

the Courthouse Journal

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Washington Association of County Officials
Washington State Association of Counties

April 18, 2003
Issue No. 15

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All Budget Cards Now on the Table

This week the House finally released a budget proposal. Unlike the proposals by the Governor and the Senate, the House budget included tax increases. The tax list includes a two-tenths of a cent sales tax increase, a 50 cent a pack cigarette tax increase, imposition of the sales tax on candy, a liquor tax surcharge, and elimination of the B&O tax deduction for country club dues. In addition the House proposed 5 minute keno through the state lottery.

The House directs these new revenues, along with savings from cuts, to funding schools, low income health care and public employee compensation. The House Speaker pointed out that polls show that voters are unwilling to freeze implementation of initiative to reduce class sizes and peg teacher pay increases to inflation.

The House budget was full of bad news for counties. All backfill for small counties is eliminated. Public health backfill is eliminated in the second year of the biennium. The Homicide Investigation Tracking System is eliminated. Mental health capitation payments are cut by 1.5% in the first year and 3.5% in the second year. One half of all secure crisis residential centers (those collocated with county facilities) are closed. A more complete description of items can be found at: <http://www.wacounties.org/wsac/HotIssues/Budget%20Comparisons.htm>

The House budget does have some positive

news for counties. A number of the health services restorations will be good news in communities with large low income populations and financially troubled hospitals. Also, the House budget is the only one with any appropriations for extraordinary criminal justice costs. It also restores half of the funding for TASC. The House Transportation budget also doesn't contain the consolidation of the County Road Administration Board with the Transportation Improvement Board.

As we have reported in previous Courthouse Journals, the House has struggled to find consensus. As the House began the process of moving the budget out of committee and on to floor, that struggle was apparent. If the House passes its budget package, the negotiations for a final legislative budget can begin in earnest. Many Senators had hoped that the struggles in the House would eventually force the House to accept the Senate budget. Certainly, as House floor action begins there will be an attempt to replace the House proposal with something very close to the Senate budget. If the minority succeeds in passing something like a Senate budget out of the House, it will be the most dramatic budget process since the famous "basement budget" during the Gardner Administration. That year conservative Democrats joined minority Republicans in the Senate to pass a budget drafted in the basement offices of the Senate Republican Caucus.

A First for Senator Brandland!

Freshman Senator Dale Brandland saw the first bill he has sponsored become law yesterday. **SSB 5251**, foreign judgments, is a WACO priority and also one of the Washington State Association of County Clerks. Governor Locke signed **SSB 5251** which requires a succinct summary of the judgment when a judgment

from another state is filed in Washington State Superior Courts. Senator Brandland is the former Whatcom County Sheriff and WACO member. Snohomish County Clerk Pam Daniels, WSACC Legislative Chair, was also present for the "first." Congratulations, Senator Brandland!

For those of you who would like to be present when the Governor signs a bill near and dear to your heart, not only can you attend the signing, but you can have your photo taken with the Governor and get a souvenir pen! Just call the Governor's office at (360) 902-4111, give them the bill number and they will give you a call and let you know when the Governor is scheduled to sign the measure into law.

Budget, Finance and Taxes

County Treasurers

ESHB 1564, the clean-up bill clarifying county treasurer fiscal

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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provisions, was signed into law by Governor Locke on Wednesday. The provisions will be effective on July 27.

HB 1073, foreclosing against the sublease rather than the improvement on the lot when property taxes are delinquent on lots that are private leases of publicly owned land (Lake Cushman bill), is on the Governor's desk awaiting his signature.

SHB 1069, authorizing a waiver of interest and penalties for property tax bills not sent to the taxpayer due to error by the county, has been signed into law and is effective July 27.

Personal Property E-filing Bill Goes To Governor

SHB 1278 unanimously passed the floor of the Senate, April 16. The bill was assessor priority legislation for the 2003 session. The new legislation eliminates the requirement that personal property affidavits be signed and verified under penalty of perjury. This opens the door for personal property lists and affidavits to be electronically transmitted. Assessors may electronically transmit personal property affidavits to property owners. Property owners may electronically transmit personal property affidavits to the assessor. The returned affidavits will contain electronic data that will be much easier for assessors to process. Excel spreadsheet affidavits can be developed to automatically download filing information into data bases.

