

# the Courthouse Journal

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Washington Association of County Officials  
Washington State Association of Counties

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## Spring is Just Around the Corner

The WSAC Spring Eastern District meeting will be held at Campbell's Resort in Chelan County April 8 - 9, 2004. The program begins with the Eastern District Business meeting and a Commissioners' Roundtable on Thursday morning followed by an update on watershed planning and salmon recovery from federal, state and local perspectives. Chelan and Douglas counties have arranged for an afternoon watershed tour for commissioners and other conference participants.

Friday's agenda will include a Legislative

Wrap-Up and an Emergency Management Training being developed by state and local emergency responders.

Full details have been e-mailed to Eastern District members and are available on the WSAC website.  
<http://www.wacounties.org/wsac/Calendar/EasternDistrict.htm>

Please sign up now to get advanced registration rates. Also, secure your guest room reservations as soon as possible. Campbell's will release the block of rooms on March 15.

## WSAC Introduces New Website

We now have a new look! It highlights who we are and what we do, and provides easier access to resources that are important to you. Please visit us at  
<http://www.wacounties.org/wsac/index.htm>.

Some of our new features include:

- Homepage links to timely legislative and county news, and other hot topics
- Drop down menus for easier navigation

- Links to your county websites from the Members page under About WSAC
- And more!

We hope to continually make improvements, so please let us know what you think. You can contact Nicole Simpkinson at [nsimpkinson@wacounties.org](mailto:nsimpkinson@wacounties.org) or via telephone at (360) 753-1886 with your comments and suggestions.

## Washington Counties Scholarships Now Available

**County elected officials and employees who have students in their families take note!**

The Washington Counties' Scholarship Fund is offering five \$2,500 awards to children of county employees who will be enrolled full-time during the 2004/2005 school year in a baccalaureate program, associate degree program or vocational/technical certification program.

Complete information and applications are available on the Washington Counties'

webpage -  
[http://www.wacounties.org/ScholarshipProgram/Scholarship\\_Program.htm](http://www.wacounties.org/ScholarshipProgram/Scholarship_Program.htm)

or call the WACO office at (360) 753-7319 or the WSAC office at (360) 753-1886. Detailed information on requirements and the application process are provided directly on the Scholarship Application.

Applications must be postmarked no later than **April 5, 2004**. We encourage all students to apply!

## NOTE:

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

## The Courthouse Journal

Published weekly (during Legislative Session) and Bi-weekly (other than Session) 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.

Direct inquiries and correspondence to *The Courthouse Journal*, 206 Tenth Ave SE, Olympia, WA 98501-1131 or [www.wacounties.org](http://www.wacounties.org).

### WACO STAFF

Phone (360) 753-7319 / Fax (360) 664-2812

**Debbie Wilke**, Executive Director  
**Michelle Hagen**, Deputy Director  
**Christina Bridston**, Programs Coordinator  
**Brenda Bamford**, Financial Operations Mgr  
**Kathie Houts**, Administrative Assistant

### WSAC STAFF

Phone (360) 753-1886 / Fax (360) 753-2842

**Bill Vogler**, Executive Director  
**Paul Parker**, Assistant Executive Director  
**Maureen Morris**, Deputy Director  
**Sophia Byrd**, Policy Director  
*Law & Justice, Emergency Management*  
**Jean Wessman**, Policy Director  
*Human Services, Juvenile Justice, Housing*  
**Scott Merriman**, Policy Director  
*Transportation, Land Use*  
**Vicki Kirkpatrick**, Policy Director  
*Public Health & WSALPHO Administrator*  
**Tom King**, Associate  
*Research & Telecommunications*  
**Jim Potts**, Coordinator, Housing Outreach  
**Tom Robinson**, Coordinator, Timber  
**Trina Bannister**, Finance Manager  
**Ginni Peppert**, Events Planner / Adm Asst  
**Barbara Warden**, Meetings / Adm Asst  
**Beth Dubey**, Accounting & Business Asst.  
**Tom Jensen**, Technology Project Staff  
**Nicole Simpkinson**, Special Projects

## Assessor Bills Still Moving

**SHB 3063** which requires a review of property tax exemptions is in House Rules. Please contact your members in House Rules and ask them to pull the bill for a floor vote. This is a bill that could use all your efforts.

**SSB 6216** which is the timber land incidental use bill is on the Senate Calendar for second reading and will hopefully be passed to the House soon.

**SSB 6581** the fix on Senator Hargrove's fire patrol bill is in Senate Rules. If you have members on that Committee, please let them know you would like to see this bill move.

## Historic Courthouse Fund Bill Stalls in Fiscal Committees

**SB 6539** and **HB 2980**, creating a Historic County Courthouse Fund, have stalled in the House Capital Budget and the Senate Ways and Means Committees. Because these measures, if funded, are related to the budget, they may be considered exempt from the cut-off for policy bills.

A \$93 million capital investment need has been identified to support the renovation and rehabilitation of 28 qualifying historic courthouses across the state. This measure would establish a matching grant program for qualifying courthouses administered by the Office of Archeology and Historic Preservation.

## Timber Excise Tax Proposal Gains Momentum

**HB 2693**, sponsored by Rep. Bill Hinkle (R-Kittitas County), would increase revenue to counties from timber harvest on public lands. The bill eliminates the property tax on timber and gradually increases the county share of excise tax to four percent. The bill is in House Rules and is gathering support. Counties with state timber lands should call their legislators and ask that the bill be brought to the floor and moved to the Senate.

