

the Courthouse Journal

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Washington Association of County Officials
Washington State Association of Counties

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Association Presidents Meet with Governor Gregoire

Governor Christine Gregoire called Tri-Association Presidents Mary Place, Association of Washington Cities (AWC); Tom Fallquist, Washington Association of County Officials (WACO); and Betty Sue Morris, Washington State Association of Counties (WSAC); to meet with her on Wednesday at the Capitol to follow up on the charge she had given them two weeks earlier. That charge essentially was to give the specifics of what Washington's cities and counties need.

What began as a lengthy dissertation was quickly "boiled down" to four points prior to the meeting:

- Assist cities and counties that have no tax base by direct assistance as outlined in **Senate Bill 6050**.
- Allow all cities and counties to benefit from real estate excise taxes in lieu of impact fees (**HB 1296**).
- Increase direct state assistance and provide local options for transportation funding.

Governor Gregoire promised an on-going dialogue following the legislative session, and expressed a commitment to an examination of the roles of the levels of government and how we can all best fulfill our responsibilities to the citizens we all serve.

- Do no harm to cities and counties by enacting legislation that has a negative impact on already hard-pressed jurisdictions.

Historic County Courthouse Funding – Call Now!

The legislation establishing a grant program for preservation and renovation of county courthouses eligible for placement on the Historic Register remains in fiscal committees in both the House and Senate. **HB 1352** and **SB 5331** have been heard in each chamber and have garnered great support from

legislators and interest groups.

The legislation needs your help NOW! If your county is eligible, please contact your House and Senate members this coming week and urge them to keep this item moving along or to allocate up to \$20 million in the Capital Budget for the program.

We and the Washington Trust for Historic Preservation envision this as a 10-year, \$50 million program with the state providing matching funds for historic features, and the counties

funding traditional building upgrades for HVAC, plumbing and electrical work. In general, the historic preservation work will constitute about half of the total

estimate for the building. Estimates of the total needed courthouse upgrades for the qualifying courthouses appear below.

The Courthouse Journal

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

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County	Construction Date	Estimated Cost of Needed Work
Benton	1926	\$460,000
Clallam	1914	\$300,000
Clark	1940	\$4,500,000
Columbia	1887	\$25,000
Cowlitz	1923	\$6,300,000
Douglas	1905	\$500,000
Ferry	1936	\$435,000
Franklin	1912	\$1,500,000
Garfield	1901	\$2,000,000
Grant	1917	\$2,200,000
Grays Harbor	1910	\$1,000,000
Jefferson	1892	\$25,000,000
King	1916	\$8,000,000
Klickitat	1941	\$280,000
Lewis	1927	\$1,000,000
Mason	1929	\$3,500,000
Okanogan	1913	\$4,200,000
Pacific	1910	\$100,000
Pend Oreille	1915	\$150,000
San Juan	1906	\$200,000
Skagit	1924	\$610,000
Snohomish	1897/1911	\$9,300,000
Spokane	1895	\$15,000,000
Stevens	1938	\$515,000
Wahkiakum	1921	\$100,000
Whitman	1955	\$200,000
Total		\$93,495,000

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

Budget, Finance and Taxes

Assessor Priority Bills

The property tax exemption review bills, **HB 1501** & **SB 5032** requiring a property tax exemption review, were rolled into **HB 1069** which requires a review of all tax exemptions. **HB 1069** has already passed the House and is in the Senate Ways & Means Committee. If you talk to your legislators, let them know you like this bill.

The destroyed property bills, **HB 1502** & **SB 5026**, have passed out of Committees in each house and are in their respective Rules Committees. If you have members on either House Rules or Senate Rules, please let them know you would like these bills pulled for a floor vote.

Open space farm & agricultural land compensating tax bills, **HB 1983** & **SB 5465**, both died in Committee. The Senate bill received a hearing, the House bill did not.

New Infrastructure Funding Techniques Proposed

The Growth Management Act authorized GMA-planning counties and cities to impose impact fees for transportation, parks and schools (and for cities, also fire service) to help "growth pay for growth." The State Environmental Policy Act also allows counties and cities to assess a mitigation fee to address the environmental impacts of new development.

Impact fees have been opposed by builders, realtors and some housing advocates as unfairly penalizing buyers of new homes. Because of carrying costs and the cost of money, they are especially critical of the practice most counties and cities have to charge the impact fee at the time of permitting, rather than when

taking title.

For a variety of these reasons, few GMA-planning counties have imposed impact fees. Many more rely on SEPA as authority to impose mitigation fees for transportation, parks, water quality and a number of other infrastructure requirements. Impact fees and SEPA mitigation fees may not be charged twice for the same capital facilities.

SHB 2196 moved from House Finance last week and is being rewritten on almost a daily basis to find language for a floor striker that will attract maximum support. It will offer the opportunity for a county or city to choose whether to impose impact fees or use a new 0.4 percent Real Estate Excise Tax (or neither) for necessary infrastructure investment in a community. Offered by Rep. Judy Clibborn (D-King County), the bill was heard in the House Finance Committee this week and is expected to be sent to Rules for further work. It has been endorsed by the leadership of the Tri-Association.

There are many benefits to the infrastructure funding approach in **PSHB 2196**:

- REET is collected at the time of sale, making it easier on buyers
- The new REET is available for any capital improvements in a capital facilities plan
- The new REET is available to all counties, including non-GMA planning counties

Part of the language still being addressed is the relationship between SEPA mitigation fees and the new REET. Counties and cities seek language consistent with the

current double dip prohibition on SEPA and impact fees for the same project.

Another downside -- for custom homes REET is not paid, only sales tax on construction. In most places, this is more than made up for by the collection of REET on every property sale.

Questions remain about how transition would occur, how long before a jurisdiction could change its mind on which fund source to use, whether the new REET ties to concurrency and how school REET/impact fees are charged and collected. **SHB 2196** requires a county to impose a school-dedicated REET of up to 0.25 percent at the request of a majority of school districts within a county.