Congratulations to all the assessors who worked so hard on this legislation! The Governor will sign the bill on the Capitol campus. It would be great to have someone there.

We hope some of the Assessors can make it to the signing and have their photo taken with the governor. Please let WACO know if you are interested in attending and we will let you know the date and time.

DNR Marina Rent Bill Goes Back to House

SHB 1250 The Department of Natural Resources (DNR) request legislation that would determine annual rental rates for the lease of state-owned aquatic lands passed the Senate Floor on April 16. The bill was amended in the Senate Agriculture Committee and must now return to the House of Representatives for concurrence.

While not all assessors were pleased with the Senate amendment, the bill's sponsor Representative Eickmeyer assured us it is a work in progress. The bill states as of July 1, 2004, lease rates will be a percentage of the annual gross revenues generated by that marina. The intent of the legislature is that it be enacted prior to July 1, 2003 so that the percentage of gross revenues that will serve as the basis for a marina's rent and a definition of gross revenues can be established. Annual rent must be recalculated each year based upon the marina's gross revenues from the previous year. By December 31, 2003, DNR will develop a recommended formula for calculating marina rents consistent with the new legislation and report the recommendation to the legislature. The formula recommended by DNR must include a percentage or a range of percentages of gross revenues, a system for implementing

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

Budget, Finance and Taxes (continued)

such percentages, and the designation of the revenue sources to be considered for rent calculation purposes. DNR must also ensure the rent formula recommended is initially calculated to maintain state proceeds from marina rents as of July 1, 2003.

The amendment states if DNR does not receive income reporting forms representing at least 90% of the projected annual marina revenue and at least 75% of all marinas, the current model for calculating marina rents will continue to be the method used to calculate marina rents.

Since the bill requires a report to the Legislature by December 31, 2003, it will again be an issue for the 2004 Session.

Update on Assessor Legislation

SHB 1069, delinquent property taxes, was signed into law April 10.

HB 1073, property tax collection, passed the Senate Floor April 10.

SHB 1075, modifying forest tax statutes, passed the Senate Floor April 11.

2SHB 1095, the RMAP bill passed the Senate Floor April 9.

HB 1102, environmental mitigation sites passed the Senate Floor April 16.

HB 1133, requiring assessors to report property tax statistics is in the Senate Rules Committee.

HB 1196, adding hospital districts to the definition of local government is in Senate Rules.

ESHB 1218, the law enforcement building mapping information system passed the Senate Floor on April 10.

2SHB 1240, allowing an exemption for biodiesel & alcohol fuel manufacturing passed the Senate on April 9.

2SHB 1241, allowing an exemption for biodiesel & alcohol fuel distribution passed the Senate on April 14.

SHB 1250, marina lease rates, passed in Senate April 16. See related article in today's Courthouse Journal.

SHB 1278, personal property electronic filing bill, passed the Senate April 16. See related article in today's Courthouse Journal.

SHB 1518, allowing a voter-approved property tax increase is in the House Rules X Files, in other words, dead.

ESHB 1564, the county treasurer's bill, was signed by the Governor April 16.

SHB 1737, removing outdated tax exemptions, is in Senate Rules.

ESHB 1742, adding sport facilities to public facilities districts, is on the 2nd Reading Calendar in the Senate.

HB 1905, allowing non-profit museums and performing arts associations to retain their property tax exemption when they allow another organization that does not qualify for the exemption to use or rent their property, passed the Senate April 16.

HB 2001, which exempts the property of a non-profit organization that solicits gifts, donations and grants for individual artists, passed the Senate April 14.

EHB 2146, exempting property used to manufacture wood biomass fuel, passed the Senate April 10.

SB 5034, an exemption for seniors/disable property owners, is still in House Finance.

SSB 5326 creates regional fire protection authorities and is on the House 2nd Reading Calendar.

2SSB 5364, the TIF/EDGE bill, is in House Finance.

ESSB 5650, giving local government additional funding options, passed the Senate and is on the House 2nd Reading Calendar.

SB 5783, implementing the sales tax streamlining agreement, is in House Rules.

