emergency management will be also evaluated to the extent that its operation affects the performance of local organizations.

As the work of the Task Force is carried out, please bring any concerns or recommendations to the undersigned or to members of the Task Force. The quality of the product and its impact on the future of emergency management will depend on a strong partnership and joint understanding.

Tom Green, Chair, EMC
Bill Vogler, Executive Director, WSAC

NOTE: The EMC Task Force Adopted Charter is an attachment to this CHJ.

New Emergency Communications Bill Introduced

Legislation relating to how counties may spend E-911 revenue showed up on the House introduction list this week. **HB 1919** is scheduled for hearing at 10 a.m. Tuesday, February 25, in the House Technology, Telecommunications and Energy committee.

The bill would allow counties to spend the revenue collected from the county’s 50-cent per phone tax on “emergency services communications systems.” Current law limits the use of this tax to the Enhanced 911 system.

Elections, Recording and Licensing

Hearings Next Week Re:Elections

House Education Committee – Monday, February 24, 1:30 pm
HB 1935, changing prerequisites for county auditors calling special elections. (The bill does specifically refer to 28A.315.265, referring to school district elections, so it was assigned to the House Education Committee.)

Senate Government Operations & Elections – Tuesday, February 25, 1:30 pm
SB 5556, authorizing instant runoff voting.
SB 5886, allowing voters to indicate abstention from voting on any particular office.

County Auditors

HB 1669, phasing in state payment for even-year elections, was heard by the House State Government Committee on Thursday. The bill is part of this year's Tri-Association proposal, as well as a WACO Legislative priority bill. Those testifying in favor of the bill were WACO President Greg Zempel, Kittitas County Prosecutor; Kim Wyman, Thurston County Auditor; Mike Garvison, Skamania County Auditor; and Buell Hawkins, Chelan County Commissioner. The Association of Washington Cities was also there in support of the bill. **All Auditors with members on the House State Government Committee: Please call your legislators and ask for a yes vote.**

The Senate Government Operations & Elections Committee heard several bills of interest this week. Thurston County Auditor Kim Wyman testified with concerns about **SB 5046**, penalizing officials lying about elections, saying there were already provisions in statute to take care of such matters, e.g., "misfeasance and malfeasance." Senator Kastama asked if the Legislature would really want to set a different standard for one elected official over another, which set off a myriad of conversation between committee members and staff as to

whether you can lie about yourself and your opponent - or not - and every variation under the sun. Kudos to Kim for sitting in the hot seat throughout the entire diatribe without discernibly squirming.

SB 5221, reorganizing Title 29 election laws (Secretary of State request), was also heard by the Senate Government Operations & Elections Committee and Kim testified in favor. Secretary of State representatives did say an amendment will be offered to remove the change in paper size for ballot measure petitions (there is a separate bill to do this) and to fix an unintended policy change concerning rule-making authority. The companion bill, **SHB 1159**, is in the Senate Rules Committee.

SB 5587, requiring voting devices to be accessible to individuals with disabilities, received a very favorable hearing and was given a do-pass recommendation by the Senate Government Operations and Elections Committee.

Licensing

HB 1377, staggered vessel licensing, was heard in House Transportation Committee on Tuesday, February 18. Testifying on behalf of the county auditors was Mason County Auditor Al Brotche and Thurston County Auditor Kim Wyman. Jefferson County Auditor Donna Eldridge signed up in support of the bill as well. The only opposition to the bill came from the Thurston County Sheriff's Office which did not offer any testimony.

SHB 1036, Mail-in vehicle registration, is in House Rules Committee.

HB 1139, Evergreen recreation pass, is in House Fish, Ecology & Parks Committee.

HB 1142, State parks & recreation funding, is in House Fish, Ecology & Parks Committee.

HB 1452, small trailer fees, is still in House Transportation Committee.

HB 1293, flat license plates, is still in House Transportation Committee.

HB 1224, license plate replacement, is still in House Transportation Committee.

SSB 5775, funding state parks and outdoor recreation imposes an excise tax of .8 percent on motor homes, travel trailers and campers. Several categories of motor homes, travel trailers and campers are exempt from the tax, including unoccupied inventory held for sale and government property. The excise tax may be paid to the Department of Licensing at the time of registration, or may be paid to the Department of Revenue at some later time. Revenue from the excise tax would be deposited in the parks and outdoor recreation lands investment account. Funds in the account would be split as follows: 60 percent to the State Parks and Recreation Commission, 20 percent to the Department of Fish & Wildlife, and 20 percent to the Department of Natural Resources. The bill was heard and passed out of committee on Thursday, February 20, and has been referred to Senate Ways and Means Committee.

