

# the Courthouse Journal

W A C O U N T I E S . O R G

April 13, 2007  
Issue No. 14

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Courthouse Journal*

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

## Revenue Flexibility Bills Passing

On a 74-23-0-1 vote, the House passed **SSB 5498**. **SSB 5498** relaxes the non-supplant requirements in the 0.3% sales tax for criminal justice and the six-year levy lift to allow for supplanting of lost federal funds, lost or expired state grants and loans, extraordinary expenditures not likely to reoccur, major capital expenditures, and changes in contract provisions outside the control of the county. The bill now awaits Governor action.

Likewise, on a 73-25 vote, the House passed **SSB 5647**. **SSB 5647** clarifies that hotel-motel tax revenue can fund special events, festivals, and tourism-related facilities owned by non-profit entities. This authority is limited to five years for the purpose of being reviewed by JLARC of the economic impact of these expenditures. Because of the changes made in the House, the bill requires concurrence by the Senate. Thank you to everyone who made calls on this bill.

Still awaiting action is **SSB 5557** to increase the .08% sales tax credit for economic development in rural counties to .10%. This bill is a bill necessary to implement the budget, and consequently, can be acted upon until the last day of session. Continue to make calls to both Representatives and Senators to support this measure.

## Probation Liability Bill Headed to Governor's Desk

Thanks to all the county officials who called or emailed legislators in support of **SHB 1669**, which establishes a gross negligence standard for district and municipal court probation and supervision programs. Both the House and Senate have passed the bill unanimously, and it is now on the Governor's desk.

This is another great example of the influence of your collective voice and good teamwork.

**SHB 1669** will allow counties and cities to continue providing high-quality probation programs to help misdemeanor offenders pay their duty to society as well as change the underlying behaviors that led to their criminal activities. Local governments believe their communities are safer when offenders know someone is watching, but courts have been reducing active supervision due to the current tort climate. Without this bill, some counties and cities were concerned that they wouldn't be able to secure liability insurance for their probation programs.

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## **The Courthouse Journal**

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We welcome your suggestions and contributions. The weekly / bi-weekly deadline is noon Wednesdays.

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The gross negligence standard in the bill is the same that is already in statute for the state Department of Corrections when it supervises misdemeanants, which it does under a federal interstate compact and when defendants are given a misdemeanor sentence in Superior Court. The bill simply creates parity, affording local governments the same standard as the state for supervising the same type of offenders.

## **Jefferson County has the “PERCs”**

The Jefferson County Public Employees Recognition Committee (PERC) will meet next Wednesday beginning about 4:00 a.m. (YES - a.m. is correct). The group is made up of volunteers from each department and will begin cooking up a “Tax Blues Breakfast” that includes Mexican style eggs with ham and cheese, pancakes, bagels, croissants, muffins, sweet rolls, fruit, juice and coffee. They will serve the county road crew about 6:15 a.m. and the rest of the county employees by about 8:15 a.m.

The breakfast started 15 years (or so) ago as a “thank you” to employees. It is appropriately called the “Tax Blues Breakfast” since it falls annually between the Federal Tax and the Property Tax deadlines. Each employee who attends gets a ticket and twenty five or thirty door prizes are awarded. All expenses are paid for by the employees break room. Volunteers buy and stock items for sale on their own time. The profit pays for the breakfast in April and a barbeque in September.

At the September barbeque family members of employees are also invited. At the event employees are recognized for their years of service with service pins for 5, 10, 15, 20, 25, 30, 35 years. The barbeque began when former Commissioner Glen Huntingford decided to single-handedly thank the employees by buying, cooking and serving them hamburgers and hot dogs. The event eventually grew so in scope and size that it was taken over 8 years ago by PERC. Jefferson County Treasurer Judi Morris and her husband Milt (described by some as a “world class good sport”) have cooked for eight years. County Clerk Ruth Gordon and Prosecuting Attorney Juelie Dalzell have helped for the past few years. We hope they will report back and tell us how Jefferson County looks at 4:00 a.m.!