SB 5865 the companion bill to 1742, passed the House April 11.

Tax Increment Finance Expansion Moves to House Rules

The expansion of tax increment finance legislation to include a state match to sales tax increment increase remains alive in the House. As reported last week in the *Journal* it includes revisions to the current property tax finance provisions that can result in significant revenue shifts from county to city coffers.

2SSB 5364 allows creation of tax increment areas when taxing districts imposing at least 60 percent of the regular property taxes within an increment area approve of a project. This lowers the threshold required from the current 75% and is a stark contrast from the bill as introduced -- which would have required any government levying property tax to affirmatively opt into the tax increment area.

WSAC has registered its objection to this change from current law with House leadership and indicated that the opt-in provisions were critical to counties, so that property taxes paid by county residents would not be shifted to infrastructure projects benefiting only a portion of the county without the prior agreement of county legislative officials. As passed by the Senate, some cities -- or cities acting in concert with a port district -- may create a TIF area to finance infrastructure using property tax revenues that otherwise would go to the county general fund.

Voyeurism

ESHB 1001, voyeurism, was finally heard in the Senate Judiciary Committee yesterday and flew out of the Senate.

ESHB 1001, a priority of WACO and the Washington Association of Prosecuting Attorneys, was “hung up” past the cutoff dates but a recent flurry of publicity seemed to shake it loose. After being voted out of committee, the Rules were suspended and **ESHB 1001** passed the Senate with a vote of 48 with one excused. Since **ESHB 1001** language was clarified in the Senate, the House must now concur.

Legal Financial Obligations

SSB 5168 and **SSB 5169**, both bills dealing with legal financial obligations and sponsored by Senator Jim Hargrove, are sitting on the House Floor Calendar awaiting final passage. The bills allow the courts more flexibility in dealing with obligations of offenders. Today is the last day bills can be considered.

Mapping Information System

ESHB 1218, building mapping information system, passed the Senate this week. The bill allows the Washington Association of Sheriffs and Police Chiefs to map schools and public buildings to assist first responders in critical incidents.

Dependency Hearings

SB 5379, dependency hearings, passed the House early this week. The House version died. **SB 5379** will open dependency hearings to the public.

Elections, Licensing and Recording

Licensing

SHB 1036, modifying subagent authority to process mail-in vehicle registration renewals, passed the Senate as amended on April 15. Subagents are granted the same authority as the county auditors to mail replacement plates or registration renewal tabs to IPO customers. In the amended bill, the Department of Licensing is required to provide notice to Internet customers on the web page that lists each department, county auditor, and subagent office, that additional fees will be collected for services provided by subagents and county auditors. The effective date is October 1, 2003.

SHB 1592, regulating special license plates, passed the Senate on April 11.

SSB 5600, regulating the disposition of returned licensed plates, passed the House on April 14.

SB 5970, requiring that the family law handbook be provided when a person applies for a marriage license, passed the House on April 11.

HB 2249 allows members of the armed forces who are unable to renew a state-required license because of an out-of-state deployment or assignment, to renew their licenses without having to pay any penalty for late renewal. This exemption from a late renewal penalty applies if:

- the person applies for a renewal within 90 days of returning to the state;
- the person's out-of-state service was honorable; and
- the person presents the licensing agency with copies of relevant military orders regarding his or her assignment, deployment or discharge.

A license renewed under these provisions is retroactively effective back to the expiration date of the original license.

A license is defined to mean any franchise, permit, certification, approval, registration, charter or similar form of authorization that is required by state

law. The bill passed the House unanimously on April 17.

Recording

SHB 1081, providing funds to deter, investigate, and prosecute real estate fraud crimes by adding a \$1 surcharge to deeds of trust, has passed the legislature.

HB 1566 gives county auditors the additional option of retaining electronic copies of claims, bills and specified records. The bill passed the Senate unanimously on April 9 and was delivered to the Governor on April 14.

County Auditor Priority

SSB 5477, requiring the delivery of endorsements by recording officers has passed the legislature.

Archives Legislation

EHB 1152, revising funding of the archives division, is on the Senate Floor Calendar, and looks like it might be immune from this Friday's cutoff if it is necessary to implement the budget. The House of Representatives incorporated **EHB 1152** into their 2003-2003 Operating Budget.

