

the Courthouse Journal

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*Washington Association of County Officials
Washington State Association of Counties*

**February 27, 2004
Issue No. 8**

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Primary Election Replacement

Reports are that the state and the Democratic and Republican Parties have reached an agreement to work on a "Modified Montana" system to replace this state's now defunct primary election. The parties have said that they will end their lawsuits against the state if the Legislature passes such a model.

County auditors and commissioners are looking very closely at this system – the costs could be significant compared to the modified Cajun system, which would advance the two top vote-getters for each office.

The modified Montana draft bill includes the following:

- Voluntary Registration - Voters would register by party and get only that party's primary ballot and a ballot for nonpartisan races
- Independent voters would be unaffiliated

and receive Republican, Democratic and Libertarian ballots, but would vote only one ballot, with the choice confidential.

- Beginning next year, partisan candidates must be registered with their party of choice. They could only file for office if endorsed by party conventions or by gathering signatures of five percent or more of registered party members.
- Minor party candidates would go to the general election ballot, by convention nomination and petitions.
- The parties would agree to drop further litigation.

Despite the work on this particular model, there is still much support among legislators, the Secretary of State and the Grange, for the Top Two system.

Pierce County Awarded 2005 Western Interstate Region Conference

Pierce County Councilmember Harold Moss and his legislative assistant Victoria Woodards made an excellent presentation to the Western Interstate Region (WIR) Board at the NACo Legislative Conference in Washington, D.C. this morning. Pierce County was then awarded the bid for the May 2005 WIR Conference. The two other cities bidding for this conference were Billings,

Montana and Sacramento, California. Congratulations and a big thank you to Councilmember Moss and Ms. Woodards for a job well done. What a wonderful opportunity to show off their beautiful county and surrounding areas.

Budget, Finance and Taxes

Assessor Priority Bill in House Rules

SSB 6216, defining timber land to include certain incidental uses, was passed to the House Rules Committee on February 23 from House Agriculture & Natural Resources. The bill passed the Senate Floor with a vote of 49, 0 on February 11.

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.

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Please contact your members on the House Rules Committee and urge them to pull the bill for a House Floor vote.

Fire Patrol Bill Has Hearing

SSB 6581, forest fire protection, had a hearing in House Agriculture & Natural Resources today, (Friday) at 8:00 a.m. Diane Dorey, Lewis County Assessor and Jack Westerman, Jefferson County Assessor, both gave excellent testimony on behalf of WSACA. The Committee gave the bill a do pass recommendation and passed it to House Rules.

The legislation would still allow property owners with six or more parcels to apply to the Department of Natural Resources for the multi-parcel exemption in 2004. In 2005 and there after owners of fewer than six parcels would not be eligible as a single assessment.

Timber Excise Tax Proposal Gains Momentum

ESHB 2693, after moving through the House with a 93-0 vote in favor, was heard in the Senate Ways and Means Committee this week. Supporters now include representatives from the timber industry and environmental groups. Over a 10-year period, **ESHB 2693** is anticipated to increase revenue to counties (and junior taxing districts) from timber harvest on public lands by at least \$4.5 million annually. The bill eliminates the property tax on timber and gradually increases the county share of excise tax to four percent.

Tax Increment Finance Improvements on Hold

House Finance Committee Chair Jim McIntire (D- King County) has held up House and Senate versions of tax increment finance (TIF) legislation to await possible consideration in the waning days of the legislative session. A McIntire version of TIF improvements strongly supported by WSAC is in House Rules and the Senate passed version, passed in the Senate, **E3SSB 5364**, languishes in McIntire's Finance Committee. The measures are referenced in the Budget and, therefore, are exempt from the traditional cut-off rules.

County Treasurers

SHB 2878, the county treasurers' management bill, is currently in the Senate Rules Committee. It needs to be "pulled" one more time to take its place on the Senate calendar. Treasurers who have Senators on Rules: please call and ask for the bill to be added to the calendar.

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

Courts, Public Safety, Law & Justice

Law Enforcement

Levies Move Forward

HB 2519, law enforcement property tax levies, was amended in the Senate Ways and Means Committee on Thursday and passed out to Senate Rules. The striking amendment allows only counties with populations of less than 90,000 to exercise this option. That amendment eliminates the twelve largest counties but still provides one more way for counties to recognize its own needs and ask for approval of funding locally. Combined with the passage of **SB 5689** from last session, counties have three more options than a year ago. All county officials are strongly urged to contact their members on Senate Rules and ask that **SHB 2519** be “pulled” and be sure to contact all their senators and urge their yes vote for **SHB 2519**!