## **Legislative Committee Schedules and Agendas:**

<http://www.leg.wa.gov/wsladm/calendar.cfm>

**Bill Information:** [www.leg.wa.gov](http://www.leg.wa.gov)

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## **Budget, Finance and Taxes**

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### **Treasurers' Bill**

HB 1166, the county treasurer's administrative bill, hit a snag immediately after passage in the Senate on Tuesday when a notice to reconsider was offered. The snafu occurred when the bill report indicated an extension of the county treasurer's authority to place liens on property instead of indicating the bill simply enumerated the types of delinquent payments. After clarification with legislators, the notice was not acted on and HB 1166 was returned to the House for concurrence on a technical amendment made in the Senate.

### **Multi-Family Property Tax Exemption Passes**

ESHB 1910 passed the Senate and now awaits concurrence by the House. While unlikely to occur, WSAC will ask the Governor to veto this bill.

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## **Courts, Public Safety, Law & Justice**

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### **Bill Allows Counties to Retain Court Overpayments**

HB 1994, which will allow counties to retain overpayments to courts of \$10 or less, has passed both the House and Senate, and the governor is expected to sign it.

Under current law, intangible property that remains unclaimed for more than two years is presumed abandoned. This includes overpayment to the courts. Proponents of the bill contend that it is not cost efficient to give notice and reissue checks to those who have overpaid by \$10 or less.

HB 1994 will allow courts to retain overpayments of \$10 or less made in connection with any litigation, including traffic, criminal, or noncriminal matters. The overpayments must be deposited in the local current expense fund. A fiscal note estimated approximately \$75,000 may be retained by counties in the 2007-09 biennium.

### **Offender Re-entry Bill in Limbo**

The Senate's omnibus bill that seeks to assist criminal offenders re-enter society and avoid recidivism appears to be stalled in the House.

After surviving critical review and substantial amendment by the House Human Services and Appropriations committees, E2SSB 5070 is sitting on the House floor calendar with proposed amendments piling up around it. At last count more than 40 floor amendments had been drafted.

Even if the bill fails to pass the House before the April 13 deadline, many of its provisions may be restored via a budget proviso. Budget negotiations will continue through the weekend and next week.

Of particular interest to counties was a section of the bill that would establish up to four state-funded pilot projects to assist with community re-entry of county and city misdemeanor offenders.

### **WACO Package is a "Grand Slam"**

Several law and justice issues that were deemed WACO priorities have successfully beaten the 5:00 p.m. cutoff today and been passed by both houses. Today is the last day for bills to pass the second house with the exception of measures necessary to the implementation of the budget. Bills that have been passed include:

SSB 5191, missing persons, was signed by Governor Christine Gregoire on Monday. SSB 5191 amends and clarifies legislation from last session that coordinated statewide efforts to locate missing persons and identify human remains. A

missing person website developed by the Washington Association of Sheriffs and Police Chiefs will be unveiled in the next month.

**SSB 5190**, collection of legal financial obligations, is expected to be signed by Governor Gregoire next Wednesday. **SSB 5190** enhances the efforts of county clerks to collect court-ordered restitution, court costs, fees, assessments, etc. from convicted offenders.

**SSB 6100**, the prosecutors' bill to limit donations in charging decisions, passed the House on Wednesday. **SSB 6100** has not been delivered the Governor at this time.

**HB 1181**, forensic investigations, was pulled from Senate Rules and passed the Senate on Thursday. **HB 1181** provides a fee increase to vital records certificates to fund the State Toxicology Laboratory and death investigations in the State.

**SHB 1651**, boating activities, also passed the Senate earlier this week. Proponents are now working to ensure the appropriation to local boating programs is included in the 2007/09 Biennial Operating Budget.

**HB 2335**, exempting ham radio operators from leasehold excise tax on repeaters on public property, was signed into law by the Governor on Tuesday. Ham radio operators provide tremendous public service; in case of disasters, often radio transmissions are the only communications available.