SHB 1153, which allows records that were previously confidential to become available to the public 75 years after they are created, was passed out of committee passed the Senate on April 16.

HB 1154, which provides funding for the State Archives oral history program as well as other archive activities passed the Senate on April 15.

Elections

SHB 1160, harmonizing election crimes and penalties and **ESHB 1158**, enhancing voting systems certification, are both on the Senate floor calendar.

SHB 1222, requiring voting devices to be accessible to individuals with disabilities, passed the Senate on Tuesday, and is on its way to the Governor's office.

SB 5463, the pilot project for military and overseas voting on the Internet, is still on the House floor calendar.

HB 1106, allowing the Secretary of State to make unannounced visits to county election offices and facilities to observe handling, processing, counting or tabulation of ballots, has passed both houses and is on its way to the Governor's office.

HB 1935, changing prerequisites for county auditors calling special elections, remains in the Senate Rules Committee at this writing, and time is running out for it to survive the cutoff.

SSB 5221, reorganizing the Title 29 election statutes, passed the House this week. Representative Hunt offered an amendment, which was passed, to reinstate current law requiring Saturdays to be considered a processing day for purposes of processing absentee ballots every third day after an election. The bill will go back to the Senate for concurrence.

SHB 1291, providing for elections for flood control zone district supervisors, has passed the Senate and is on its way to the Governor's office.

HB 1473 and **HJR 4206**, specifying when vacancies may be filled that occur after the general election, passed the Senate on Thursday. This is a constitutional amendment and will appear on the ballot in November.

Supreme Court Decides in State's Favor in Northwest Ecosystems Alliance V. Washington Forest Practices Board

The Washington Supreme Court's recent decision in Northwest Ecosystems Alliance v. Washington Forest Practices Board adopting the state's position with a 9-0 decision is now available on the WSAC website.

Six conservation organizations filed this lawsuit in Thurston County Superior Court in the fall of 1998 seeking judicial review under the Administrative Procedure Act, RCW 34.05 (APA), of almost all of the pre forest and fish forest practice rules and the alleged failure to adopt or amend rules. They alleged that the Forest Practice Agencies (Forest Practices Board, Department of Natural Resources, and Department of Ecology) failed to adopt adequate forest practice rules and failed to update them in light of new information. They alleged violations of the FPA, state water quality laws, and the State Environmental Policy Act, RCW 43.21C.

The superior court granted the motions to dismiss the case, concluding that the conservation organizations' failure-to-act claims were not proper and that the conservation organizations failed to exhaust their administrative remedy of petitioning the agency for rule making. The superior court also held that the doctrine of primary jurisdiction required dismissal of the conservation organizations' remaining claims because they were currently before the agency in the ongoing Forest and Fish rule making.

The primary question remaining before the Supreme Court was whether the conservation organizations should have asked the agencies to update or amend the forest practice rules before seeking judicial review. The court concluded that judicial review is available on an agency's alleged failure to adopt rules, but that the Administrative Procedures Act requires a party to petition an agency for rule making before seeking judicial review. The court also held that under the particular circumstances in this case, the superior court did not abuse its discretion in concluding that primary jurisdiction

lies with the agencies.

The decision contains language recognizing the practical reasons for allowing agencies to have the opportunity, in the first instance, to consider a request for rule before judicial review is sought and specifically recognizing the expertise of forest practice agencies.

We do not wish to leave this area of discussion without making the point that there are a number of practical reasons for allowing the agency to have the opportunity, in the first instance, to engage in the rule making sought by the petitioners. As we have already observed, agency expertise is crucial in an area like this one, where several agencies are involved in implementing statutory directives relating to commercial use of forests in balance with environmental concerns as well as SEPA, federal acts such as the Clean Water Act and the Endangered Species Act, and recent listings and ongoing consideration of species for listing as endangered or threatened. In addition, in the course of rule making, the opportunity exists for input from the public as well as special interest groups. That opportunity does not exist in judicial proceedings. If an agency decides to deny a petition for rule making, it may do so because there is existing rule making ongoing or because the agency lacks resources or has other priorities. In this event, the reviewing court has a complete record, including the reasons for denial, that it can review to determine the propriety of the denial. Most importantly, excusing the requirement that a petition for rule making be filed opens the door wide to judicial interference in agency decision making. Courts lack the expertise and resources to take over agency rule-making decisions. Furthermore, we are concerned that if the APA is construed as it was by the Court of Appeals, all a petitioner need do is complain that an agency has failed to carry out a statutory mandate and thereby bypass the entire administrative process. This would not be a desirable outcome.