## County Treasurers' Legislative Meeting and Hearings

**SHB 2878**, the county treasurers' management bill, passed the House on Thursday.

**SB 6671**, the treasurers' bill providing funds for an automated system for processing real estate excise taxes, died in the Senate Government Operations and Elections Committee at the cutoff last Friday.

The Senate Natural Resources, Energy and Water Committee took **SB 6620**, modifying the real estate excise tax administration of water rights, off of its hearing schedule last Friday. The Department of Revenue's broader bill, **HB 3163**, includes the same language (in Section 5). It was heard by the House Finance Committee on Monday and was passed out to the Rules Committee.

**SSB 6587**, mitigation fees, has recently come to the county treasurers' attention. This bill requires separate interest-bearing accounts to be established for each purpose for which mitigation fees are imposed. An annual report on specific receipts and expenditures would have to be prepared for each account and be published on the internet. Mitigation fees not used within six years would have to be refunded with interest. Between the treasurer, auditor and planners' perspective, this could be very time consuming and expensive. This bill is on the Senate calendar.

## Discussion on Funding for Counties With a Small Tax Base Continues

The House Appropriations Committee passed out **SHB 3175** this week and it is ready for action by the full House. The Appropriations Committee amended the bill to remove the funding stream into the account. The amended bill retains the committee and distribution process. Please call your House members and ask them to support the bill and provide a revenue stream for the account.

## Civil Liability Bills – Outta the Senate, Stuck in the House

The Senate passed its omnibus tort reform bill, **ESSB 5728**, by a vote of 27 to 22 on February 10.

This is the same bill the Senate passed in 2003, and addresses joint and several liability, tort judgment interest rate, employment reference checks, caps on damages, medical malpractice, seat belt evidence, and government liability.

The bill has been referred to the House Judiciary Committee, but almost certainly will not receive a public hearing. However, floor speeches by Senate leaders and bill supporters indicated a willingness to discuss possible alternative approaches with the House.

In the House, **SHB 2485** (tort judgment interest rate) and **HB 2486** (seatbelt evidence) are still stuck in Rules. County officials who support these bills should contact their representatives on the Rules Committee and urge them to move these bills along to the floor. Rules Committee members are listed at [www.leg.wa.gov/house/opr/RUL/members](http://www.leg.wa.gov/house/opr/RUL/members).

## Supreme Court Takes Up County Seat Issues

The Washington Supreme Court on Wednesday, February 11, heard oral arguments in two cases relating to the location of county offices at the county seat. The court is not expected to issue an opinion for several months.

Although the cases pertained specifically to Thurston and Benton Counties, the court was asked to consider the issues as potentially relevant to all counties. WSAC submitted amicus curiae briefs in both cases, asking the Court to uphold the trial court in the Benton County case and reverse the trial court in the Thurston County case.

Benton and Thurston Counties were sued separately over the location or

proposed location of sheriff, clerk, prosecutor, and Superior Court offices outside the county seat. Various statutes direct that these offices are to be at the county seat. The Supreme Court accepted direct review in both cases, but did not consolidate the matters.

In the Thurston case, the trial court judge focused on the statutory requirement that the clerk and prosecutor offices be located “at the county seat” and ruled that “at” means within the city limits of the county seat and not “near” the county seat. (Thurston is considering co-locating these offices at a justice center a few blocks outside the city limits of the county seat, Olympia.)

In the Benton case, the trial court judge found that even though the officials maintain what appear to be primary offices at a justice center 40 miles outside the county seat, this does not amount to a de facto, illegal relocation of the county seat.

## House Committee Passes Public Safety Employees Retirement System

**HB 2537**, creating a separate public safety employees retirement system, passed out of the House Appropriations Committee this week and is poised to pass out of the House. This bill will authorize county corrections, adult and juvenile probation, and juvenile detention employees to join a new retirement system that will provide an earlier retirement age (age 60 years or 55 with an actuarial deduction). The contribution rates will increase 3% through 2009 and then level off at 1% thereafter. Total 25 year cost to local governments will be \$38 million.

## County Constitutional Amendment in House Rules

**HJR 4215** is now in House Rules. This is the constitutional amendment sponsored by Rep. Helen Sommers and opposed by the WSAC by a vote of the Legislative Steering Committee at their January 23<sup>rd</sup> meeting. The constitutional amendment would authorize two or more counties to consolidate or merge any

statutory or constitutional functions or structure. The Legislature would pass implementing legislation. This bill is a high priority of Rep. Sommers and a group of county commissioners are scheduled to speak to her next week.

## Special note

The February 17 deadline is looming. That is the date when all bills must have left their house of origin. Now is the time for county officials to contact their legislators and weigh in on the bills they want to keep moving or have die.

## Bills of Interest to County Clerks

**SHB 2580**, the miscellaneous fee bill of the county clerks, needs one more “pull” to get out of House Rules and be voted on by the entire House. Now is the time to contact all your representatives and urge them to “pull” **SHB 2580** if they can and to pass **SHB 2580** when it comes to the Floor. Call today – the House will be working this weekend.

**SB 6588**, the non-substantive changes to **SB 5990** of last session, is in Senate Rules. **SB 6588** clarifies the clerks’ authority in the collection of legal financial obligations and the certificate of discharge. Please contact your senators on Rules and ask them to “pull” **SB 6588**.