Of Interest to Sheriffs

E2SHB 1151, the keeping of exotic animals, took a twist before leaving the Senate Health and Long Term Care Committee on Thursday. Chief Bruce Bjork, Assistant Director of Fish and Wildlife, pledged assistance in the form of manpower and equipment to assist local animal control authorities and law enforcement in the enforcement of the bill. Fish and Wildlife had been written out of the version of **HB 1151** being heard Thursday. Lewis County Sheriff John McCroskey, who has some of the exotic animals with a “past” residing in his jurisdiction, testified and thanked the sponsor of **HB 1151**, Representative John Lovick, for his hard work in making the proposal workable for locals. It is the intention of all the stakeholders to work with Fish and Wildlife over the interim to perfect the bill. **E2SHB 1151** is now in the Senate Rules Committee.

E2SHB 2322, pre-hire screening of law enforcement applicants, was the subject of concern for Pacific County Sheriff John Didion, who testified regarding his concerns for the requirement in the bill that the screening applies to reserve officers. He expressed strong support

for the concept but said the reality is that it could destroy reserve programs in small jurisdictions where reserves volunteer their time and often financial support. To mandate they pay \$400 for the screening could deter valuable reserves from serving in jurisdictions where the entity cannot pay for the testing. **E2SHB 2322** was heard in the Senate Judiciary Committee on Thursday.

Domestic Violence News

HB 1949, providing financial assistance for petitioners for protection orders, was taken off the Senate Judiciary hearing schedule this week and observers are guessing the fiscal note on the bill played a part in this. The fiscal analysis prepared by the Administrator for the Courts estimated a \$3 million dollar impact to judicial time. The bill appears dead for this session since all bills must be voted out of committee by later today.

ESSB 6136, search warrants for electronic tracking devices, was heard Thursday night in the House Judiciary Committee. **ESSB 6136** is a WACO priority bill brought forward by the prosecuting attorneys. The committee has one session left today in which to pass the **ESSB 6136** out to the House Rules Committee.

New Statewide Internet Sex Offender Database Now Available

A press conference led by King County Sheriff Dave Reichert, Thursday in Olympia, announced the availability of a new statewide sex offender Internet database intended to help the public better identify the location of the state’s most serious sex offenders. Offered by the Washington Association of Sheriffs and Police Chiefs (WASPC), the website, at <http://ml.waspc.org>, is a way for concerned citizens to determine if a sex offender is living in their neighborhood. While the database does not provide the exact address of a sex offender, it does alert residents to the

number of sex offenders in a particular area and the seriousness of their past offenses.

“Led by Senator (Pam) Roach’s effort to secure funding, the legislature worked in conjunction with Megan’s Law Group to help us deliver a first-class sex offender Internet database to protect citizens from potential sex predators,” said Dave Reichert, King County Sheriff, WASPC Executive Board Member and President of the Washington State Sheriffs’ Association. “We anticipate the website will be used by tens of thousands of concerned Washingtonians on a daily basis.”

In 2002, the Washington State Legislature passed a law authorizing the development of a statewide Internet database to be built by WASPC. The database is designed to list all level II and level III offenders considered the most dangerous and likely to commit repeat offenses. Users of the database can search the site by address or by name. By entering an address, all level II and III sex offenders living in the area will appear on the computer screen. Users will see the offender’s photograph, address by 100 block and other relevant information about the offender.

WASPC relied on a combination of private donations for the Megan’s Law Group and public donations from the Legislature to build the Internet database. A group of high-tech professionals heard of the legislation to create the Internet database and called WASPC to offer assistance. Calling themselves the “Megan’s Law Group”, these professionals donated \$650,000 of high-tech equipment and services to design and build the Internet database.

Elections, Licensing and Recording

WACO Priority Bill Passes Out of Committee

SHB 1594, the chief financial officer in a charter county was heard in the Senate Government Operations & Elections Committee Wednesday. Testifying in favor were Mason County Auditor Al Brotche and Klickitat County Auditor Diana Housden. Also testifying in support of the bill was WSAC Deputy Director Paul Parker. After listening to public testimony the committee went into executive session and passed **SHB 1594** out of committee. The bill was referred to the Senate Rules Committee. If you have members on this committee please contact them and ask them to “pull” **SHB 1594**.

Increasing Marriage Licenses for Domestic Violence Funding

HB 2481, increasing marriage license fees by \$10 to fund community-based domestic violence programs was amended to allow county auditors to collect an additional \$3.00 for marriage licenses to fund domestic violence prevention services within the county. The bill was heard in the Senate Judiciary Committee on Thursday.

Other Bills of Interest to County Auditors

HB 2694, revising distribution of funds for operating and maintenance of very low-income housing projects was heard in the Senate Ways & Means Committee on Thursday. The bill may have two additional amendments before it reaches the Senate Rules Committee, but those amendments do not affect the 5% of funds to be retained by the county auditor.

Veterans’ Relief

SHB 2670, expands the counties' role in services for indigent veterans. The bill was scheduled for a hearing in the Senate Government Operations & Elections Committee this week, but was removed from the schedule that morning.