The text of the Supreme Court decision can be found at:

http://www.wacounties.org/wsac/MemberServices/Timber/supreme_court_decision.htm

Water Legislative Prospects Muddy

As we head into the final week of the legislative session, prospects for any water legislation other than watershed planning remain uncertain. Of the other issues on the table, the Senate reportedly insists that there first must be agreement on **SB 5028** (prohibiting water quality laws from limiting water rights decisions) before other issues such as municipal water rights, well replacement, or stockwatering can move forward. Unfortunately, the House, Senate, Governor's Office and Attorney General seem to be unable to agree on the scope and wording of **SB 5028**.

HB 1336, the legislation designed to provide financial assistance and policy guidance for watershed planning implementation, has now passed both houses of the Legislature. It includes up to \$100,000 funding per year for three years for implementation with a ten percent matching contribution (which may be provided by in-kind goods and services directly related to coordination and oversight by the planning unit or any local, tribal or federal governments participating) and allows for up to \$50,000 per year for an additional two years. The measure requires completion of a detailed implementation plan within one year as a condition of receiving grants for the second and subsequent years.

The implementation plan must include strategies to provide sufficient water for (a) production agriculture; (b) commercial, industrial and residential use; and (c) instream flows. The plan also must include timelines to achieve the strategies and milestones to measure progress.

Other provisions in **HB 1336** establish a procedure for a county to opt out of watershed planning – either on its own if its affected territory is less than five percent of the total territory within the management area, or with the consent of all other initiating governments if its territory is greater than five percent of the management area. The bill also will allow for state implementation through

means other than rulemaking, if the planning unit consents, and requires that plan amendment can occur only through the same type of negotiated process that resulted in the initial plan.

Another key requirement to aid plan implementation requires the Department of Ecology to report to the Legislature each year regarding statutory changes necessary to enable state agency approval or decision-making needed to implement approved plans. **HB 1336** states that Ecology "shall use the plan as the framework for making future water resource decisions for the planned watershed or watersheds ... [and] rely on the plan as a primary consideration in determining the public interest related to such decisions."

If the House agrees with the Senate-passed version described above, **ESHB 1336** will head to Governor Locke for his signature. A related measure that is close to final passage is **ESB 5073**, which will help counties, cities and special districts raise the required match for watershed planning implementation by clarifying that existing local water-related revenues may be used for watershed planning. **ESB 5073** also allows for intergovernmental agreements and efforts to fund water storage projects. If the Senate concurs in House amendments, **ESB 5073** will also proceed to the Governor for signature.

Stormwater Legislation Moves From Senate to House

Two House-initiated stormwater bills have moved from the Senate to the House for further action in the last week and the future of both is uncertain. Although only a shadow of its original content and scope, **ESHB 1689** establishes three permit advisory groups to write draft permits for Phase II NPDES Stormwater communities: separate groups for eastern Washington, areas of Western Washington draining into Puget Sound, and the remainder of Western Washington. The bill no longer includes any requirement (or even legislative intent) that directs the Department of Ecology to not go beyond the minimum EPA requirements in writing the state permits.

Despite an agreement by counties, cities, business and environmental interests to add intent language to the skinny Senate Committee amendment to **ESHB 1689** described above, the Senate simply sent its version over to the House. Further efforts are being made to insert some guidance to the permit advisory groups that both House and Senate members will find acceptable.

The other stormwater bill that is back before the House is **ESHB 2088**. It would require local stormwater programs to provide at least a 10 percent rate reduction for commercial buildings that have installed a rainwater collection system. The bill also would limit fees and charges on commercial timber land. Several counties and cities have opposed this legislation through the process and are asking the House to not concur. Amendments have been suggested at every step of the process that would require counties and cities to provide a rate reduction for stormwater reduction technologies employed by property owners – but without specifying a specific minimum percentage reduction.