## Death Investigations

**SB 6591**, the state forensic pathologist, is out of Senate Rules and on the Second Reading Calendar. Please contact all your senators and urge them to pass **SB 6591**. **SB 6591** allows the Forensic Investigations Council to pursue a state forensic pathologist program and eliminates the pathology fellowship of the University of Washington. The fellowship has been vacant most of five years.

## Bills of Interest to Sheriffs and Prosecutors

**HB 3055**, admissibility of the breathalyzer test, passed out of the House last night and will move to the

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## ***Courts, Public Safety, Law and Justice (continued)***

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Senate where hearings on **HB 3055** will begin again.

**SB 6136**, search warrants for electronic tracking devices, needs one more “pull” to get out of Senate Rules and be placed on the Senate Floor Calendar.

**SB 6205** and its companion **HB 2519**, law enforcement property tax levies, are still alive and well. **SB 6205** is on the Senate Floor Calendar and **HB 2519** is still in House Rules. Now is the time to contact your legislators and urge support.

Let the local populace decide if they want to fund law enforcement in their community.

Several sheriffs were in town this week and took to the hill to urge their legislators to keep several WACO priority bills moving. They included the law enforcement property tax levies (**SB 6205** and **HB 2519**); **SB 6136**, electronic tracking; **HB 3055**, admissibility of the breathalyzer; **SB 5673**, jail non-liability; and **SSB 6162**, the health care information disclosure. County officials are always welcome to spend a day

lobbying on WACO’s behalf!

**SB 6255**, criminal background checks, moved out of the Senate today. It is a study bill involving law enforcement, the Washington Association of Sheriffs and Police Chiefs (WASPC) and the Washington State Patrol (WSP).

# Elections, Licensing and Recording

## WACO Priority Bill Passes the House

**SHB 1594**, the chief financial officer in a charter county, passed the House yesterday with 96 yeas, 0 nays, 0 absent, and 2 excused. The bill has been referred to Senate Government Operations & Elections Committee.

## WACO Priority Bill Needs Push

**SSB 5478** increasing the surcharge for the preservation of historical documents from \$2 to \$3 is still in Senate Rules Committee. Please contact the members of the Senate Rules Committee and ask them to “pull” the bill to the Senate Floor Calendar. **SSB 5478**, is priority legislation of the Washington State Association of County Auditors and the Washington Association of County Officials (WACO).

Please contact your state senator and ask them to vote “yes” on the bill with the floor amendment to increase the O&M fee from \$2 to \$5 per recorded document. The bill in its current form would increase the surcharge to \$3. The floor amendment would increase the surcharge to the original \$5 that WACO & WSACA supported both this year and last year.

## Increasing Marriage Licenses for Domestic Violence Funding

**HB 2481**, increasing marriage license fees by \$10 to fund community-based domestic violence programs, passed out of House Appropriations Committee and is now in House Rules Committee.

## Auditors Recording/Privacy Bill Scheduled for a Hearing

**SB 6573**, states that when any instrument is presented to a county auditor or recording officer for

recording, the document shall not contain the following information: (1) A social security number; (2) A date of birth identified with a particular person; or (3) The maiden name of a person's parent so as to be identified with a particular person. **The bill is still in the Senate Rules committee. If you have members on the committee please contact them and ask them to “pull” the bill.**

## Other Bills of Interest to County Auditors

**HB 2694**, revising distribution of funds for operating and maintenance of very low-income housing projects is on 2<sup>nd</sup> reading in the House Rules Committee. The bill has been amended four times. The most important amendment to county auditors is the one that restores current law provision related to the auditors’ retention of funds. It also corrects an error in the section that causes the allocation of funds to add up to more than 100%. The bill is on 2<sup>nd</sup> reading in the House Rules Committee.

## Veterans’ Relief

**SHB 2670**, expands the counties' role in services for indigent veterans. The substitute bill replaces the original bill in its entirety, and allows counties to continue to provide services to indigent veterans without disruption. The permission extends only until July of 2005. In the absence of extending legislation, the counties would need to be in full compliance with RCW 73.08 at that time. The substitute also instructs the Joint Committee on Veterans’ and Military Affairs to investigate the county policies and the current veterans’ relief act. The study also concludes in July of 2005. The bill is on 2<sup>nd</sup> reading in the House Rules Committee.

## Election Bill Hearings Next Week

Wednesday, February 18, 1:30 p.m.

No Bill Number - “Arizona” primary alternative – work session in Senate Government Operations & Elections

Thursday, February 19, 8:00 a.m.

**SB 6417**, correcting statutory references and properly recodifying statutes into Title 29A RCW – House State Government Committee

Friday, February 20, 1:30 p.m.

**HB 3177**, enacting the qualifying primary act – House State Government Committee

## Bills That Passed the House This Week

**HB 2420**, ballot counts/write-ins.

**SHB 2433**, on ballot for two offices.

**HB 2669**, instant runoff voting

**HB 2742**, Title 29A RCW

**HB 2743**, election-related crimes

**SHB 2875**, youth voter education program

**SSB 6419**, implementing the Help America Vote Act (HAVA), is on the Senate calendar.

**SSB 6420**, enhancing the integrity of voting systems and requiring a paper trail on Direct Recording Electronic (DRE) voting machines, is on the Senate calendar.

**SSB 6639**, requiring absentee ballots to reach the auditor by election day, is on the Senate calendar.

**SB 6709**, voter registration/youth is in Senate Rules.

# Environment, Land Use and Resources

## Water Legislation Barely Alive

While the Governor's instream flow proposal, **HB 2396**, stays alive in House Rules Committee, his relinquishment (water confirmation) proposal, **SB 6734**, did not make it out of the Senate Natural Resources Committee. Although state-wide adjudication is no longer part of the bill, it is reported that parts of the agricultural community remained opposed to the proposal.