Recording

SB 5478 increasing the surcharge for the preservation of historical documents from \$2 to \$5, was heard in Senate Government Operations & Elections Committee on Wednesday, February 19. Senator Paul Shin, who prime-sponsored the bill, was there to testify, as well as Snohomish County Auditor Bob Terwilliger and Thurston County Clerk Betty Gould. Also in attendance was Grays Harbor County Auditor Vern Spatz, who signed up in support of the bill as well as the Washington State Association of Counties (WSAC). Companion bill **HB 1596** was heard in House Local Government Committee last week. **Please contact your committee members and ask them to pass the bills out of committee. If you need a committee list, phone numbers or email addresses please contact Brenda Bamford at 360-753-7319 or bbamford@wacounties.org**

SB 5477 requiring the delivery of endorsements by recording officers was heard in Senate Government Operations & Elections Committee on Wednesday,

Elections, Recordings & Licensing

February 29. Senator Paul Shin, who prime-sponsored this bill as well as **SB 5478**, was there to testify along with Snohomish County Auditor Bob Terwilliger. Grays Harbor County Auditor Vern Spatz signed up in support of the bill as well. The companion bill **HB 1593** was heard in House Local Government Committee last week. **Please contact your committee members and ask them to pass this bill out of committee.**

SHB 1081 was referred to House Appropriation Committee and has not yet been scheduled for a hearing. Companion bill **SB 5118** is still in Senate Financial Institutions Committee.

HB 1594, clarifying the role of a chief financial officer in a charter county, was heard in House Local Government Committee on Tuesday evening, February 18. Klickitat County Auditor Diana Housden and Thurston County Auditor Kim Wyman both did a great job of testifying on behalf of the county auditors. Deputy State Auditor Mike Murphy was there to testify in support of

the bill as well. Mike was followed in testimony by Kittitas County Prosecuting Attorney Greg Zempel representing the Washington Association of County Officials. Other county auditors in attendance and signed up in support of the bill were: Grays Harbor County Auditor Vern Spatz, Jefferson County Auditor Donna Eldridge and Mason County Auditor Al Brotche. **It is time to contact your members on the committee and ask them to pass the bill out of committee!**

Archives Legislation

HB 1152 revising funding of the archives division is in Senate Government Operations & Elections Committee.

SHB 1153, which allows records that were previously confidential to become available to the public 75 years after they are created, is in House Rules Committee.

HB 1154, which provides funding for the State Archives oral history program as well as other archive activities, is in

Senate Government Operations & Elections Committee.

Mason County Auditor Holds New Voting Equipment Workshop

Mason County Auditor Al Brotche hosted a workshop on new voting equipment Thursday, February 20, at the Shelton Civic Center. Three companies, Diebold Election Systems, Election Systems & Software, and Sequoia Voting Systems demonstrated the new direct-voting and optical scan ballots. Those that attended the workshop were given the chance to vote using the new “touch screen” voting system. After testing the various equipment citizens were given the chance to vote for their favorite “voting” system. During the course of the day over 300 people attended the demonstration, including staff members from 13 other counties in Washington, representatives from the Secretary of State’s Office and the Washington Association of County Officials.

General Government and Miscellaneous

New Contracts for Cooperative Purchasing Program

The U.S. Communities Government Purchasing Alliance has announced two new contracts available for counties. The new product lines offered on the contracts will cover more of the items used every day, allowing counties to increase their savings.

The contract for tools and material handling products has been awarded to Hughes Supply. Hughes Supply replaces Grainger, which was the former U.S. Communities provider in this product category. The Hughes Supply contract was competitively solicited by Los Angeles County, California, and extends through January 31, 2006. Hughes Supply, Inc., founded in 1928, is one of the nation's largest diversified

wholesale distributors. Headquartered in Orlando, Florida, Hughes distributes over 240,000 products through more than 455 wholesale outlets located in 34 states.

Zep Manufacturing, an Acuity Brands Company, was awarded the janitorial supplies contract. Zep will act as the primary provider of janitorial supplies for the state and local public agencies that elect to participate in the U.S. Communities program. The lead government agency that competitively solicited this contract offering was Allegheny County, Pennsylvania.

Zep Manufacturing is a leader in institutional and industrial maintenance and sanitation products. The company's products include hand cleaners, degreasers, sanitizers, deodorizers, polishes, floor finishes, and lubricants.

U.S. Communities, through Los

Angeles County, has also awarded an expanded electrical supplies contract with Graybar Electric Company, Inc. The new contract provides broader access to Graybar's electrical supplies offering, including an expanded pricing matrix for products and a list of specialized services for public agency customers.

NACo, the United States Conference of Mayors, the National League of Cities, the Association of School Business Officials International and the National Institute of Governmental Purchasing jointly sponsor U.S. Communities.