Election Bills Moving Over the Last Week

HB 1670, adjusting the definition of “election cycle” – Senate Rules

HB 2420, revising provisions for counting votes on ballots for write-in candidates – Senate Rules

SHB 2433, changing provisions relating to a candidate appearing on a ballot for two offices – Senate Rules

HB 2743, consolidating and clarifying election-related crimes – Senate Rules

SHB 2875, creating a task force to enhance youth voter education programs – Senate Rules

SB 5373, ballot measure validity – House Rules

SB 6417, Title 29A RCW – House Rules

SSB 6419, implementing the Help America Vote Act – House Rules

ESSB 6420, enhancing the integrity of voting systems – House Rules

SB 6493, changing provisions relating to the responsibility for costs of elections – House Rules

SB 6518, changing the general election ballot for the office of judge of the district court – House Rules

State Land Acquisition Bills Move Forward

Several bills that embrace WSAC goals on state land acquisition policy continue to move ahead. 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), 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.

The language from **HB 2275**, as it passed the House, will likely be amended onto **SB 6082** on Monday. **HB 2275** is in Senate Ways and Means. PILT payments are expected to be included in the final version, whichever bill that may be, and farmland acquisition is expected to be excluded.

SB 6242 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. It is also scheduled for action on Monday in the House Capital Budget Committee.

Cougar Management Legislation Now in the House

Okanogan County Commissioner Mary Lou Peterson and Ferry County Commissioner Mike Blankenship testified before the House Fisheries, Ecology and Parks Committee, on Thursday, explaining the need for new approaches to managing the cougar population in Northeast Washington. **SSB 6118** is intended to encourage more residents to report cougar sightings, improve cooperation between state and local law enforcement and the Department of Fish and Wildlife, collect more information about cougars and eliminate more hazardous animals.

SSB 6118 was expanded in the Senate to include Chelan and Pend Oreille counties in addition to Ferry, Okanogan and Stevens. House legislators are expected to add additional areas of the state when the bill is brought forward for a vote in Committee today. The Humane Society of Washington opposes the legislation.

Ecology Opens Applications for Coastal Zone Management Grants

The Department of Ecology is accepting applications for Coastal Zone Management grants. Projects for comprehensive local shoreline master programs within the 15 coastal counties will receive first consideration.

To be considered, applications must be postmarked or hand delivered by 4:30 p.m. Tuesday, March 16, 2004. For more information, click on www.ecy.wa.gov/programs/sea/grant/s/czm.

Cutoff Forces Tough Choices on Land Use Bills

Negotiations continued on **SSB 6592** (GMA timelines), until the House Local Government committee's executive session was almost over. Cities and counties were very close to reaching an agreement with the environmental community. The goal is not to confuse GMA even more and to avoid exposing

counties and cities eligible for a basic update to litigation.

The bill would have allowed counties with a population of less than 60,000 and a growth rate less than 17% less to qualify for a basic update. A basic update would have consisted of: updating critical areas; updating natural resource land designations; allocating population allocations; and any changes in law. In order to take advantage of a basic update, a county would have to come into compliance with any outstanding board and court orders.

The pressure for the Legislature to provide meaningful relief for cities and counties will be greater next session. All the central Puget Sound counties and cities due date is this December. The 60-day window to file an appeal will occur while the next Legislature is in session.

The House Local Government Committee holds the two impact fee bills in committee. **SSB 6413** would require cities and counties that impose fees to collect the fee at closing or final inspection. **SB 6587** would require cities and counties to develop and publish an ordinance of uniform SEPA mitigation fees.

The following land use bills survived the cutoff and now head to the floor for a final vote

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.

ESHB 2905 provides for additional development and redevelopment flexibility of for the type 1 LAMIRDs. The bill is now finally agreed to by all parties in the GMA working group.

HB 1667 clarifies that cities and counties can regulate the location of gambling facilities through the land use laws.

Environment, Land Use and Resources (continued)

SHB 2781 allows CTED, through rulemaking, to develop a list of development regulations that must be submitted to the state for 60 day review. The bill was brought forward by the city of Kent because they were appealed because they failed to submit a development regulation to the state.

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. The bill was amended in the House Local Government Committee to include Lewis County.

SSB 6534 changes the siting and development process for industrial land banks.

Appeals Court Reinstates Pierce County Smoking Ban

On Wednesday of this week, a state Court of Appeals commissioner reinstated Pierce County's indoor smoking ban. The Tacoma-Pierce County Board of Health imposed the ban on January 2, 2004, but it was later overturned by the Pierce County Superior Court. On Wednesday, Court of Appeals Commissioner Ernetta Skerlec ruled that the potential health risks of smoking in bars, restaurants and other businesses outweighs the potential financial losses those businesses might suffer. Skerlec indicated the argument that the ban violated a 1985 state law that allows certain businesses to establish smoking sections is debatable. Skerlec further indicated that the Superior Court ruling focused too much on the effects on businesses and "did not balance the harm" to workers and others forced to breathe secondhand smoke. Skerlec's ruling doesn't overturn the Superior Court's ruling, but it allows the health department to reinstate the ban until the issue is decided on its merits. The health department will ask either the Court of Appeals or the state Supreme Court to reject the Superior Court decision altogether. No court date has yet been set. The Entertainment Industry Coalition which sued the department to overturn the ban has indicated they will continue the fight.