Couple that with tribal opposition to **SB 6734** and business and agricultural opposition to the instream flow measure and it appears that the "water package" is at a stalemate.

A proposed constitutional amendment to establish a system of water courts to hear water cases is moving in the Senate. This proposal, **SSB 8225**, has bipartisan support and was recommended by a Water Rights Dispute Task Force that met over the summer and fall.

## State Land Acquisition Bills Move Forward

Bills that embrace WSAC goals on state land acquisition policy continue to move forward. These measures would require a comprehensive analysis of all existing state and federal public lands prior to new state land acquisition, require state agency payment in lieu of taxes (PILT) and ensure proper land management of state properties, and improve county access to land acquisition funds and input into new purchases.

**HB 2275** and **SB 6082** amend the Washington Wildlife and Recreation Program (WWRP) in significant ways. The WWRP, established 10 years ago in the Capital Budget, has typically dedicated \$40 to \$50 million a biennium for land acquisition for habitat and for recreational purposes.

These bills will allow counties to join state agencies in applying for habitat conservation funds and will create two new fund categories: for riparian protection (open to state and local agencies) and for farmland preservation

(open only to counties and cities). The bills also increase opportunities for local input into WWRP acquisitions, requiring, for instance, consistency with local comprehensive plans, and require state agency payment in lieu of taxes and noxious weed payments on WWRP acquisitions.

**SB 6082** was amended to remove the new funds authorizing purchase of farmland and riparian areas. In addition, Senate Ways and Means Committee removed the PILT payment provisions, concerned about general fund impacts.

**HB 2275** continues to allow counties to apply for habitat conservation funds, riparian protection funds and farmland preservation funds, improve local input into state land purchases, and require state agency payment in lieu of taxes (PILT) and noxious weed payments. It is expected to receive bipartisan support in the House this weekend.

**SB 6242** was unanimously passed by the Senate on Thursday. It directs the Inter Agency Committee on Outdoor Recreation to inventory state agency land purchases for habitat and develop a strategic plan for habitat acquisition and disposal, taking into account existing state, federal and local lands and land dedicated to habitat purposes that is owned by non-profit organizations.

## Cougar Management Legislation Ready for Floor Action

The expanded cougar management pilot program, **SSB 6118**, is on the Senate floor, ready for final passage. Amended in Committee, it now allows Chelan, Ferry, Okanogan, Pend Oreille and Stevens counties to work jointly with the Department of Fish and Wildlife to reduce the population of dangerous cougars.

## Stormwater Bills Move Forward in Senate

Bills addressing stormwater management are on the Senate Floor. Substitute **SB 6415**, sponsored by Senator Bob Morton (R-Ferry County)

clarifies requirements for industrial and construction stormwater management. A subsection that had been of concern to some counties and cities that could have increased liability of municipal stormwater management programs has been removed. **SB 6562**, sponsored by Senator Joyce Mulliken (R-Grant County) would limit the state stormwater management program to the EPA required elements. Both bills are opposed by the Department of Ecology, although Ecology does support limiting Eastern Washington stormwater management requirements to the EPA elements.

## Tire Recycling Bills

**SB 6262** did not survive cutoff. WSAC testified that funding for tire pile cleanup and enforcement is very important to counties. Additionally, WSAC testified that counties are very interested in effective and efficient recycling of waste tires to keep as many as possible out of the waste stream. This bill contained no funding for tire pile cleanup or county enforcement.

**HB 3054** reinstates the \$1 per tire waste disposal/recycling fee. The bill creates competitive grants to counties for tire pile cleanup rather than general access to the funding for such cleanup. Additionally, counties need funding to recover costs of enforcement, not just funding for tire pile removal. Counties are interested in ensuring that any legislation passed contains provisions that reduce the possibility of future problem tire piles. In testimony, members of the tire retailers, recyclers, haulers, etc. as well as DOE and counties pledged to work through a stakeholder process during the interim to develop a legislative proposal for 2005 that addresses the issue of tire recycling and tire pile cleanup and enforcement if no agreed upon legislation passed this session. **SHB 3054** passed out of House Transportation and is now in House Rules. With the competitive grant process for counties, **HB 3054**, while providing funding to remove large illegal tire piles, does not provide ongoing enforcement funding for all counties.

# Environment, Land Use and Resources (continued)

## Electronic Waste

**SHB 2488** passed House Fisheries, Ecology and Parks. The bill establishes a subcommittee of stakeholders under the Solid Waste Advisory Committee to initiate pilot projects and research information regarding the collection, recycling and reuse of electronic products and report findings and recommendations to the Legislature by December 15, 2004 and December 15, 2005. Manufacturers of covered electronic products are required to report to the Department of Ecology information necessary to develop a statewide system for collecting, recycling, and reusing electronic products. The bill also requires exporters of hazardous electronic waste to notify DOE and provide documentation of compliance with applicable laws.

## GMA Bills Passed in House

As of Friday morning, February 13, the following bills have passed the House:

- **HB 2811** requires the buildable land counties to publish their annual permit performance reports annually on their webpage.
- **HB 2563** provides limited commercial and retail development on agricultural lands of long term significance.

## Please Call Your Representative...

Ask them to vote YES on the following bills:

- **HB 2960** changes the siting development process for industrial land banks.