County Nuisance Authority Clarification Saved from Trash Pile

Although **HB 2006**, a bill clarifying county authority to regulate nuisances and provide new authority to assess property owners for their clean-up died in a Senate Committee two weeks ago, Senator Bob McCaslin (R-Spokane County) and Senator Adam Kline (D-King County) teamed up on the Senate floor to amend similar language on to another bill. As amended with the nuisance authority language, **EHB 1409** passed the Senate with a 48-0 vote. Rep. Lynn Schindler (R-Spokane County) was the prime sponsor of **HB 2006** and worked with Senator McCaslin on the Senate maneuver.

Water Quality Standards Cost-Benefit Analysis Out for Comment

The Department of Ecology has made the draft Cost Benefit Analysis on the proposed changes to the surface water quality standards (WAC 173-201A)

available for public review prior to final rule adoption. The Draft Cost Benefit Analysis for Public Review is now on Ecology's website at www.ecy.wa.gov/programs/wq/swqs.

Ecology is asking for feedback on the assumptions and methods we have used in this document so there will be as much data and information as possible, and the best available information, in making their final determination as to whether the benefits of these proposed rules exceed the costs.

Comments should be sent by April 22, 2003 to:

Cathy Carruthers
Department of Ecology
P.O. Box 47600
Olympia, WA 98503
caca461@ecy.wa.gov

The House Sends a Shoreline Master Program Update Schedule Back to the Senate

The House is sending **ESHB 6012** back to the Senate for their consideration. It sets up a formal schedule starting in 2011. It also creates an early adopter program. Two counties and few cities have agreed to be an early adopter. Snohomish and Whatcom counties will have until December 2005 to update their master programs to the new set of guidelines. Ecology will start the rulemaking process this fall.

The House budget that passed out of the Appropriations committee does include \$2 million for the early adopter program. The Senate budget doesn't include any funding.

The Legislature Passes the Annexation Coalition's New Petition Method for Annexation

The Legislature passed **SSB 5409** this week and the Senate intends to concur with the House amendments. The bill provides two new petition methods for cities to annex. The first method applies to land that has inhabitants. If fifty percent, plus one, of the registered voters and fifty percent, plus one, of the property owners sign the petition, the city can commence with annexation

procedures. For land that doesn't have any residents, the petition must be signed by the majority of the landowners.

The Senate Passes the "Islands Annexation" Reform Bill Back to the House

The Senate amended **ESHB 1755** to only allow the six buildable lands counties and cities to utilize the new method for cities to annex islands within city limits. The new process allows a county and a city to develop an interlocal agreement in order for the city to affect the annexation. The county and the city must each hold a public hearing prior to affecting the annexation. The annexation is still subject to a referendum petition of the affected residents.

The bill also allows a county and city to develop an interlocal agreement for a city to annex an island that is adjacent to one or more cities. The affected island would be required to choose one city or another through an election.

Vital Records

SSB 5545, electronic death registration system, passed the Senate this week and has been referred to the House Appropriations Committee. SSB 5545 increases the fees for certified copies of vital records, provides some local revenue and funding for the Department of Health electronic system. The House budget contains an appropriation for the project.

Public Works Board Project List

SHB 1063 is the biennial loan list from the Public Works Board. It provides critical low interest loans to cities, counties, and special purpose districts in order to finance public works projects. The bill has been signed into law by the Governor.

Transportation Permit Efficiency Committee

ESB 5279 reauthorizes the TEPAC committee established a few years ago. The committee is working to develop transportation permit efficiencies. It requires cities and counties to work with the committee to help develop new guidelines to improve the local permitting processes. The transportation budget provides some money to WSAC and AWC to accomplish the task.

The Senate Passes a Transportation Budget and Revenue Back to the House

With a 41-9 vote, the Senate passed their budget, **ESHB 1163**, back to the House which will ultimately lead to a conference committee.

This budget provides separate appropriations to both CRAB and TIB. However, they still appropriate funds to the combined new agency. The separate appropriations are dependent on **SSB 5527** failing to pass the Legislature.