Pierce County Lawsuit claims State Failing to Provide for Mentally Ill

(Taken from a February 25 news release by Pierce County)

On February 20, Thurston County Superior Court Judge Paula Casey approved a motion allowing the Washington Protection and Advocacy Service (WPAS) and MultiCare Health Systems to join as plaintiffs with Pierce County in a lawsuit that alleges that the State of Washington has failed to meet its constitutional and other legal obligations to assure access and adequate treatment to individuals with mental illness and/or developmental disabilities. The lawsuit focuses on the unavailability

of appropriate treatment for individuals involuntarily detained or committed under Washington's Involuntary Treatment Act (ITA) and the serious problems occurring for those discharged inappropriately by Western State Hospital.

WPAS is a federally funded organization charged with protecting the rights of persons with mental illness and/or developmental disabilities. MultiCare Health System is the parent company of Tacoma General-Allenmore Hospital. The lawsuit, originally filed by Pierce County in November 2002, is now scheduled to be heard in January 2005.

Fran Lewis, director of Pierce County Human Services, said, "We believe that the issues originally raised by Pierce County affect its citizens, as well as citizens throughout the state, and have a serious impact on other health care providers." She said WPAS and MultiCare's decision to join us in this action affirms that this lawsuit involves a much broader issue than a mere dispute between one Regional Support Network (RSN) and the State.

"Although the lawsuit focus is on those involuntarily detained or committed, we are concerned about the quality of life for all individuals with mental illness, and the impact our entire community experiences when appropriate treatment is not available," she said.

Pierce County's Dave Stewart, Adult Services Coordinator, observed that between 1997 and 2001 the Legislature amended the ITA four times, and the number of long term individuals committed to WSH increased by almost 90 percent. At the same time, the Legislature and DSHS reduced the number of beds available at WSH and reduced the number available to Pierce County, without funding sufficient appropriate alternative placements for those being committed by the courts. "The result today is that the system is dysfunctional, not just for Pierce County residents, but for those in greatest need around the state," he said.

The lawsuit claims, but is not limited to, that the State failed to meet its constitutional obligation to "support and foster" institutions for individuals with mental illness and developmental disabilities:

- By reducing funding to and the beds at WSH by doing so without providing sufficient substitute residential and community services in the community;
- By increasing the likelihood of involuntary commitments through various amendments to the ITA without providing the additional funding necessary to meet the increased commitment load;
- By failing to foster and support community institutions and residential placements for persons with mental illness and/or developmental disabilities.

It also claims that the State:

- Violated the substantive due process rights under the Washington Constitution of those Pierce County residents and WPAS constituents that have mental illnesses and/or developmental disabilities, in part by failing to provide adequate and individualized care;
- Violated the state Involuntary Treatment Act and other state laws and regulations;
- Breached the contract with the Pierce County RSN by denying it access to beds at Western State Hospital;
- Breached its contract with MultiCare by transferring WSH patients to Tacoma General-Allenmore Hospital for medical care and then not immediately accepting those patients back into WSH when medical care is no longer needed;
- Failed to assure that persons leaving WSH were ready for discharge, as well as by discharging individuals without appropriate discharge planning.

The lawsuit seeks, among other relief, full access to WSH beds or appropriate less restrictive alternative placements for patients detained or committed under the Involuntary Treatment Act, appropriate discharge planning at WSH, and for

compensation for costs incurred by Pierce County and MultiCare arising out of the State's actions.

CONTACT: Dave Stewart, Adult Services Coordinator, at 253-798-6119 or pager 253-591-2129

House and Senate Supplemental Budgets Pass to Opposite Chamber

The two houses have now passed their respective versions of the Supplemental. In county human services areas, key concerns have been addressed. These included restoring the ratable reduction in mental health, partially funding high school transition to employment services for persons with developmental disabilities, restoring the \$1 m to the TASC program, Involuntary Treatment Act ancillary costs, stopping downsizing at the state hospitals, authorizing a joint legislative and executive branch study of the mental health system, funds for expanding community services for persons with developmental disabilities and the community protection program, funding for the comprehensive assessment tool, reducing the caseload for case managers at the Area Agencies on Aging, funding the home care worker contract, and delaying the Washington Medicaid Integration Project and requiring consultation and coordination with local elected officials and community groups. Children's health premiums were also reduced in both budgets which positively impacts mental health caseloads since more children will remain on medicaid.

There are some differences between the budgets in some of our areas. These are primarily in the proviso regarding stopping the downsizing at the state hospitals and the variety of studies of the mental health system. We'll see what sort of compromise language is agreed upon over the next week as negotiations go into full swing.