- **SHB 2905** provides for additional development and redevelopment flexibility for the type 1 LAMIRDs.

## Senate Passed GMA Bills

As of Friday morning, February 13, the following bills have passed the Senate:

- **SB 6237** provides limited commercial and retail development on agricultural lands of long term significance.
- **SSB 6238** clarifies that type 1 LAMIRDs can develop and redevelop within the existing boundary. The bill also clarifies that the type of uses can change.
- **SSB 6367** protects the integrity of national historic reserves in urban growth areas. This bill is intended to protect the Eby Island reserve in Coupeville.
- **SB 6488** requires CTED to study the designation of agricultural lands of long term significance in Chelan, King and Yakima counties.

## Please Call Your Senator...

Ask them to vote YES on the following bills:

- **SSB 6534** changes the siting development process for industrial land banks.
- **SB 6409** expands the ability for all 39 counties to have industrial land banks.
- **SSB 6592** extends the GMA update cycle for the non-buildable land counties to 10 years, creates a basic update for the slow growing counties; and provides some appeal protection for the aspects of your plan that you are required to update.

## For Those Counties That are

## Imposing GMA Impact Fees

Please call your legislators and take a look at the following bills:

This bill (**SHB 2730 / SSB 6413**) would limit the times at which a county could collect impact fees on residential development. The bill was amended and passed in both the House and Senate committees to make it slightly more palatable to cities.

As amended, the Senate bill would restrict collection of the fees to the time of final inspection of the residence or the time the certificate of occupancy is issued.

In the House, the bill was amended similarly but specifies that fees must be paid before certificates of occupancy will be issued.

WSAC will continue to work on this bill in cooperation with school district interests and the cities.

## Group Hopes to Bolster Human Services in Face of Budget Cuts

*Published in the Seattle Post-Intelligencer February 12, 2004 and written by Neil Modie*

King County's ongoing budget crisis is threatening the survival of health and social-service programs financed by the county, but a newly appointed task force will try to find ways to keep the system afloat. County Executive Ron Sims announced the formation of the group of 17 community, business, religious and local government leaders, whom he asked to prepare a plan for "stabilizing, improving and maintaining the regional human services system for the future."

The task force meets for the first time this morning and is to make its recommendations to Sims by August, in time for them to be considered in the 2005 county budget process. Co-chairs are Bruce Brooks, executive vice president of corporate and community affairs for the Federal Home Loan Bank of Seattle and a former Seattle deputy mayor, and Toshi Moriguchi, treasurer of Uwajimaya Inc.

Other than criminal justice programs, which now consume nearly 70 percent of the county general fund, human services are virtually the last remaining discretionary program funded by the county's basic operating budget, which has been squeezed between rising costs and constricted tax revenues.

Financing the programs became a divisive issue in the 2004 budget process last fall when Sims proposed that the county charge its solid waste fund \$7 million a year to rent the county's Cedar Hills landfill and earmark the money for health and social services. The County Council approved the plan over the objections of suburban mayors who complained that social services shouldn't be financed by garbage ratepayers. But the money shift enabled the county to avoid reducing spending on human services below the \$12 million level budgeted for 2003.

With the general fund budget

trimmed by more than \$100 million in the past three years and similar sized cuts necessary in the next few years, the King County Alliance for Human Services, a coalition of social-service organizations, persuaded Sims to appoint a task force to look for a long-range solution.

"They're going to have a wide-open shot," Sims said of the task force. "They may talk about how we disburse money. They may say, 'Why don't we give our money through United Way and then have United Way disburse it (to non-profit social-service agencies)?' "They may talk about consolidating non-profits ... They may be saying some things that I don't want to hear."

Countywide programs that county government helps finance include food banks, housing and shelters, children's and at-risk youth programs, immigrant and refugee services, domestic violence services, violence and suicide prevention, sexual assault victims' services, health care, mental health and substance abuse programs and education programs for school dropouts and the learning-disabled. Most of those serve residents of Seattle and suburban cities as well as unincorporated areas.

## Cut-offs Signal the Demise of Many a Human Services Bill

Both the policy cut-off on Friday, February 6 and the fiscal committee cut-off on Tuesday, February 11 have now passed and hundreds of bills including many in human services have gone to the great beyond hopefully to rest eternally in peace. No bills died that we were supporting and a great number of them went away that we were at best lukewarm about for various reasons.

## Moving on (or still definitely alive) is:

**SHB 1767** permits a forensic competency examination to be conducted in jail, detention or correctional facility, or appropriate community setting by one examiner.

**EHB 1777** implements the collective bargaining agreement between the home care quality authority and individual home care providers.

**2SHB 1828** requires that insurance coverage for mental health services be at parity with medical and surgical services.

**SHB 2014** prevents denial of insurance coverage for injuries caused by narcotic or alcohol use.

**SHB 2329** revises provisions relating to mental health treatment for minors.

**HB 2377** reorganizes provisions concerning mental health services for minors.

**HB 2387** authorizes the release of patient records for the purpose of restoring state mental health hospital cemeteries.

**SHB 2460** provides access to health insurance for small employers and their employees (we remain concerned that this would allow bare bones plans without mental health or CD coverage).

**SHB 2469** authorizes certain state agencies to purchase prescription drugs from Canadian wholesalers and pharmacies.

**SHB 2485** revises the rate of interest on certain tort judgments.

**SHB 2526 / SB 6112** regulates self-funded multiple employer welfare arrangements (same concern as **SHB 2460** regarding the possible exclusion of mental health and CD benefits).