The bill also appropriates funds to DOT implement **ESB 5279**. The appropriation includes funds for WSAC and AWC to participate with the committee and it also provides funds to specifically develop guidelines to assist in the permitting process for DOT projects.

The budget bill also provides funds for DOT to finish processing city and county accident data. The data needs to

be processed and analyzed in order for cities and counties to be eligible for federal funds.

All of the budget details and project list are available online at <http://leap.leg.wa.gov/leap/budget/detail/2003/st0305P.asp>

The New Law Transportation Revenue Bill

ESHB 2231 consists of the following components:

1. Three-tenths of one percent of the selling price on each retail sale of a motor vehicle, including used vehicles. For this purpose, it does not include farm tractors or farm vehicles or off-road and non-highway vehicles. And, a use tax of three-tenths on used vehicles.
2. An increase of five cents in the motor vehicle tax.
3. A 15 percent increase in the gross weight fees for trucks.

Building Code Bill Passes the Senate

ESHB 1734, by a 41-8 vote, the Senate passed the Building Code Council's request bill to update the building codes to the International suite of codes with the exception of the plumbing code. The Speaker of the House has indicated the House will concur with the Senate amendments.

Passenger Only Ferry Service

The Senate passed **ESHB 1853** this week. It would allow Kitsap Transit to create a new public transportation benefit district (PTBA) to operate a passenger only ferry service. The PTBA is given the authority to raise revenues to fund the system. DOT may enter into contracts with the PTBA to transfer the vessels and facilities.

Commute Trip Reduction

The Senate amended **ESHB 2228** to make the program voluntary for employers in counties with a population over 150,000. The Senate has twice said counties will continue to operate the program on a voluntary basis without administrative support from the state. The grant program and tax credit program will remain. The House does not support the Senate amendments.

Regional Transportation Investment District Sub-Area Equity

The Senate has passed **SHB 2033** and it is on its way to the Governor. The bill creates a sub-area equity program for the Regional Transportation Investment District.

Boards and Commissions

CRAB Board Positions Open

The County Road Administration has three positions that are open and must be filled.

- A county commissioner/council-member with a population over 125,000.
- A commissioner/councilmember in a county with a population between 12,000 and 125,000.
- A county engineer in a county with a population over 125,000.

The only restriction is that no more than one CRAB member shall be from any single county.

Please submit a letter of interest to Scott Merriman, at WSAC, before the end of May so the Executive Committee can make the appointments when they meet in June.

Public Works Board Opening

The Public Works Board has one opening for a commissioner from an Eastern Washington county. The Public Works board sets policy for the Public Works Trust Fund and approves the project list that is submitted to the legislature.

Please submit a letter of interest to Scott Merriman, at WSAC. The position is appointed by the Governor.

Training and Upcoming Events

Instream Flow Workshop Registration Available

A workshop titled “Instream Flow Science and Management in Western Washington: Developing a Comprehensive, Ecosystem-Based Approach” will take place May 28-29 at the University of Washington. Details can be found at <http://www.stewardandassociates.com/Instream/>.

The conference will feature a number of scientific and technical experts from across the Western United States.

Courthouse Ramblings

On Monday April 14 King County Councilmember **Kent Pullen** died after an extended illness. Councilman Pullen served on the King County Council for 13 years after 17 years of service in the Legislature. Pullen's council district stretched from Auburn to the Cascade foothills. He occupied a unique location on the political spectrum. He was a strong advocate for gun rights and for rural landowners in his district. At the same time he was a good friend of organized labor and a supporter on non-traditional medicine.

He earned a doctorate in chemistry and later worked for the Boeing Company. When someone would say "it takes a rocket scientist" to understand some complex proposed law or regulation, Councilman Kent would say "Well, I am a rocket scientist and I don't understand it." He would then proceed with his critique. Councilmember Pullen was probably the only WSAC member in recent years who was also a former state chess champion.

Councilman Pullen is survived by his wife of 39 years, Fay, and two grown children. King County has set up a Web page where the public can post personal remembrances about the late Councilman at www.metrokc.gov/council/tribute.htm Services will be held at 11 a.m. on April 24 at the River of Life Fellowship. A memorial account to fund public educational outreach for non-traditional medicine has been established at Columbia State Bank, 504 W. Meeker St. Kent 98035-0873.