Another school funding proposal, **SHB 1484**, by Rep. Ross Hunter (D-King County) would require a county to place on the ballot a countywide property tax levy at the request of the districts representing a majority of the students in the county. The levy may not exceed 75 cents per thousand dollars of assessed value and may be used only for maintenance and operation of schools. A majority vote is required for passage. Advocates for **SHB 1484** come from areas with high housing costs, where the schools have an especially difficult time hiring teachers who can live in the community in which they teach. This bill also is in House Rules.

Finally, **SHB 1903** proposes infrastructure funding for local economic development priorities. For several years, economic development advocates have worked unsuccessfully to amend the Washington Tax Increment Finance

Budget, Finance, and Taxes (continued)

(TIF) legislation to expand its scope and utility. Some TIF advocates have teamed with TIF opponents this year to create a new program for local infrastructure grants to stimulate community and economic development.

The program – to be administered by the Public Works Board – anticipates granting \$50 million per biennium, with any single grant limited to \$10 million. Grant assistance is limited to 1/3 of project cost.

SHB 1903 does not include a fund source. The refuse tax that contributes to the Public Works Trust Fund is suspected to be the front runner for the program.

County Treasurers' Cleanup Bill

SHB 1158, county treasurers' administrative procedures, passed the House by a vote of 96-0 and has been referred to the Senate Governmental Operations Committee. Watch for a hearing.

Courts, Public Safety, Law & Justice

WACO Priorities Moving

HB 1471, the clerks' authentication of documents, has made the trip to the Senate and has been referred to the Senate Judiciary Committee. County clerks are urged to contact Senator Adam Kline, Chair of Judiciary, to request a hearing.

SSB 5035, eliminating the forensic pathology specialist fellowship program, has moved from the Senate and referred to House Criminal Justice and Corrections Committee. It needs a hearing as well. Coroners, medical examiners and Forensic Investigations Council members should contact Representative Al O'Brien, Committee chair, to request that **SSB 5035** be heard.

SSB 5242, inmates possessing weapons, was voted out of the Senate late on Wednesday. **SSB 5242** harmonizes the definition of weapons prohibited in county jails with the one in state correctional facilities. We expect it to be referred to the Criminal Justice and Corrections Committee in the House.

SB 5133, privileged communications, aka spousal privilege, was pulled from Senate Rules Thursday and is now on the Senate Floor Calendar. Please call all your Senators and urge their support.

That was fast.....

HB 2222, enhancing the sentence for eluding a police officer, was meteoric in its ascent and was gone almost as fast; it expired in House Appropriations. **HB 2222** lived little longer than a week but gained a hearing and drew the attention of KIRO TV. **HB 2222** will no doubt be back next year.

Felons and Friends

WACO and crime victims' groups are the only opposition the following bills met as they made their way through their houses of origin:

HB 1358/SB 5339, companion bills which want to reduce recidivism through reduction of interest on the legal financial obligations of convicted offenders, are each in their respective Rules Committees as of this writing.

HB 1359, which would allow convicted offenders a certificate of discharge and the ability to vote when all the other conditions of sentences are met except the payment of the legal financial obligations, is on the House Floor while its companion, **SB 5611**, is only slightly behind it waiting for one more "pull" to the Senate Floor. **HB 2062**, tracking the voter registration of felons, is on the House Floor for a vote as well. It requires a central registry with the Secretary of State but also grants a certificate of discharge before the legal financial obligations are discharged.

Court Funding Bill Nears Senate Floor

A Senate bill that would raise various civil court filing fees and increase state funding for trial courts moved closer to a floor vote this week.

WSAC and WACO support the bill, and county officials should contact their senators and ask them to move **2SSB 5454** out of the Rules Committee and pass it out of the Senate without further amendment. Wednesday, March 16, is the deadline for bills to be considered in the house of origin.

2SSB 5454 originated from recommendations developed by the Trial Court Funding Task Force. The current version of the bill, as amended this week by the Senate Ways and Means Committee, would increase civil filing fees in Superior Court from \$110 to \$200 and in District Court from \$31 to \$43. Counterclaims, cross-claims and third-party claims would pay the same fee as that assessed for initiating an action.

Other increased fees involve small claims actions, courthouse facilitator programs, unlawful detainer complaints and answers, nonjudicial probate disputes, petitions for modifying decrees of dissolution or paternity, certified copy fees, supplemental proceeding filings, writs of garnishment, transcripts of judgment, and various fees associated with real property.

The fees would continue to be split between the county and the state as currently provided in statute. Total biennial revenue to the counties is estimated to be approximately \$19 million. The state's biennial share would be about \$14 million, and would be used to pay half the cost of district court judge salaries and elected municipal court judge salaries. In return, counties and cities would use half their savings from the judge salaries for other broadly defined court-related expenditures.

The original bill also would have increased juror pay with the state funding half the cost of juror pay and mileage; however the Ways and Means Committee eliminated these provisions.

Courts, Public Safety, Law and Justice (continued)

March 31 Deadline to Apply for Federal Justice Assistance Grants

A new procedure is in place for receiving certain federal criminal justice funds, but few Washington counties have completed the application, according to the federal Bureau of Justice Assistance. Funds not awarded are forfeited.

The deadline for submission of applications for the Justice Assistance Grant (JAG) direct federal grant award to counties and cities is 8 a.m. EST, March 31, 2005.

Jurisdictions that do not submit by the deadline are automatically ineligible.

To determine your jurisdiction's eligibility check:

<http://www.ojp.usdoj.gov/BJA/grant/jag/05WA.xls>

Application instructions may be reviewed at:

<http://www.ojp.usdoj.gov/BJA/grant/05JAGLocalSol.pdf>

Applications must be submitted using the Grant Management System, which may be accessed at <https://grants.ojp.usdoj.gov/>. Note: the Grant Management System is not the easiest system to navigate and users are encouraged to access and review the application system early.

The JAG grants are a new combination of two former, longstanding grant programs, the Edward Byrne grant and the Local Law Enforcement Block Grant (LLEBG). JAG is intended to streamline federal justice funding and grant administration. The JAG formula includes a *state allocation* consisting of a minimum base allocation with the remaining amount determined on population and Part 1 violent crime statistics, and a *direct allocation* to units of local

government. Once the state allocation is calculated, 60 percent of funding is awarded to the state and 40 percent to eligible units of local government. If any of the local direct funds are not awarded, they revert to the federal government and not the state.

JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more of the following purpose areas:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment programs
- Planning, evaluation, and technology improvement programs

Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding. Local governments may use up to 10 percent of the award for costs associated with administering JAG funds.

Elections, Licensing and Recording

Primary Date Change

Lt. Governor Brad Owen has ruled that **ESSB 5219**, moving the primary date up to the third Tuesday in August, requires a two-thirds “yes” vote by the Senate. The ruling occurred when Sen. Ken Jacobsen raised the issue of I-872, the ballot measure that passed last November changing the state’s primary election to the “top two” system. I-872 restates current law that the primary is to be held the third Tuesday of September. Any change to an initiative in the first two years after it becomes law must be approved by a two-thirds vote. The bill was set to move out of the Senate on Monday when the ruling stopped any further action. The measure now needs 33 yes votes rather than 25, a number that now seems elusive. The county auditors, Secretary of State Sam Reed, WACO President Tom Fallquist and other WACO members have been making contacts with legislators to move the bill. Unfortunately, the support for the primary date change and associated timelines is running into more barriers. Please call your Senators and ask for a yes vote on **ESSB 5219** in its current form.

Auditor Privacy Bill Passes the House

HB 1385, which prohibits documents presented for recording to an auditor or recording officer from containing a social security number, or a date of birth or maiden name passed the House 94 yea, 0 nays on Thursday. The bill is now on its way over to the Senate. The companion bill **SSB 5459** is in Senate Rules and needs to be “pulled.” If you have members on the Senate Rules Committee please contact them and ask them to “pull” **SSB 5459**.

Status of Licensing Bills

HB 1581, revising the authority of a vehicle licensing subagent to recommend a successor is still alive in the House Rules Committee.

HB 1582, increasing certain fees of licensing subagents is alive and in the House Rules Committee as well. Companion bill **SB 5518** is on the Senate Floor Calendar.

HB 1879, providing a funding source to assist students with driver’s education costs is in the House Rules Committee.

Environment, Land Use and Resources

Many GMA Bills Survive First Cut-Off; Most are “Works in Progress”

Efforts to reach agreement between local government, development and environmental interests on GMA legislation have nearly stopped, but legislation on key GMA topics still inches forward.

SHB 2078 and **SSB 5923** were moved from their respective committees as “works in progress” -- addressing timelines for GMA updates and opportunities for slow-growing counties and cities to defer one future update. There has been no further work on either title during the last week. Although both bills retain the existing 7-year update cycle, counties and cities continue to gain legislative support for a 10-year update cycle. **SSB 5923** allows counties in compliance with GMA requirements, a population under 50,000 and a growth rate under 17%

to skip one update every 14 years. **SHB 2078** also requires GMA compliance to skip an update every 14 years, but applies only to counties with a population under 20,000 and a growth rate under 17%. **SHB 2171** allows a one-year deferral of GMA update requirements and creates a Joint Select Committee to examine GMA requirements and processes.

HB 2207, sponsored by Rep. Geoff Simpson (D-King County) addresses the topic of defining and clarifying “best available science” for purposes of designating and protecting critical areas. One of the “works in progress,” counties, cities, ports, and the development community are all engaged in working with Rep. Simpson to improve the bill. There is no Senate bill addressing “best available science.”

SSB 5619 was part of a package of GMA revisions proposed by the Washington Environmental Council

and FutureWise (formerly 1000 Friends of Washington) to address Puget Sound water quality concerns. It is on the Senate Floor despite major concerns voiced by counties, cities, business and state agencies. Other bills in the package, addressing forest land conversion and open space buffers are **HB 1637**, **HB 1638**, and **SB 5620**.

Other GMA bills still alive include **SHB 2194** (public participation requirements) and **SSB 6030** (scope of appeals on updates).

Public Health and Human Services

HB 2085 – Clean Up of Waste Tires Pulled to 2nd Reading Calendar

HB 2085 would reinstate the tire fee and provide funding to the Office of Financial Management to conduct a study (through the Department of Ecology) of the tire pile problem and includes identifying the number of illegal tire piles and counties' needs in terms of cleaning them up. The fee would also generate funds to go to counties for the clean up of illegal tire piles. This bill is the result of more than two years of negotiations with all stakeholders (including WSAC) to try and reach agreement on addressing the clean up of illegal tire piles and the prevention of newly created ones. The bill has been pulled from House Rules to the Second Reading Calendar – a step closer to passage. This bill, if passed, would provide long-needed funding for addressing illegal tire piles.

If you are interested in the passage of this bill, please contact your House members and encourage them to vote for **HB 2085**. This bill, while including a study of the problem of illegal tire piles, also will provide additional funding available to counties to address their problems with tire piles. The bill must be voted on by the House by 5 p.m. on Wednesday, March 16.

Governor Gregoire Names New Secretary to DSHS

Governor Gregoire has announced her appointment for the Department of Social and Health Services (DSHS). The appointment is Robin Arnold-Williams. Secretary Arnold-Williams comes from the Utah Department of Human Services where she has been executive director since 1997. She has worked

in the human services field for 25 years. According to Governor Gregoire, "Robin is a national leader in welfare reform and child welfare and has substantial knowledge about serving seniors and the frail elderly. She will be a great advocate for our state in Washington, DC at a time when federal policy in areas such as Medicaid and Temporary Assistance for Needy Families will be critically important to our state."

The Governor indicated she has asked Arnold-Williams to focus on children's safety, access to affordable health care, and long-term care.