**SHB 2554 / SB 6379** authorizes collection of support payments for children with developmental disabilities in out-of-home care.

**SHB 2596** provides for early intervention services for children with disabilities.

**HB 2663/SB 6241** requires use of respectful language in the RCWs regarding individuals with disabilities.

**SHB 2705** creates a developmental disabilities community trust account.

**HB 2724 / SB 6473** providing a tax

## Public Health and Human Services (continued)

exemption for certain services for developmentally disabled persons.

**2SHB 2769** reduces hunger.

**2SHB 2776 / SB 6572** concerns problem gambling.

**2SHB 2818** creates the homeless families services fund.

**SHB 2844** increases the regulation of the sale of ephedrine, pseudoephedrine and phenylpropanolamine.

**SHB 2849 / SSB 6555** eliminates credentialing barriers for sex offender treatment providers.

**SHB 3007 / SB 6597** allows limited home care case management resources to be targeted to consumers in greatest need (this bill authorizes the department to contract with an outside company to provide case management services currently provided by the Area Agencies on Aging and is considered essential for them to implement the Medicaid Integration Project).

**SHB 3065** revises partial confinement options for certain drug offenders (allowing CD treatment to count).

**SSB 6105** revises penalties for animal cruelty (this bill deals with juveniles who hurt animals and the resultant risk factor for adult crimes).

**SB 6213** makes technical, clarifying and non-substantive changes to mental health advance directive provisions.

**2SSB 6274** changes the provisions relating to competency provision.

**2SSB 6358** improves collaboration regarding offenders with treatment orders (the Aberdeen tragedy).

**SB 6577** orders a study of reporting requirements for community action agencies.

**SSB 6615** encourages employment of workers with developmental disabilities.

**SB 6651** mandating the creation of a medical necessity definition (the amended statute is the Medical Assistance statute but watch for applicability to mental health).

**SSB 6684** convenes a work group to develop chemical dependency assessment protocols.

**SB 6721** resolves conflicting amendments and effective dates to RCW 71.05.390 which concerns disclosure of confidential information and records.

### Among the bills that failed to make cut-off are:

- **SB 6287** detention of felons (this bill would authorize those under the restoration of competency provisions to be shifted between jails and the state hospital.
- **HB 2644** drunk driving courts
- **SB 6122** public smoking
- **SB 6330** tobacco sampling
- **SB 6260/HB 2709/HB 2568** vocational counseling (though a sunrise request may be made)
- **HB 2357** state hospital beds
- **HB 2755** persons with mental illness - vouchers
- **HB 2756** mental health service – supported employment
- **HB 2942** – mental health service – consumer – run system
- **HB 6451/HB 3091** nursing home funding – repealing last year's bed tax

### February 16 – 20 Hearing Schedule for Human Services, Juvenile Justice & Housing

Unfortunately, with a short session, scheduling bills for hearings in the opposite house becomes almost impossible as many of them are still stuck either in the Rules Committee or on the Second Reading Calendar of the House of Origin. So at this point, we know the times that the committees of interest are meeting, but not many of their agendas. Check with [www.leg.wa.gov](http://www.leg.wa.gov) for agendas next week.

Meeting times and just a scattering of agendas are:

#### Monday, February 16 and Tuesday, February 17

Both houses are on the floor.

#### Wednesday, February 18

- 8:00 Senate Children & Family Services & Corrections  
Senate Judiciary  
House Children & Family Services (WorkFirst Limited English Proficiency Pathway)
- 1:30 Senate Health & Long-Term Care (**HB2460** – Small employers health plans)  
House Criminal Justice & Corrections (The effectiveness and availability of drug treatment for prison bound offenders)
- 3:30 Senate Ways & Means  
House Appropriations

#### Thursday, February 19

- 8:00 Senate Judiciary  
House Judiciary
- 10:00 Senate Health & Long-Term Care (**HB 2663** – Use of respectful language in RCW, **SHB 2014** preventing denial of insurance for injuries caused by narcotic control use)  
House Health Care (**SSB 5733** improving fairness and protection in boarding homes and adult family homes and **SB 5790** changing the time period in which beds can be converted back to nursing facilities)  
House Juvenile Justice/Family Law (**SSB 6161** requiring law enforcement agencies to adopt policies concerning domestic violence by sworn employees)
- 1:30 House Children & Family Services
- 3:30 Senate Ways & Means  
House Appropriations

#### Friday, February 20

- 8:00 Senate Children & Family Services & Corrections  
Senate Judiciary  
House Financial Institutions & Insurance
- 1:30 House Judiciary

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## ***Transportation and Public Works***

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### **The Senate Highways and Transportation Committee Proposes New Structure and Funding for Freight Mobility**

**SB 6680** would:

- Create a State Freight Investment Program to be managed by the Transportation Improvement Board (TIB),
- Create a Freight Investment Account as a repository for federal funds and for any new state revenues dedicated to the ongoing support of freight mobility,
- Allow the Highways and Local Programs division of WSDOT to administer federal funds deposited in the Freight Investment Account, and
- Amend the make-up of the TIB board to include one representative (not two) of the public transit

system, a private sector representative (who may be a member of the Washington Trucking Association), and a member representing the railroad industry.

WSAC has sent a letter to the sponsor asking them to amend the bill to ensure the rural portions of counties can compete for this new funding.