Few hearings will be held next week. Among those scheduled are a work session in House Children and Family Services on the federal Child and Family Services Review which DSHS just failed. While that sounds bad, no states

have successfully passed the review. However, there were a few areas that DSHS had particular problems in such as providing mental health services for children in out-of-home placement.

The two fiscal committees are also scheduled for hearings. They are both scheduled for Monday, March 1 at 1:30. The remainder of the time will be spent on the floor as they deal with bills from the opposite house. The deadline for those bills is Friday, March 5.

Spokane County Regional Support Network to Lose its Administrator

Rafaela Ortiz, the long-time Spokane County Regional Support Network Administrator, is handing in her resignation, effective March 31. Rafaela intends to follow her lifelong dream of becoming a teacher at the college level and will be entering the PhD program in leadership studies at Gonzaga University. She also will enjoy the pleasure of additional family time as she steps down from the pressure of serving as a human services administrator in these trying times. We wish her the very best in her new career and there are probably quite a few among us who would like to join her. She leaves some very large shoes to fill.

Developmental Disabilities Council Issues Request for Proposal

The Developmental Disabilities Council has issued a Request for Proposal (RFP) for its local developmental disabilities leadership training project. The RFP can be responded to by local organizations, non-profits and government agencies that are interested in applying for funding to conduct a local developmental disabilities leadership training project in their community to increase the number of self-advocates, family and community members who are trained in systems advocacy and leadership skills.

The deadline is no later than 4:00 PM on April 30. A written proposal must be submitted to the Washington State Developmental Disabilities Council at

2600 Martin Way E., Suite F, Post Office Box 48314, Olympia, Washington 98504-8314, attn. Stephanie Benfield. Questions can be referred to Clare Billings at 360-586-3565 or Donna Patrick at 360-586-3566 or 1-800-634-4473.

General Assistance – Unemployable Threatened By Senate Budget

The Senate Supplemental Operating Budget proposes to dramatically reduce the rolls of those persons on General Assistance – Unemployable (GA-U). They anticipate saving nearly \$15 million split between cash assistance and medical benefits for this population. They would accomplish the savings by limiting assistance to no more than 6 months of aid in any two year period and for non-citizens, a lifetime limit of 12 months. These changes are in **SB 6017**.

Recipients of GA-U are mentally and/or physically disabled and unable to qualify for any other source of income or medical benefits. When possible, the state attempts to get them qualified for SSI but the group that would be removed from the rolls rarely qualifies for the federal program. Many of these folks are currently receiving mental health treatment through your local regional support network and in many cases, substance abuse treatment as well. Many of the non-citizen population are elderly relatives of US citizens brought over by their families during their last years. Many are non-English speaking and combined with their disabilities, unable to complete the requirements for citizenship. Their families are unable to provide this necessary support and GA-U is the only safety net. Without GA-U, this population will have to rely on already stressed emergency room care, food banks, and homeless shelters.

At the end of the *Courthouse Journal* is a list of the GA-U population by county and the impact the passage of **SB 6017** and the Senate budget as currently written would have on those numbers. Please contact your senators and house members asking them not to support these provisions.

Transportation and Public Works

2004 Supplemental Transportation Budget SSB 6215

OVERVIEW

Following the passage of the Nickel Transportation Package in 2003, the Legislature anticipated a 2004 supplemental session focused on the refinement of the new funding package and adjustments that would be necessary with continual legislative oversight of the program. Funding for freight related projects was left unresolved in the 2003 package. Members were seeking new sources for freight projects and looking forward to a new initiative to deal with the issue. Additionally, the legislature anticipated the development of new Transportation Benefit District (TBD) legislation for regions that were not included in the Regional Transportation Investment District (RTID) legislation.

This 2004 supplemental session arrived with those issues, as well as some unexpected challenges. The Supreme Court ruling on the validity of I-776 presented a revenue reduction to pre-existing revenues. New Coast Guard requirements associated with Home Land security for ferries placed additional burdens on both the ferry system and State Patrol. Additionally, a number of minor emerging issues require supplemental expenditures.

PROJECT MANAGEMENT

Following legislative direction, the Transportation Commission has improved project tracking and management. As to be expected with a major new construction program, a number of adjustments to project scheduling are recommended. Minor adjustments to project cost and scope have also been identified. No projects have been added or subtracted from the 2003 Transportation (Nickel) Program. The Senate has reviewed and adopted a majority of the department's recommended schedule changes to the Nickel and Current Law projects list. Changes in amounts and schedules are based on new and emerging project

management information. All projects originally listed are slated for completion within the financial package adopted in 2003. The Senate also proposes an accelerated schedule for design of Alaska Way Viaduct. The Senate provides accelerated construction of I-405 and projects associated with the 2010 Olympics, including I-5 HOV at Everett and SR 539 (10 Mile to the Border) in Whatcom County. Accelerations are made possible through aggressive management of the Nickel program financial plan and an increased forecast of Nickel revenues.