Arnold-Williams worked directly for former Governor Mike Leavitt of Utah who was appointed last year to head the federal Health and Human Services Department. She helped shepherd through changes in Utah's Medicaid system which expanded coverage to 25,000 uninsured residents but also cut dental, vision and mental health benefits. Secretary Leavitt has indicated he hopes to make Utah a model for national reform which may not bode well for mental health. She also oversaw Utah's child welfare system after then-Governor Leavitt settled a lawsuit similar to Washington's Brame suit which was recently settled out of court. The lawyer with the nonprofit National Center for Youth Law, who filed both lawsuits, voiced his concerns that Utah dragged its feet on reforms that were promised a decade ago under Arnold-Williams. On the other side are comments from Utah organizations similar to our Children's Alliance who support her. It must be recognized that Utah is a very conservative state and she has had to deal with a state legislature who has been resistant to making the

reforms and has enacted additional parental rights bills. A list of mental health issues from Utah, kindly provided by Chuck Benjamin, NorthSound Mental Health Administration, indicates they are facing very similar issues to Washington. These include the cut from the feds of services to nonmedicaid clients and a lack of inpatient beds.

DSHS is many times larger than the Utah Department which has a budget of only \$600 million and employs 5000 persons. Washington's Department has a budget of closer to \$8 billion and 18,000 employees and serves approximately 1 in 4 Washingtonians. Arnold-Williams' staff in Utah voiced their overwhelming support for her indicating that that shouldn't be a problem for her and particularly remarked on her inclination to focus on the people who receive the services. In fact, one stated she was more of a social worker at heart than a bureaucrat.

On a more personal note, Arnold-Williams is a Michigan native who moved to Utah in 1978 to ski and attend college. She had best enjoy her remaining days on the slopes there, given our lack of snow this year. Utah has had a fabulous year.

We look forward to meeting with the new Secretary and working with her to improve state-local relations which have suffered recently. We are encouraged by the positive remarks made by many about her abilities and the faith Governor Gregoire has placed in her.

New Regional Support Network Administrator Leaps into the Frying Pan

Greater Columbia Behavioral Health has announced the hiring of Norman Cordell as their new Regional Support Network (RSN)

Administrator, filling a vacancy that has lasted since the departure of Vic Roberts last year. Thanks to Rick Weaver, Rene Ulam, and Steve Hill for filling in. Norm began work on March 1. He is most recently from Jacksonville, North Carolina. He has over 25 years of experience in the health services field working with federal, state and local delivery programs. Most recently he was working as an independent consultant assisting in setting up a Local Management Entity as part of statewide mental health reform in North Carolina. Prior to that he assisted other clients with business development activities including the North Carolina Department of Corrections; Blue Cross Blue Shield of North Carolina, Durham; and Tri-West Healthcare Alliance, Phoenix.

Norm is a retired Naval officer with over 20 years of service with the Medical Service Corps. He has a BS from Ohio State University and a Masters from the University of West Florida as well as professional degrees in health care administration. He is married to a retired Naval officer and Certified Nurse Midwife and they have two daughters.

We welcome him to Washington State and look forward to working with him at this most challenging time for the public mental health system.

Mental Health Parity Passes into Law after 8 Years

Apparently proving the adage of no good wine before its time, mental health parity has finally come to pass and was signed into law by Governor Gregoire on March 9. Our heartiest congratulations to all those who worked tirelessly on this bill for all these years, especially Gail McGaffick-Toraason, Psychologists' Association and contract lobbyist; Len McComb, Hospital Association; Randy Revelle, Hospital Association and overall concertmaster of this effort through the Washington Coalition for Insurance Parity; Phil Jordan, Washington Protection and Advocacy; the Coalition and a cast of literally thousands around the state. WSAC has supported parity for all 8 years it has been on the legislative plate and delighted with its passage.

SB 1154 will treat mental illnesses with the same attention as other ailments of the body. The legislation would phase in requirements that allow the same amounts and terms of coverage for mental health services that are provided for other medical services. Small employers with 50 or fewer employees would be exempt from mandatory participation.

In 1999, then Surgeon General C. Everett Koop estimated the direct business cost of a lack of mental health parity was at least \$70 billion per year. The cost to business of absenteeism, lost productivity, and claims for disability and unemployment insurance due to untreated mental illness is far greater than the cost of parity. Many large employers have long since seen the wisdom of covering mental illness. Among them are Boeing, Microsoft, PepsiCo, American Airlines and Ben

Bridge.

The bill goes into effect January 2006 and requires that a health benefit plan that provides coverage for medical and surgical services to provide coverage for mental health services and prescription drugs for mental disorders. The co-pay or co-insurance for mental health services may be no more than the co-pay or co-insurance for medical or surgical services otherwise provided under the plan. Drugs for mental disorders must be covered to the same extent as other prescription drugs covered by the plan. In future years, additional coverage will be added to ensure comparability to health services.

In the House the bill was prime sponsored by Rep. Shay Schual-Berke and in the Senate by Sen. Pat Thibaudeau. Our thanks to them and Governor Gregoire for making this one of the first bills she signed in her first term. It is our fervent wish that the passage of mental health parity will help alleviate the pressure on the underfunded public mental health system just a little.

Public Health and Human Services (continued)

Schedules are subject to change- PLEASE check this link <http://www.leg.wa.gov/wsladm/calendar.htm>

JAC = John A. Cherberg Bldg / JLOB = John L. O'Brien Bldg

Bill #	Committee	Description	Time	<u>Location</u> <i>Bldg/Room</i>	Date
<u>ESSB 5308</u> <u>SSB 5666</u> <u>SB 5974</u>	H. Children & Family Services	Changing provisions relating to mandatory reporting of child abuse or neglect. Regarding information sharing in child dependency cases. Providing information to pregnant women about opiate treatment programs	1:30	JLOB D	3/17/05
<u>Work Session</u>	H. Health Care	Hospital Funding and the Health Care Safety Net	8:00	JLOB A	3/17/05
<u>SB 5171</u>	H. Juvenile Justice & Family Law	Enhancing school safety through information sharing between schools and juvenile justice and care agencies	8:00	JLOB E	3/18/05
<u>HB 1072</u>	S. Judiciary	Including salts, isomers, and salts of isomers in controlled substances provisions	10:00	JAC 1	3/17/05

Transportation and Public Works

Sen. Swecker Unveils SB 6083

Sen. Dan Swecker, the ranking minority member on the Senate Transportation Committee, released his version of a state transportation funding bill. **SB 6083** increases the gas tax by one penny per gallon each year from 2005 to 2009. He retains the revenue distribution formula set forth in RCW 46.68.090, except that 52.3% of the net tax amount collected will be distributed in a joint state and local transportation account from which annually the counties will receive direct distribution of \$12,105,907 while the cities receive \$6,733,996.