You may get more info on the cooperative purchasing agreement from the US Communities website at www.uscommunities.org.

Courthouse Ramblings

A bit of sad news....

Our thoughts and sympathy are with Cowlitz County Commissioner Bill Lehning, whose father Frank Lehning passed away on Thursday, February 13. Cards and notes can be sent to Commissioner Lehning in care of the Cowlitz County Administration Building, 207 Fourth Avenue N, Kelso, WA 98626.

For Sale: Microfilm Camera

Minolta DR1600 with two camera

heads. Purchased 10/1992. Used part time for five years. Cost new: \$5560.00 plus \$175 for the second head.

Functions: Automatic Reduction & Focus / Adjusts for letter size / Frame indexing / Single Corner Positioning / Zero-Space Filming / High-Quality Images / Auto Exposure Control

Specifics: Planetary desk top / Film-16 mm / Lens F5.6 28 mm / Shutter: Electromagnetic, solenoid operated
Reduction Ratio: 25:1, 32:1 / Original size 11" x 17" (A3) / Exposure control Automatic or manual

Light source: Two florescent lamps (15w each) / Power Source: AC local

voltage / Power Consumption: 200W
Frame Size: 9.7mm x 12.6mm (also double frame) / Pull down: 10mm (single frame) or double frame / Document mark - built in / Dimensions: 37 5/12 x 27 1/2 x 39 3/4 / Weight 87 pounds / Purchased from: Alpha Information Management in Seattle.

To purchase or questions please contact Mary Jean Cahail, San Juan County Clerk at 360-378-2163 or by e-mail -

MaryJeanC@co.san-juan.wa.us .

Calendar of Events

2003 MEETINGS

February 24 – 26

County Auditors Recording Conference
Sun Mountain Lodge, Winthrop

February 28 – March 4

NACO Legislative Conference,
Washington, DC

March 13

Washington Counties Insurance Fund
(WCIF)/Washington Counties Insurance
Pool (WCIP) - Insurance Advisory
Committee HIPAA Seminar WCIF
Board of Trustees – SeaTac

March 19-21

Association of County
Human Services meeting,
SeaTac

March 20

Certified Public Official (CPO) Training
Emergency Management, (half day
elective course, Joint City/County),
Airway Heights

March 21

Certified Public Official (CPO) Training
Emergency Management, (half day
elective course, Joint City/County),
Pasco

March 27

Certified Public Official (CPO) Training
– County Government Structure Roles
and Responsibilities, (full day course),
Puyallup

April 2

Certified Public Official (CPO) Training
Emergency Management, (half day
elective course, Joint City/County),
Olympia

April 3

Certified Public Official (CPO) Training,
County Government Structure Roles and
Responsibilities, Spokane

April 3 – 4

WSAC Western District Meeting,
WestCoast Hotel, Olympia

April 6-12

National Counties Government Week

April 9

Certified Public Official (CPO) Training,
Emergency Management, (half day
elective course, Joint City/County),
Wenatchee

April 10

Certified Public Official (CPO) Training,
Emergency Management, (half day
elective course, Joint City/County),
Everett

April 10-11

WSAC Eastern District Meeting,
Quality Inn, Clarkston

April 16 (tentative)

WCIO Board of Directors meeting,
SeaTac

April 16

Certified Public Official (CPO) Training,
Public Meetings – Public Disclosure,
(half day elective, Joint City County,
repeated from 2002),
Colfax

April 17

Certified Public Official (CPO) Training,
Public Meetings – Public Disclosure,
(half day elective, Joint City County,
repeated from 2002),
Wenatchee

April 23

Certified Public Official (CPO) Training,
Public Meetings – Public Disclosure,
(half day elective, Joint City County,
repeated from 2002),
Silverdale

April 23-25

WAPA Spring Training Program,
Tumwater

April 24

Certified Public Official (CPO) Training,
Public Meetings – Public Disclosure,
(half day elective, Joint City County,
repeated from 2002),
Chehalis

April 25

Certified Public Official (CPO) Training,
Public Meetings – Public Disclosure,
(half day elective, Joint City County,
repeated from 2002), Edmonds

May 1

L & I Retrospective Rating Meeting,
Best Inn R&R, Ellensburg

May 5-8

County Auditors' Elections Conference
Yakima

May 5-9

Washington Association of Prosecuting
Attorneys- Support Enforcement, 2003
Annual Training, DoubleTree Hotel
Spokane City Center, Spokane

May 8

Certified Public Official (CPO) Training,
Decision-Making in the Workplace (full
day elective course),
Puyallup