FREIGHT PROGRAM: \$16.6 MILLION STATE FUNDING, \$23 MILLION NEW FEDERAL FUNDING

SSB 6680 creates the Freight Investment Program under the direction of the Transportation Improvement Board (TIB). When selecting a project that benefits freight movement, the TIB must give first and greatest consideration to Freight Mobility Strategic Investment Board (FMSIB) - identified projects. The TIB provides \$16.6 million of current law Transportation Improvement Account funding to fully fund six FMSIB-identified projects. **SSB6701** directs an expected \$69 million in reauthorized TEA-21 federal funding into the new freight program. Twenty three million of the federal funding is appropriated to TIB from a newly created Freight Mobility Account.

FERRY SECURITY: \$3.3 MILLION

Recently adopted federal regulations and international standards require the Department of Transportation to develop and implement a security plan for the ferry system. In support of the plan, Washington State Ferries will add five information technology positions, new security personnel and surveillance security equipment. The Washington State Patrol will add K9 teams and cadet surveillance teams to monitor vessel and terminal public areas, including vehicle waiting areas.

REGIONAL TRANSPORTATION INVESTMENT DISTRICT (RTID) AND TRANSPORTATION BENEFIT DISTRICTS (TBD)

The Legislature has been carefully monitoring the RTID, created to provide a regional complement to state funding in King, Pierce and Snohomish Counties. As the RTID has been developing their plan for the ballot, they have identified several necessary technical adjustments to their enabling legislation. The RTID requested **SB 6700**, clarifying the RTID election process. The bill allows participating counties to submit a single ballot measure to the voters that approves formation of the RTID district, approves the investment plan, and approves the revenue sources to finance the plan. Additionally, the RTID requested **SB 5874**, which clarifies the roles of the RTID, WSDOT, and the Transportation Commission on RTID toll projects. For other regions of the state outside of the central Puget Sound area, **E2SSB 5585** provides a regional transportation funding mechanism similar to the RTID. The bill expands current law authority for Transportation Benefit Districts (TBDs) by providing that a TBD may be established at the county or city level, and may include partnerships between jurisdictions, including port and transit districts.

HIGHWAY AND FREIGHT EXPENDITURES CURRENT LAW PROJECTS

- \$600 thousand is provided for additional noise walls on I-5 by Salmon Creek.
- \$6.1 million (\$1 million in 03/05) is provided for the Purdy Creek Bridge.
- \$1.3 million in new WSDOT highway and ferry expenditures, including the Skagit River Flood Mitigation, Mt. St. Helens studies and Keystone Terminal study.

NEW LAW PROJECTS

All WSDOT recommended adjustments to the 'Nickel' projects are adopted. Additionally, the following opportunities presented by the WSDOT are adopted:

- Preliminary engineering on the Alaskan Way Viaduct is accelerated to

Transportation and Public Works (continued)

correspond with the selection of a preferred alternative and the planned 2008 construction start date.

- The SR405/SE 8th to I-90 (South Bellevue) and the SR 520 to 522 (Kirkland) are accelerated in order to complete work two years ahead of schedule.
- The Senate provides accelerated construction of projects associated with the 2010 Olympics, including I-5 HOV at Everett and SR 539 (10 Mile Road to the Border) in Whatcom County.
- **SB 6679** provides for acceleration of SR 16 – Burley Olalla safety project by utilizing Tacoma Narrows Bridge bond proceeds. Those funds will be reimbursed with funds programmed for the project through the Nickel Program.

FREIGHT PROJECTS

\$39.5 million is dedicated to the newly created Freight Investment Program at the Transportation Improvement Board. This funding includes \$23 million in new federal monies and a dedication of \$16.5 million in Transportation Improvement Account funding.

PUBLIC TRANSPORTATION

- Greater flexibility is provided for special needs transportation providers. Sixty percent of funds are provided for additional service, and forty percent of the funds are for capital and operating expenses associated with existing service.
- The use of vanpool funds provided in 2003 is expanded to include incentives to employers to increase employee vanpool use.

2004 House Transportation Supplemental Budget SHB 2474 Background

The 2003 Legislative session implemented a number of changes to improve the accountability, efficiency, and oversight of our state's transportation system and the associated agencies. The enacted 03-05 biennium Transportation Budget built upon that foundation with targeted funding of specific activities and through linking new revenue with specific projects to be

delivered.

RECENT DEVELOPMENTS

Since the completion of the 2003 Legislative session, the courts rendered a decision on Initiative 776 that eliminated some local transportation option taxes and reduced the gross weight fees on light trucks under 10,000 pounds to \$30. The reduction of the gross weight fees affected the Motor Vehicle Account, the Washington State Patrol Highway Account, the Puget Sound Ferries Operation Account, and the Transportation 2003 Account. Combined, these accounts were reduced by \$42.8 million in the current biennium and approximately \$200 million over 10 years.

ADDRESSING THE SHORTFALL

Three strategies -- federal funds swap, fund transfers, and program reductions -- are used to eliminate the deficit in the Motor Vehicle Account and to provide additional funds for mandated or high priority activities.