In addition, **SB 6083** expends gas tax receipts on the following projects:

1. Alaskan Way viaduct - \$2 billion.
2. 520 bridge replacement - \$1.5 billion.
3. 405 corridor improvements - \$500 million.
4. 395 north Spokane -- \$600 million.
5. Columbia River crossing – Vancouver -- \$500 million.

The bill also allows tolls and contains provisions for an accountability study that will (1) assess the efficiency with which state fuel tax dollars are being spent on transportation projects and

improvements and (2) make recommendations to the legislature as to whether an additional five-cent fuel tax, increased over five years, should be authorized by the legislature.

SB 6083 is the first salvo in the ongoing legislative discussion regarding a state funding package.

No Vote: No projects!

Senator Mary Margaret Haugen, the chair of the Senate Transportation Committee, has a blunt message for her fellow legislators: those not willing to vote for a statewide transportation funding package should not expect to have projects funded in their communities.

During a recent meeting with Snohomish County representatives, Sen. Haugen mentioned that she intended to offer a statewide funding proposal that included a gas tax increase of four-cents over two years (in 2 cent increments) with a penny of the increase dedicated to local governments. She intends also to index the gas tax to an inflationary factor and impose a weight fee on cars that would replace the existing \$30 vehicle license fee.

She acknowledged that the Alaskan Way viaduct and the 520 floating bridge must be addressed and that those interested in the state

transportation system need to step up and help fund the system. Supporting her view, Boeing's Al Ralston noted that his company is very supportive of moving forward with a funding package, including a package that has gas tax indexing.

During the presentation, a Snohomish County builder, representing the business perspective, made a cogent observation: he mentioned that he once said that an increase in the cost of gas would harm his business, yet gas prices have gone up substantially since then and he's still in business. Accordingly, he no longer believes the hyperbole that a gas tax increase will destroy our economy. Rather, our economy depends on being able to build the infrastructure to accommodate our state's growth.

Washington Counties Scholarships 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 2005/2006 school year in a baccalaureate program, associate degree program or vocational/technical certification program. Complete information and applications are available on the web at www.wacounties.org. Applications must be postmarked no later than Friday, April 8, 2005.

Call WACO at (360) 753-7319 or WSAC at (360) 753-1886 if you would like to have an application mailed to you or if you have any questions.

We encourage all students to apply!

Boards and Commissions

Local Government Advisory Committee Appointments

Two WACO positions on the Local Government Advisory Committee expired on December 31, 2004 and WACO will be nominating members to fill these vacancies. The Committee takes a lead role in setting statewide financial policies, including accounting, budgeting, and financial reporting. The Committee makes recommendations to the Legislature and responds when lawmakers change policies effecting the BARS prescription. In addition, the Committee advises the State Auditor on issues relating to the prescription of a uniform financial reporting system.

According to the bylaws, nominations must be submitted to the State Auditor's Office, in writing, and should be received by March 31, 2005. Each member's term is three years and members are eligible for re-nomination. The committee meets at least three times a year with other meetings scheduled as needed.

For further information, please visit www.sao.wa.gov and let WACO know if you are interested.

Training and Upcoming Events

Meeting Announcements in Human Services

The North Sound Mental Health Administration announces the 2005 North Sound Tribal Mental Health Conference. The conference this year is entitled "Best Practices in Indian Country" and will be held May 4 and 5 at the Skagit Resort. Featured speakers are Al Siebert, Bernie Segal, Karinna Walters, and White Bison. For additional information call 360-416-7013.

* * * * *

Comprehensive Mental Health of Tacoma announces their fourth annual Hope and Recovery Conference. The conference will be held April 8 from 8:30 – 4:30 at the Landmark Convention Center, 411 St. Helens Avenue in Tacoma. The spotlight will be on hope and recovery in Pierce County. Joining as plenary speakers are Dr. Charles Huffine, a King County child psychiatrist devoted to early detection and treatment of mental illnesses in children and adolescents, and, Ms. Mary Ann Nihart, ARNP, a clinical specialist psychiatric nurse dedicated to holistic health and recovery. Although she resides in California, she was recently named the "Nurse of the Year" by the Washington Association of Psychiatric Nurses. In addition there will be three breakout sessions on topics such as evidence-based practices, children's issues, recreation and wellness, pet therapy, and medications and wellness. For additional information call 253-396-5132 or 5234.

NEW CPO WEBSITE! All information about the program can now be found online at <http://www.cpoprogram.org> . Program Manager Julie Kaufman maintains this site, so email her with any questions/comments.
If you are in need of transcripts for previously taken courses, please email the program manager.

ONLINE REGISTRATION IS HERE...register now for Public Meetings, Public Disclosure (*Please click here for course details if you wish to view prior to registering.*)
Please note all of the contact and payment information on the welcome page.

Workshop Name

Public Meetings, Public Disclosure & More
Do You Know the Rules?

Dates & Locations

March 30 - Colfax	April 6 - Mt Vernon
March 31 - Ellensburg	April 7 - University Place/Tacoma

Co-Sponsors

Association of Washington Cities
Municipal Research & Services Center
Certified Public Officials Program

About this Workshop

This short course is designed to provide specific training for elected officials, as well as management staff, on a number of legal issues that may get you into trouble and onto the front page of your local newspaper.

For example, what about that meeting to discuss controversial contract negotiations or contemplated budget reductions? Can the meeting be held in private? Do e-mails between elected officials constitute a meeting and must they be released to the public? Is it okay for the mayor to phone individual council members prior to a council meeting to find out how they will vote on an issue? This training will give you guidelines to follow in dealing with such issues, as well as provide answers to your specific questions.

Agenda

Registration: 8:30 - 9:00 am

Training and Upcoming Events (continued)

The Program: 9:00 am - 12:30 pm

- Open Public Meetings Act
- Executive Sessions
- Public Records and Disclosure Requirements
- Appearance of Fairness Doctrine & Quasi-Judicial Hearings
- Potential Conflicts of Interest and Ethical Guidelines

Who should attend

Several associations representing cities and counties have joined together to offer this important workshop for local elected officials, attorneys and management staff. Officials from special purpose districts are also welcome to attend.