**SB 6701** requires that the distribution allocation for federal flexible funds remain the same as it was under the Transportation Equity ACT, with the exception that the state Rural Economic Vitality Grant Program is replaced with a Freight Investment Program.

### **The Conversation Between the House and the Senate Continues on the RTID**

The House's approach changing the revenue streams and project eligibility is **SHB 2531**. It lowers the sales tax,

increases the local option gas tax, allows for a sales tax on gas and removes almost all the restrictions on what the funding can be spent on. The bill suffered a setback last night, the petroleum industry has objected to the local option gas tax provisions. The Senate has only considered a couple of technical fixes in **SSB 5874**. The two distinctive approaches are going to lead to some fascinating negotiations.

## ***Training and Upcoming Events***

<i>Training or Workshop</i>	<i>Location</i>	<i>Date</i>	<i>Information</i>
<b><i>FEBRUARY 2004</i></b>			
CPO Training - Emergency Management 101	Water Resources Education Center, Vancouver	February 19	(360) 753-1886
CPO Training - Emergency Management 101	Community Education Training Center, Colfax	February 25	(360) 753-1886
CPO Training - Emergency Management 101	Ellensburg Inn, Ellensburg	February 26	(360) 753-1886
<b><i>MARCH 2004</i></b>			
CPO Training - Risk Management	Yakima	March 3	(360) 753-1886
CPO Training - Risk Management	Mount Vernon	March 4	(360) 753-1886
CPO Training - Risk Management	Cheney	March 10	(360) 753-1886
CPO Training - Risk Management	Lacey	March 11	(360) 753-1886
<b><i>APRIL 2004</i></b>			
WA Association of Prosecuting Attorneys Spring Training Program	Spokane	April 21-23	(360) 753-2175
<b><i>MAY 2004</i></b>			
WA Association of Prosecuting Attorneys Support Staff Training Program	Campbell's Lodge, Lake Chelan	May 12-14	(360) 753-2175
<b><i>JUNE 2004</i></b>			
WA Association of Coroners and Medical Examiners' Training	Campbell's Lodge, Lake Chelan	June 22	(360) 427-9670 x 752
<b><i>JULY 2004</i></b>			
WA Counties Risk Pool - Risk Managers Training	Shilo Inn, Ocean Shores	July 20	(360) 586-7447
WA Counties Risk Pool - Board of Directors Workshop	Shilo Inn, Ocean Shores	July 21	(360) 586-7447
<b><i>SEPTEMBER 2004</i></b>			
WA Association of Prosecuting Attorneys - Juvenile Training Program	Icicle Inn, Leavenworth	September 12-14	(360) 753-2175
WA Association of Prosecuting Attorneys - Drug Training Program	Icicle Inn, Leavenworth	September 15-17	(360) 753-2175

## **Training and Upcoming Events (continued)**

### **“Are you Prepared - Emergency Management for Local Officials”**

- What are your roles and responsibilities in an Emergency?
- What is your role in public information?
- What is the role of State Agencies – what is their authority?
- What are the functions of an Incident Command System?
- The latest information on Homeland Security and impacts in Washington State

#### **Locations: It’s not too late!!**

February 19	Vancouver
February 25	Colfax
February 26	Ellensburg

### **“Minimizing Risk: When Employer/Employee Actions make Front Page News”**

- What actions by public employers or employees become front page news?
- How can you reduce your chances of being the Lead Story on the 6 O’clock News?
- What policies and procedures should be in place to reduce your liability?
- What do you provide and say to the media when they ask?

#### **Locations:**

March 3	Yakima
March 4	Mount Vernon
March 10	Cheney
March 11	Lacey

**More Info/Registration:** <http://www.wacounties.org/CPO/CPO.htm>

### **Coming Attractions in 2004 – CPO Core Courses**

★Financial Management

★Human Resources

★County Government Structure - Roles and Responsibilities.

## Calendar of Events

<i>Meeting</i>	<i>Location</i>	<i>Date</i>	<i>Information</i>
<b>2004</b>			
NACo Legislative Conference	Hilton Washington & Towers, Washington, DC	February 27 - March 2	www.naco.org
WA State Association of County Auditors Recording Conference	Sun Mountain	March 16 - 18	(360) 753-7319
Association of County Human Services Meetings	Pierce County	March 17 - 19	(360) 753-1886
WA Counties Insurance Pool Board Meeting	Red Lion Yakima Gateway, Yakima	March 18	(360) 586-0466
WA Counties Insurance Fund Board Meeting	Red Lion Yakima Gateway, Yakima	March 18	(360) 586-0466
Insurance Advisory Committee Full Membership Meeting	Red Lion Yakima Gateway, Yakima	March 18	(360) 586-0466
WA State Property Records Education Partners (PREP) Meeting	Sun Mountain Lodge, Winthrop	March 19	(360) 753-7319
WA County Administrative Association Annual Conference	Leavenworth	March 24 - 26	(360) 397-2232
WA State Association of Counties - Eastern District Meeting	Campbell's Resort, Chelan	April 8 - 9	(360) 753-1886
ACE Committee (Payroll & HR)	Yakima Convention Center	April 14	(360) 586-0466
WA Counties Risk Pool Risk Managers Roundtable	Icicle Inn, Leavenworth	April 14	(360) 586-7447
WA Counties Risk Pool Spring Board Meeting	Icicle Inn, Leavenworth	April 15	(360) 586-7447
WA Association of Prosecuting Attorneys Spring Training Program	WestCoast Ridpath Hotel, Spokane	April 21-23	(360) 753-2175
WA State Association of Counties Western District Meeting	Heathman Lodge, Vancouver	April 22 - 23	(360) 753-1886
Association of County Human Services Meetings	Chelan County	May 19 - 21	(360) 753-1886
WA Association of Prosecuting Attorneys/ Support Enforcement Project Annual Training Symposium	Best Western Lakeway Inn, Bellingham	May 3 - 7	(360) 753-3953
WA State Association of Police Chiefs Spring Conference	Yakima Convention Center, Yakima	May 24 - 27	(360) 486-2380
WA Association of Prosecuting Attorneys District Court Training Program	Icicle Inn, Leavenworth	June 3-4	(360) 753-2175
WA State Association of County Assessors Annual Conference	Hallmark Inn, Moses Lake	June 14-16	(360) 753-7319
WA State Association of County Auditors' Annual Conference	Lakeway Inn, Bellingham	June 16 - 18	(360) 753-7319
WA Association of Prosecuting Attorneys Summer Training Program	Campbell's Lodge, Lake Chelan	June 23-25	(360) 753-2175
National Sheriffs' Association	Seattle	June 26 - 30	www.sheriffs.org
County Clerk's Association 2004 Summer Conference	North Bonneville Hot Springs Resort, Skamania	June 22 - 25	(360) 753-7319