FEDERAL FUNDS SWAP

- **\$18.6 million** – The Washington State Ferries received an additional \$18.6 million in federal funds. Using these additional funds in lieu of the originally budgeted state and bond appropriation allows for an equivalent amount of state funds to be freed up; covering a portion of the deficit in the Motor Vehicle Account. These funds are a loan, with 5% annual interest, and will be paid back to the ferry system in the 2005-07 biennium.

FUND TRANSFERS

Transportation account balances were reviewed for any funds that could be transferred to the Motor Vehicle Account. The following balances are transferred to the Motor Vehicle Account:

- **\$5.0 million** – from the Transportation Equipment Fund;
- **\$3.0 million** – from the Advance Right of Way Account; and
- **\$5.0 million** – from the Highway Safety Account.

PROGRAM REDUCTIONS

The following are examples of program reductions included in the supplemental budget:

- **\$7.6 million** – Self-insurance premiums;
- **\$4.9 million** – RTID project estimate review;
- **\$1.9 million** – Unfilled positions;
- **\$1.4 million** – Congestion relief modeling;
- **\$1.2 million** – Pomeroy Maintenance facility;
- **\$900 thousand** – RTID support;
- **\$450 thousand** – Second year funding for the Legislative Transportation Committee;
- **\$330 thousand** – Commerce corridor study; and
- **\$320 thousand** – Second year funding for the DOT freight office.

BUDGET ADDITIONS

HIGH PRIORITY PROJECTS/ACTIVITIES

The following are examples of high priority additions included in the supplemental budget:

- \$11.4 million for local freight mobility projects which includes projects at the Port of Pasco, Colville, Kent, Seattle, Spokane County and Granite Falls;
- \$3.0 million for capital improvements associated with Washington State Ferry passenger only service. Following completion of these improvements, Southworth-Seattle passenger-only ferry service is intended to begin in the 2005-07 biennium;
- \$1.0 million for the Safe Routes for Schools Program;
- \$500 thousand as a state match to federal funds for the flex car program;
- \$11.0 million from the Puyallup Tribal Settlement Account to mitigate effects on traffic currently being served by the Murray Morgan Bridge in Tacoma;
- \$1.2 million for the design of a SR 507 to SR 510 bypass in Yelm;
- \$1.0 million to DOT for a drive better campaign;
- \$1.0 million for a SR 169 Corridor Study;
- \$948 thousand in federal and state DUI cost reimbursements for 65 in car video cameras and 60 replacement DataMaster

Transportation and Public Works (continued)

breath test instruments;

- \$800 thousand for a new freight rail spur in Lewis County;
- \$650 thousand for phase two of the SR 164 Corridor Study;
- \$500 thousand for a sensitive lands database for use in GIS systems;
- \$400 thousand for a traffic and economic study of the Mt. St. Helen's tourist and recreation area; and
- \$157 thousand for Department of Licensing employee safety.

MANDATORY INCREASES

The following are examples of mandatory increases included in the supplemental budget:

- \$3.3 million to pay for the refund checks to truck owners affected by I-776;
- \$906 thousand for increase ferry insurance premiums;
- \$647 thousand for increased fuel costs for the Washington State Ferries;
- \$319 thousand for increased stormwater assessment fees;
- \$592 thousand in federal funding for the New Entrants and Northern Border High Priority Programs administered by the Washington State Patrol;
- \$172 thousand for fuel cost increases for Washington State Patrol vehicles; and
- \$470 thousand for ignition interlock requirements and commercial license compliance with new federal regulations.

PROPOSED CHANGES TO THE NEW REVENUE PROJECT LIST

Included in the supplemental budget are a few project adjustments to reflect updated priorities based on new information. Changes include:

- Accelerating two projects that will help mitigate traffic impacts during the 2010 Olympics; the Everett/I-5 HOV lane and the SR 539/Ten Mile Road to SR 546 projects;
- Modifying the Wenatchee Area projects by reducing the scope of the US 2 Peshastin East safety project and funding two higher priority projects in the region; phase one of the SR 28/East end of the George Sellar Bridge and constructing a half diamond interchange at US 2/East Wenatchee Cascade

Avenue;

- Removing funding for the downtown Seattle I-5 EIS;
- Allowing \$3.5 million for design and land acquisition for the SR 522 UW/Bothell CC campus access project; and
- Accelerating preliminary engineering work on the Alaskan Way Viaduct, including the acceleration of \$28 million from the 2011-13 biennium to the 2005-07 biennium.

Training and Upcoming Events

**“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

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The **2004 National Rural Development Conference** takes place in Portland March 22-25. Sponsored in part by USDA-Rural Development and the Rural Community Assistance Corporation, the conference is intended to provide new tools and ideas to take back to rural communities.

For more information and registration forms, click <http://www.rcac.org>.