Workshop Presenters & Background

Pat Mason and *Paul Sullivan*, legal consultants with the Municipal Research & Services Center, advise city and county officials daily on the legal issues covered in this workshop. Paul Sullivan also was formerly City Attorney for the City of Ellensburg.

Locations

This workshop will be presented at 4 locations. See below for specific locations and directions.

Colfax, March 30

Community Education Training Center (CETC), N. 123 Main Street, Colfax.

The CETC is the old Elks Lodge, across from Bulldog Pizza Parlor, at the first stop light going south on Main Street, in downtown Colfax.

Ellensburg, March 31

Hal Holmes Community Center

201 North Ruby, Ellensburg, WA

Take Exit 109 off I-90, continuing north into town. Turn right on 3rd Avenue and right on North Ruby Street. Hal Holmes Center is between 2nd & 3rd Avenues.

<http://epl.eburg.com/holmes/hhmap.jpg>

Mt. Vernon, April 6

McIntyre Hall, Skagit Valley College

2501 East College Way, Mount Vernon

From I-5 North or South, take Exit 227, College Way. Go East on College Way until you pass the light at LaVenture Ave. Go past the entrance to Skagit Valley College. Turn left into the McIntyre Hall parking area.

http://www.mcintyrehall.org/news.asp_Q_pagenumber_E_1319

University Place/Tacoma, April 7

Pierce County Environmental Services Building

9850 - 64th Street West, University Place

From I-5 North or South, take Exit 130 and follow S 56th St West. 56th St W will become Cirque Drive W when you cross over Orchard St W. Continue on Cirque Dr W until you reach Bridgeport Way W. Turn left and follow Bridgeport to Chambers Lane W. Turn right onto Chambers Lane W. Chambers Lane W will become Chambers Creek Road W and then 64th St W. Continue to 9850-64th St W. The entrance to the parking lot is located at the first roundabout.

<http://www.co.pierce.wa.us/pc/services/home/environ/esbrental/reservations.htm>

Registration and Fees

The workshop registration fee is \$60 per person. Registration fees include the cost of refreshments and workshop materials. For further information, please contact Program Manager Julie Kaufman at jkaufman@wacounties.org

Courthouse Ramblings

As reported last month, **Larry Erickson**, Executive Director of the Washington Association of Sheriffs and Police Chiefs retired February 28 after 10 years with WASPC. The retirement celebration for Larry will be held on Saturday, March 26 at the Red Lion Hotel, in Olympia, beginning at 6:00 p.m. with a no host social. Dinner is at 7:00 p.m. and cost is \$25, a portion of which includes a donation to Larry's favorite charities. Please call Kim Goodman at (360) 486-2385 for further information.

There is a block of rooms available at the Red Lion for \$71/\$86. For room reservations, call toll-free at 866-869-4000. The room block code is 00002528.

Calendar of Events

Meeting	Location	Date	Information
For your convenience training and workshops are bolded.			
<u>MARCH 2005</u>			
'Your Path to the Marketplace'	Pend Oreille County	Mar. 5 – Apr. 16	(509) 447-2401
WA Association of Coroners and Medical Examiners' (WACME) Medicolegal Training	WA State Association of Sheriffs and Police Chiefs Bldg, Lacey	March 7-11	(360) 753-7319
Washington State Association of County Auditors' Recording Conference	Red Lion Hotel, Wenatchee	March 15-16	(360) 753-7319
Assn of County Human Services	Skamania County	March 16 - 18	(360) 753-1886
Washington Counties Insurance Fund (WCIF)/Washington Counties Insurance Pool (WCIP) Boards and Insurance Advisory Committee	Red Lion at the Park, Spokane	March 17	(360) 586-0466
Washington Counties Risk Pool (WCRP) Focus Training "Land Use Issues 2005"	LaQuinta Inn & Suites/Conference Center, Tacoma	March 22	(360) 586-7447
WCAA Annual Conference – Winter	Enzian Inn, Leavenworth	March 23 – 25	(360) 753-1886
Washington Counties Risk Pool (WCRP) Focus Training "Land Use Issues 2005"	Best Western Lake Inn/Conference Center, Moses Lake	March 24	(360) 586-7447
WSAC Rural Issues Sub-committee	WA Counties Bldg, Olympia	March 24	(360) 753-1886
Urban County Caucus	Mercato Ristorante', Olympia	March 24	(360) 753-1886
WSAC Legislative Steering Committee	WA Counties Bldg, Olympia	March 25	(360) 753-1886
CPO Elective Course: Public Meetings, Public Disclosure & More - Do You Know the Rules?	Colfax	March 30	http://d30060429.purehost.com/CPO/CPO.htm
CPO Elective Course: Public Meetings, Public Disclosure & More - Do You Know the Rules?	Ellensburg	March 31	http://d30060429.purehost.com/CPO/CPO.htm
<u>APRIL 2005</u>			
CPO Elective Course: Public Meetings, Public Disclosure & More - Do You Know the Rules?	Mt. Vernon	April 6	http://d30060429.purehost.com/CPO/CPO.htm
WACO Board of Trustees' Meeting	Washington Counties Building, Olympia	April 6-7	
CPO Elective Course: Public Meetings, Public Disclosure & More - Do You Know the Rules?	Pierce County	April 7	http://d30060429.purehost.com/CPO/CPO.htm
16 th Annual National County Government Week		April 10-16	
Washington Counties Insurance Fund (WCIF)/Washington Counties Insurance Pool (WCIP) Ace Committee (HR & Payroll Only)	Yakima Convention Center	April 13	(360) 586-0466
Washington Counties Risk Pool (WCRP) Risk Managers Roundtable, 1- 5 pm	Best Western CottonTree Convention Center, Mt. Vernon	April 13	(360) 586-7447
Washington Counties Risk Pool (WCRP) Spring Board Meeting, 9 am	Best Western CottonTree Convention Center, Mt. Vernon	April 14	(360) 586-7447

Calendar of Events (continued)