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We send our thoughts and prayers to Lewis County Treasurer **Rose Bowman** and family. Her son, Steve, is in Harborview Medical Center, in Seattle, after having been accidentally shot in the neck, April 13. Evidently, the bullet (.22 caliber) is lodged in his spine and will not be taken out. However, the prognosis is good and doctors say Steve should have a full and successful recovery. He is now breathing on his own, although is having some other medical difficulties, which are always associated with such a trauma. Hopefully, he will be out of the hospital within a couple of weeks.

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Adams County Commissioners have appointed **Jadine Grams** as the new county clerk, replacing Bob Blair who retired last month. Jadine comes to superior court after 10 years with the Ritzville District Court, most of that time as the administrator. Before taking time off to raise her children, she worked in the county clerk's office for two years and then as a secretary for a Superior Court Judge. Jadine is the daughter of former longtime Adams County Treasurer Louise Brewer, who retired in 1993.

Calendar of Events

2003 MEETINGS

April 23
CPO Training, Public Meetings – Public Disclosure, (repeated from 2002), Silverdale

April 23 - 25
WAPA Spring Training Program, Tumwater

April 24
CPO Training, Public Meetings – Public Disclosure, (repeated from 2002), Chehalis

April 25
CPO Training, Public Meetings – Public Disclosure, (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
WAPA-Support Enforcement, 2003 Annual Training, DoubleTree Hotel Spokane City Center, Spokane

May 8
CPO Training, Effective & Responsible Decision-Making, Moses Lake

May 14 - 16
WAPA Support Staff Training Program, Sun Mountain

May 15
CPO Training, Effective & Responsible Decision-Making, Puyallup

May 19 – 22
WASPC Spring Conference, WestCoast Grand Hotel, Spokane

May 21 - 23
Association of County Human Services meeting, Tri-Cities

May 28 - 31
Western Interstate Region (WIR) Annual Conference, Reno-Sparks, Nevada

May 29 - 30
WAPA District Court Training Program, SeaTac

June 5
CPO Training, Risk Management, Puyallup

June 11 - 13
Washington State Association of County Auditors' Annual Conference, Sun Mountain Lodge, Winthrop

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 18 - 20
Association of Washington Cities (AWC) Annual Conference, Red Lion Grand Hotel at the Park, Spokane

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

June 24
CPO Training, Navigating Through Change and Risk Management, (in conjunction w/WSAC Annual Summer Convention), DoubleTree Valley Hotel, Spokane

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

June 24 – 27
WSAC Annual Summer Convention, Doubletree Valley Hotel, Spokane

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

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

July 29-August 23
IACREOT Conference, Denver CO

July 30
CPO Training, 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 8-11
Washington State Association of County Assessors Fall Conference, Red Lion, Kennewick

September 9-12
County & Regional Planning Directors/City Planning Directors Joint Conference, Campbell's, Chelan

September 11-12
WSAC Fall Eastern District Meeting, Marcus Whitman Center, Walla Walla

September 17-19
Association of County Human Services (ACHS) 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

Calendar of Events (continued)

September 30
CPO Training, Ethical Dilemmas:
Integrity as a Tool for Successful Public
Officials, SeaTac

October 1
WCIF Board of Trustees (Conjunction
with the WACO/WSAC Joint
Conference)

October 2
WSAC Fall Western District Meeting
(Conjunction with the WACO/WSAC
Joint 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
(ACHS) Meeting, Seattle

2004 MEETINGS

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

April 8-9
WSAC Spring Eastern District Meeting,
Campbell's Resort, Chelan

April 21-23
WAPA Spring Training Program,
Spokane

April 22-23
WSAC Spring Western District Meeting,
Heathman Lodge, Vancouver

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) Meeting, Vancouver

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

September 14-17
County & Regional Planning
Directors/City Planning Directors Joint
Conference, Campbell's, Chelan

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

June 22-24
WAPA Summer Conference, Chelan

July 15–19
NACo Annual Conference, City &
County of Hawaii, Honolulu, HI

September 13-16
County & Regional Planning
Directors/City Planning Directors Joint
Conference, Campbell's, Chelan

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)