Training and Upcoming Events (continued)

<i>Training or Workshop</i>	<i>Location</i>	<i>Date</i>	<i>Information</i>
<i>MARCH 2004</i>			
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
<i>APRIL 2004</i>			
WA Association of Prosecuting Attorneys Spring Training Program	Spokane	April 21-23	(360) 753-2175
<i>MAY 2004</i>			
WA Association of Prosecuting Attorneys Support Staff Training Program	Campbell's Lodge, Lake Chelan	May 12-14	(360) 753-2175
<i>JUNE 2004</i>			
WA Association of Coroners and Medical Examiners' Training	Campbell's Lodge, Lake Chelan	June 22	(360) 427-9670 x 752
<i>JULY 2004</i>			
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
<i>SEPTEMBER 2004</i>			
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

Courthouse Ramblings

Bradley Muri, son of Pierce County Councilmember **Dick Muri**, became a two-time state 2-A wrestling champion Saturday in the Mat Classic at the Tacoma Dome. The Steilacoom High School junior won the 125-pound title

match, adding to the 112-pound gold medal won last year.

* * * * *

Congratulations to **Gordon Heimbigner** who has been appointed as the Walla Walla County Treasurer to fill the

unexpired term of Kent Osborne. Heimbigner was formerly the Commissioners' Financial Analyst and prior to that worked for the State Auditor's office.

2004 Directory of County Officials - Changes/Corrections

Updated 2/24/04

Pg iv/WACO:

Pg 10/Douglas Co:

Pg 28/Mason Co:

Pg 30/Pacific Co:

Pg 36/Skamania Co:

Pg 44/Walla Walla Co:

Pg 48/Yakima Co:

Sheriff Trustee is now Mike Harum, Chelan County Sheriff.

Fax number for Assessor should read: (509) 745-8956.

Coroner's e-mail address: marthar@co.mason.wa.us

Assessor's e-mail address: brucew@co.pacific.wa.us

Auditor's name should read Pat M. Gardner.

New Treasurer is Cherie Flood, e-mail address: flood@co.skamania.wa.us

New Treasurer is Gordon Heimbigner: gheimbigner@co.walla-walla.wa.us

Sheriff's phone number should read: (509) 574-2500.

Calendar of Events

<i>Meeting</i>	<i>Location</i>	<i>Date</i>	<i>Information</i>
2004			
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	CANCELLED	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
County Treasurer's Association 2004 Summer Conference	Heathman Lodge, Vancouver	June 22 - 25	(360) 753-7319

Calendar of Events (continued)

WA State Association of Counties 98 th Annual Summer Convention	Pierce County, Sheraton, Tacoma	June 22 - 25	(360) 753-1886
IACREOT 33 rd 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
2005			
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
Western Interstate Region (WIR) Annual Conference	Pierce County, Tacoma	TBD	
WSAC 99 th 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
2006			
WA State Association of Counties 100 th 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
2007			
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	

March County Calendar

- 1 For the purpose of property taxation and the levy of property taxes, the boundaries of counties, cities and all other taxing districts shall be established official boundaries of such districts existing on March 1 of the year in which the levy is made. RCW 84.09.030 (For exceptions, see RCW 84.09.03, .035.)

- 1 Each board of county commissioners shall file a statement, verified by oath with the county auditor, showing for the previous year a full and complete inventory of all capitalized assets. RCW 36.32.210

Attachments

Combined General Assistance Caseload By County of Residence, November 2003

County	# of Cases	% of Cases	# of Cases Impacted by 6 Month Time Limit
Adams	32	0.2%	6
Asotin	50	0.2%	9
Benton	472	2.2%	89
Chelan	358	1.7%	67
Clallam	349	1.6%	65
Clark	605	2.8%	114
Columbia	10	0.0%	1
Cowlitz	382	1.8%	72
Douglas	95	0.4%	17
Ferry	48	0.2%	9
Franklin	240	1.1%	45
Garfield	4	0.0%	0
Grant	292	1.4%	55
Grays Harbor	292	1.4%	55
Island	109	0.5%	20
Jefferson	101	0.5%	19
King	7,397	34.8%	1,398
Kitsap	692	3.3%	130
Kittitas	74	0.3%	13
Klickitat	89	0.4%	16
Lewis	265	1.2%	50
Lincoln	35	0.2%	6
Mason	196	0.9%	37
Okanogan	293	1.4%	55
Pacific	94	0.4%	17
Pend Oreille	135	0.6%	25
Pierce	2,139	10.1%	404
San Juan	14	0.1%	2
Skagit	251	1.2%	47
Skamania	41	0.2%	7
Snohomish	2,231	10.5%	421
Spokane	1,568	7.4%	296
Stevens	212	1.0%	40
Thurston	523	2.5%	98
Wahkiakum	5	0.0%	0
Walla Walla	132	0.6%	24
Whatcom	590	2.8%	111
Whitman	45	0.2%	8
Yakima	803	3.8%	151
Statewide Total	21,263	100.0%	3,999

Source: ESA-Office of Public Assistance Data Analysis (OPADA)