WSAC Rural Issues Sub-committee	WA Counties Bldg, Olympia	April 14	(360) 753-1886
Urban County Caucus	Mercato Ristorante', Olympia	April 14	(360) 753-1886
WSAC Legislative Steering Committee	WA Counties Bldg, Olympia	April 15	(360) 753-1886
Washington STATE	Sine Die - 59th Legislative Session Ends	April 25	http://www.leg.wa.gov/wsladm/calendar.cfm
Washington Association of Prosecuting Attorneys (WAPA) Spring Training Program	La Quinta Inn, Tacoma	April 27-29	(360) 753-2175
<u>MAY 2005</u>			
WA Association of Prosecuting Attorneys-Support Enforcement 2005 Training	Red Lion Hotel, Olympia	May 2-6	(360) 753-3953
WA State Association of County Auditors' Elections Conference	Shilo Inn, Ocean Shores	May 9-12	(360) 753-7319
WA Association of Prosecuting Attorneys' Support Staff Training Program	WestCoast Ridpath Hotel, Spokane	May 11-13	(360) 753-2175
Assn of County Human Services	Kennewick	May 18-20	(360) 753-1886
WSAC Spring Eastern District	Red Lion Hotel Columbia Center, Kennewick	May 19-20	www.wacounties.org/wsac
WA State Association of Sheriffs & Police Chiefs' Spring Conference	Coast Hotel, Wenatchee	May 23-26	(360) 486-2380
NACo – Western Interstate Region Conference	Tacoma, WA	May 25 - 27	http://www.naco.org/Content/NavigationMenu/About_NACo/Committees_and_Caucuses/Western_Interstate_Region/Western_Interstate_Region_Intro.htm
MEMORIAL DAY	WA Counties Bldg CLOSED	May 30	(360) 753-1886

Attachments

Model in Utah May Be Future for Medicaid

By Kirk Johnson and Reed Abelson

Published: February 24, 2005, New York Times

SALT LAKE CITY - Anyone looking for clues as to how the Bush administration might overhaul the Medicaid system should come to Utah and read the fine print of Tony Martinez's health insurance plan.

Mr. Martinez, 56, was homeless and without any health coverage a year ago. Now, under an experimental plan of partial insurance devised under Michael O. Leavitt when he was governor of Utah, Mr. Martinez can see a doctor or go to the emergency room for only a small fee.

But he and his wife, Lisa, are not covered at all for the potentially catastrophic costs of extended hospitalization or specialty medical treatment, from dermatology to oncology. For those services, they must rely, as they did when they were homeless, on charity.

And that brings the story back to Mr. Leavitt, who as President Bush's new secretary of health and human services is now leading a drive to change how Medicaid works and often points to Utah as an illuminating example that other states might consider - although it is an innovation that policy experts, doctors and advocates for the poor are deeply ambivalent about.

In Utah, Mr. Leavitt's plan departs from the traditional Medicaid program on two main fronts. First, it spreads out a lower, more basic level of care to more people, and reduces coverage for some traditional beneficiaries by imposing co-payments for services. And second, it relies on the generosity of doctors

and hospitals to provide specialty services free of charge.

In doing so, the state has in many ways reframed and reshaped the national debate over Medicaid and health care for the indigent, experts say, broadening the focus from the question of who does and does not have health insurance, to what constitutes basic health coverage.

Many academics and health care analysts say they also worry that substantial state-by-state Medicaid experiments could fracture and fragment a system that while never without its critics, has evolved into an anchor of health coverage for the poor since its introduction in the 1960's. Medicaid could create a landscape of winners and losers determined largely by whether they are lucky enough not to become seriously ill.

Mr. Martinez, for one, considers himself a winner. From no insurance, he now has some, and he considers that a victory. "We can go to sleep at night and not worry," Mr. Martinez said. "For me it's been great because I'm healthy and not on a lot of meds."

While Mr. Martinez sees the glass as half full, Wudeh Noba, a day care worker in the same Utah program, the Primary Care Network, sees the glass as half empty. The convoluted rules and co-payment schedules frighten her so much that she has ignored her doctor's advice to have a mammogram and find treatment for her migraine headaches because she is so worried about running up costs that she cannot afford on her \$7-an-hour salary. Ms. Noba, a refugee from Senegal, might have insurance on paper, but she does not remotely receive the care her plan supposedly provides.

Part of what is driving the debate is cost. Medicaid, the combined federal-state program for low-income people, now costs more than \$300 billion a year, with a growth rate that federal and state governments alike consider unsustainable. The Bush administration has proposed cutting \$60 billion from the projected federal Medicaid spending of \$2.8 trillion over the next decade and has said that states should be granted more flexibility.

Mr. Leavitt also seeks to address the problem of people without any insurance at all.

He has said in his recent speeches and in testimony before Congress that while no state will be the blueprint for the Medicaid overhaul, a main goal of the administration is to provide coverage for those now left out of the system, by spreading that coverage around and, perhaps, reducing benefits for some people now covered. Repeated requests to interview Mr. Leavitt were unsuccessful.

"Wouldn't it be better to provide health insurance to more people, rather than comprehensive care to a smaller group?" Mr. Leavitt asked in a speech this month. "Wouldn't it be better to give Chevies to everyone rather than Cadillacs to a few?"

State health officials in Utah admit the program is not perfect and is still a demonstration project that may yet change or end. But they say that for many of the 19,000 people now enrolled, it represents a huge step toward both better health care and an equally important goal of nudging uninsured people toward mainstream private health coverage.

Attachments (Continued)

The plan is deliberately constructed with modest premiums and co-payment schedules, they say, to offer a lesson on how health insurance works to people who might never in their lives have carried a private policy. The program does not change a main component of Medicaid, nursing home care.

Some critics say that stripped-down coverage like that of the Primary Care Network is not really insurance at all. It may indeed help some people, they say, but making the system work depends on the good will of doctors and hospitals to provide charity care. Hospitals in Utah, which have committed up to \$10 million a year in free care for the program's patients - a figure that does not count donations by medical specialists - say the real cost is running closer to \$13 million.