## **Calendar of Events (continued)**

County Treasurer's Association 2004 Summer Conference	Heathman Lodge, Vancouver	June 22 - 25	(360) 753-7319
WA State Association of Counties 98 <sup>th</sup> Annual Summer Convention	Pierce County, Sheraton, Tacoma	June 22 - 25	(360) 753-1886
IACREOT 33 <sup>rd</sup> Annual Conference	San Antonio, TX	July 15-24	
NACo Annual Conference	Maricopa County, Phoenix, AZ	July 16 - 20	www.naco.org
Association of County Human Services Meetings	Kittitas County	July 21 - 23	(360) 753-1886
WA Counties Risk Pool Annual Board Meeting	Shilo Inn, Ocean Shores	July 22	(360) 586-7447
WA Counties Risk Pool Summer Conference	Shilo Inn, Ocean Shores	July 20 - 22	(360) 586-7447
WA Counties Insurance Pool Rate Setting Meeting	Wyndham Gardens, SeaTac	August 19	(360) 586-0466
Association of County Human Services Meetings	Grays Harbor County	September 15 - 17	(360) 753-1886
WA Counties Insurance Pool Board Meeting	Radisson Hotel, SeaTac	September 16	(360) 586-0466
WA Counties Insurance Fund	Radisson Hotel, SeaTac	September 16	(360) 586-0466
Insurance Advisory Committee	Radisson Hotel, SeaTac	September 16	(360) 586-0466
County & Regional Planning Directors/City Planning Directors Joint Conference	Campbell's Resort, Chelan	September 14 - 17	www.geocities.com/wsacrpdc
WACO/WSAC Joint Fall Conference	Spokane	October 4 - 8	(360) 753-7319
ACE Committee (Payroll & HR)	Yakima Convention Center	October 13	(360) 586-0466
WA Association of Sheriffs and Police Chiefs Fall Conference	Shilo Inn, Ocean Shores	November 15 - 18	(360) 486-2380
Association of County Human Services Meetings	Spokane County	November 17 - 19	(360) 753-1886
WA Counties Insurance Fund 2005 Budget Meeting	Red Lion at Columbia Center, Kennewick	November 18	(360) 586-0466
WA Association of Prosecuting Attorneys Winter Meeting & Banquet	Crowne Plaza Hotel, Seattle	December 9-10	(360) 753-2175
<b>2005</b>			
NACo Legislative Conference	Marriot Wardman Park Hotel, Washington, DC	March 3 - 4	www.naco.org
WA Association of Prosecuting Attorneys Support Staff Training Program	WestCoast Ridpath Hotel, Spokane	May 11-13	(360) 753-2175
WA State Association of Police Chiefs Spring Conference	WestCoast Wenatchee Center Hotel, Wenatchee	May 23 - 26	(360) 486-2380
WSAC 99 <sup>th</sup> Annual Summer Convention	WestCoast Hotel at Columbia Center, Kennewick	June 13 - 16	(360) 753-1886
WA Association of Prosecuting Attorneys Summer Conference & Training Program	Campbell's Lodge, Lake Chelan	June 22 - 24	(360) 753-2175

## ***Calendar of Events (continued)***

IACREOT 34th Annual Conference	New York, NY	June 28 - July 8	
NACo Annual Conference (City & County of Hawaii)	Honolulu, HI	July 15 - 19	www.naco.org
County & Regional Planning Directors/City Planning Directors Joint Conference	Campbell's Resort, Chelan	September 13 - 16	www.geocities.com/ wsacrpdpd
WACO/WSAC Joint Fall Conference	Ocean Shores	October 3 - 7	(360) 753-7319
<b>2006</b>			
WA State Association of Counties 100 <sup>th</sup> Annual Summer Convention	Whatcom County, Bellingham	June / TBD	(360) 753-1886
IACREOT 35th Annual Conference	San Francisco, CA	July 2-7	
NACo Annual Conference	Denver, CO	July 21 - 26	www.naco.org
<b>2007</b>			
NACo Annual Conference (Sponsored by the counties in the Metropolitan Richmond Area)	Richmond, VA	TBD	www.naco.org
IACREOT 36th Annual Conference	Charlotte, NC	July 14-22	