May 14-16

WAPA Support Staff Training Program,
Sun Mountain

May 15

Certified Public Official (CPO) Training,
Decision-Making in the Workplace (full
day elective course), Eastside TBD

May 19–22

WASPC Spring Conference,
WestCoast Grand Hotel, Spokane

May 21-23

Association of County Human Services
meeting, Tri-Cities

May 28 – 31

WIR (Western Interstate Region) Annual
Conference, Reno-Sparks, Nevada

May 29-30

WAPA District Court Training Program,
SeaTac

June 5

Certified Public Official (CPO) Training,
Risk Management (full day core course),
Westside TBD

June 10-12

Washington State Association of County
Auditors' Annual Conference, Sun
Mountain Lodge, Winthrop

Calendar of Events

June 16-18
Washington State Association of County
Assessors Conference, Okanogan

June 16-20
Washington State Association of County
Treasurers' Annual Conference,
Davenport Hotel, Spokane

June 18-19
Washington State Association of
Coroners and Medical Examiners
Conference Training
Spokane

June 18-20
WAPA Summer Conference, Chelan

June 23-27
Washington State Association of County
Clerks' Annual Conference, Silverdale
Hotel, Silverdale

June 24
Certified Public Official (CPO) Training,
(full day core course), Spokane

June 24
Certified Public Official (CPO) Training,
Navigating through Change (tentative)
(half day elective course), Spokane

June 24
WCIF Board of Trustees – WSAC
Summer Conference/Spokane

June 24–27
WSAC Summer Convention, Spokane
Valley Doubletree

July 11–15
NACo Annual Conference, Milwaukee
County,
Milwaukee, WI

July 16-18
Association of County Human Services
meeting, Vancouver

July 29-August 23
IACREOT Conference, Denver CO

July 30
Certified Public Official (CPO) Training,
Washington Counties Risk Pool (WCRP)
Sponsored Elective Course Title TBD),
Spokane

August 21
WCIP Board of Directors Rate Setting –
Wyndham Gardens at SeaTac

September 3-5
WAPA Special Assault Training
Program, Leavenworth

September 7-9
WAPA Juvenile Training Program
Leavenworth

September 17-19
Association of County Human Services
meeting, Moses Lake

September 18
WCIF/WCIP Insurance Advisory
Committee 2004 Renewal Meeting,
WCIP Board of Directors, WCIF Board
of Trustees --- West Coast Hotel at
SeaTac

September 29–October 3
WACO/WSAC Joint Conference,
Doubletree Hotel, SeaTac

September 30
Certified Public Official (CPO) Training,
Ethical Dilemmas: Integrity as a Tool for
Successful Public Officials (full day core
course), SeaTac

October 1
Washington Counties Insurance Fund
(WCIF) Board of Trustees in
conjunction with the WACO/WSAC
Legislative Conference

October 15
WCIF/WCIP A.C.E. Committee
Meeting, Yakima

November 17–20
WASPC Fall Conference, Campbell's
Resort, Chelan

November 19-21
Association of County Human Services
meeting, Seattle

2004 MEETINGS

February 27 – March 2
NACo Legislative Conference, Hilton
Washington & Towers, Washington
D.C.

April 21-23
WAPA Spring Training Program,
Spokane

May 12-14
WAPA Support Staff Training Program,
Chelan

May 24–27
WASPC Spring Conference,
Yakima Convention Center, Yakima

June (Date TBD)
National Sheriffs' Association meeting,
Seattle

June 22–25
WSAC Summer Convention,
Sheraton Tacoma, Pierce County

June 23-25
WAPA Summer Conference, Chelan

July 16-18
Association of County Human Services
(ACHS), Vancouver

July 16–20
NACo Annual Conference, Maricopa
County, Phoenix, AZ

October 4–8
WACO/WSAC Joint Conference,
Spokane

November 15-18
WASPC Fall Conference, Shilo Inn,
Ocean Shores

2005 MEETINGS

March 3-4
NACo Legislative Conference, Marriott
Wardman Park Hotel, Washington D.C.

May 11-13
WAPA Support Staff Training Program,
Spokane

May 23–26
WASPC Spring Conference,
West Coast Wenatchee Center Hotel,
Wenatchee

June 13-16
WSAC Summer Convention,
Kennewick

Calendar of Events

June 22-24

WAPA Summer Conference,
Chelan

July 15-19

NACo Annual Conference,
City & County of Hawaii, Honolulu, HI

October 3-7

WACO/WSAC Joint Conference,
Ocean Shores

2006 MEETINGS

July 21-26

NACo Annual Conference,
Denver, CO

2007 MEETINGS

TBD

NACo Annual Conference,
Richmond, VA

(Sponsored by the Counties in the
Metropolitan Richmond Area)