Advocates for the poor say Utah's plan also depends to a great extent on luck. It works well enough they say, until catastrophic illness strikes, and then it is like having no insurance at all.

"It's not that it doesn't have value if you're in reasonably good health," said Judi Hilman, the health policy director at Utah Issues, a nonprofit research and advocacy group that works on problems of poverty. "But human beings get sick, and it doesn't cover catastrophic illness."

Everyone here, from state officials to patients, agrees that one big problem with the system is finding a free-of-charge specialist. They do not exactly advertise in the Yellow Pages.

"It can take a lot of legwork," said Clayton Payne, who has private insurance at his job as an addiction counselor in Salt Lake City, but took the Primary Care Network coverage

for his wife, Cori, because adding her to his plan was too costly. He said it took nine months to find a surgeon who would operate at no cost last year after Ms. Payne dislocated her shoulder and tore her rotator cuff.

Another consequence of the specialist scramble, said Dr. Anna C. Beck, a cancer doctor who is president of the Utah society of medical oncologists, is that primary-care doctors are sometimes left to manage illnesses they feel uncomfortable dealing with. Some patients, she said, are probably also hesitant to seek out the specialty care they need and thus may not be getting proper diagnoses.

"I do think the diagnoses are delayed," Dr. Beck said.

Obtaining follow-up care for chronic conditions like asthma is also compounded by the difficulty of finding free doctors, physicians and analysts say.

Critics are also concerned about the co-payments now required in the traditional Medicaid program that were instituted as a way of helping to pay for expanded coverage. While the co-payments might seem minimal - a few dollars toward a prescription drug or a doctor's visit or a couple of hundred dollars toward a hospital visit - some policy analysts say they can significantly reduce use of these services.

In a report last November, researchers at the Center on Budget and Policy Priorities, a liberal research group in Washington, concluded that co-payments under Utah's program were affecting people's ability to see a doctor, go to the hospital and obtain prescription drugs.

"In reality, part of what the Utah experience shows is to provide extremely limited coverage to some people, they compromised coverage to other people," said Victoria Wachino, the director of health policy at the center. "If the goal is to reduce unnecessary utilization, co-payments are really a blunt tool."

But an analysis conducted by the Utah Health Department found that co-payments had only a minimal impact on health care decisions. Michael Deily, the director of health care financing for the department, said that co-payments steered people away from "inappropriate" doctor and hospital visits and that attaching dollar values, even in small amounts, allowed people to prioritize their own care.

"You try to strike a balance," Mr. Deily said. "You don't want to discourage services that are really needed. I don't know that anybody has found that balance yet."

State officials concede that coordinating all the moving parts in the system has been daunting. Two caseworkers, for instance, are responsible for connecting thousands of patients with charity-care specialists and hospitals.

The director of health care statistics for Utah, Wu Xu, said that patients had complained about the difficulty of specialty care, but that in a survey in late 2003 after the first year of the program, a strong majority also said they were getting better overall medical care than they previously received.

A former Utah Health Department official who was a main architect of the program, Rod Betit, said he thought that it was a step forward, but that it could be fine tuned to add some coverage for specialty care or

Attachments (Continued)

catastrophic assistance when medical bills exceeded \$5,000.

Other local health care experts say the state's idiosyncrasies - a relatively small population, a handful of big hospitals that provide the bulk of care and an ethic of private charity codified and encouraged by religious belief from the dominance of the Church of Jesus Christ of Latter-day Saints - made Utah a good laboratory.

"Utah is an ideal environment to test things like this out," said Kim Wirthlin, an assistant vice president at the University of Utah Health Sciences Center in Salt Lake City. "If something doesn't work here, if it can't work even in this environment, it probably won't work somewhere else.

Ms. Noba, the day care worker, said the problem for her was to figure where the boundaries of the coverage were and then be sure not to cross them.

"It's better than nothing," she said. *(Kirk Johnson reported from Salt Lake City and Reed Abelson from New York.)*

Senate Passes Mental Health Reform

By Rebecca Cook, The Associated Press

Last updated: March 11th, 2005 08:16 AM

The state Senate on Thursday passed an ambitious and expensive bill to reform the mental health care system in Washington state.

While the \$90 million to \$140 million cost put off some senators, bill sponsor Sen. Jim Hargrove said the cost of inaction would be much higher.

"What this bill does is make our drug-and-alcohol and mental health system work better and be adequately funded so we can save piles and piles of money," said

Hargrove (D-Hoquiam).

He said the state could save \$80 billion over the next 20 years in jail costs, hospital expenses, education, law enforcement and social services by improving the mental health system so people get the treatment they need.

Most of the bill's provisions will take effect only if the Legislature budgets for them. The state faces a \$2.2 billion budget shortfall over the next two years, plus cuts in federal mental health funding.

Hargrove's reputation as a tough-minded, fiscally conservative Democrat helped persuade 11 Republicans to join all 26 Democrats in voting yes. Many senators said they had not read the dense, 174-page bill, but trusted Hargrove.

"We should call this the Hargrove faith bill," said Sen. Mike Hewitt (R-Walla Walla). "I think you have good motives, and I hope this policy works."

The bill does many things. First and foremost, it integrates screening and treatment for mental illness and drug and alcohol addiction, because the problems often occur together. The idea, Hargrove said, is to "focus on recovery, and not just maintenance."

The bill would suspend instead of terminate Medicaid eligibility for people in jail. Now when people go to jail they get kicked off Medicaid. Then when they get out, they have to reapply, which can take months - a long time for someone who's mentally ill to go without treatment. Often they wind up back in jail.

The bill would also allow county governments to levy a one-tenth of 1 percent sales tax for new and expanded mental health and chemical dependency services.

Some senators said while they admired Hargrove's work on the issue, they weren't ready to take a leap of faith on this bill.

"I'm definitely hoping that I'm wrong, but I think it's very difficult to draw direct correlations between this enormous new program, or programs, and direct outcomes," said Sen. Bill Finkbeiner, (R-Kirkland). "This is an enormously expensive proposal ... It either comes out of existing programs - schools, higher education, social programs, environmental programs - or else it comes out of the taxpayers' pockets."

Hargrove's bill goes to the House.