**E3SHB 1001**, auto theft, passed out of the Senate on April 4, but has not yet been delivered to the Governor's Office. The House must now concur in the Senate amendments. The Concurrence Calendar is expected to begin today in the House.

**2SSB 5470**, the omnibus dissolution bill as amended, passed the House on Monday. The Senate must now concur with substantial amendments made in the House. The House amendments removed several requirements of counties and the parties.

## Bill Signing Information

If you are interested in attending the signing of any bill, please contact WACO or call the Governor's office to be notified directly at (360) 902-4111. Notices are also posted at the Governor's website at <http://www.governor.wa.gov/billaction/2007/default.asp>.

## Washington Goes Electronic with Traffic Tickets

*Washington Courts, April 12, 2007*

OLYMPIA, WA—Drivers stopped for violating traffic laws in Washington, or who are involved in a collision, are going to see something new. Currently, a select group of officers from local and state law enforcement agencies are using a system that allows electronic ticketing and collision reporting. Preliminary feedback indicates a reduction in traffic stop times.

"Prior to testing the electronic system, I timed a number of my traffic stops," said Officer David Johansen of the Lacey Police Department. "Electronic ticketing has cut these times by about half, allowing drivers to get back on the road faster."

A study will be conducted to determine the amount of time officers actually save. Results are expected in fall 2007. Violators receive printed copies of citations for their records, but they are no longer required to sign them.

Officers - be it city police, county sheriffs or state troopers—can use an in-vehicle computer to create electronic tickets and collision reports. This information is then encrypted and sent to the necessary agencies.

"Electronic ticketing is a common-sense program that will improve accuracy and accountability," said Governor Chris Gregoire. "It allows law enforcement officers to spend more time protecting the public and less time filling out paperwork."

Each year, nearly 160,000 collision reports and more than one million traffic tickets are processed in Washington. This program will eliminate the need for multiple agencies to re-enter information.

The Washington State Department of Transportation estimates, and a national study found, that approximately 10 percent of all tickets and collision reports contain errors. The program is specifically designed to eliminate errors.

This initiative will result in better data being delivered faster. The information is important because it helps organizations make decisions on roadway improvements and collision and fatality reduction—in addition to improving licensing records and expediting court cases. Time-savings within agencies can be used on other needed services for the public.

The electronic ticketing and collision reporting system is part of a much larger initiative, called eTRIP (Electronic Traffic Information Processing). A group of state and local agencies, frustrated by the redundant data entry and numerous inaccuracies of the current paper-based system, created the eTRIP initiative.

For more information about the system visit:  
<http://www.courts.wa.gov/newsinfo/index.cfm?fa=newsinfo.pressdetail&newsid=919>

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## ***Elections, Licensing & Recordings***

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### **Looks like November in April**

Today, the Senate passed **EHJR 4204** on a 33 yea to 16 nay vote. This is the bill that reduces the requirement to pass school M & O levies to a simple majority. This bill had passed the House of Representatives 79 yea and 19 nays. The presumption is that it will now go back to the House for concurrence.

If this does in fact occur, it would be forwarded to the Governor for signature, and then it would appear on the November ballot because this entails a Constitutional Amendment and public vote.

Spirited and passionate debate was heard on both sides, and several amendments were offered and voted down.

The 60% requirement has been in the law since the early 30's, and had survived several challenges. Most school districts seemed to feel it was an onerous burden to need a 60% majority when most other voter decisions required only a simple majority. Others felt that it was part of the "check and balance" system that had worked well, in that 97% of the school districts had in fact been able to pass levies under this system.

It looks like we may well be headed towards letting the people decide this issue.

### **Future for Good and Bad Voter Registration Bills Looks Bleak**

**SB 5566** and **SB 5561** both appear doomed if rumor is true and the House of Representatives is moving on to the Concurrence Calendar today. **SB 5566** has been a priority of the County Auditors and WACO to restrict certain voter registrations from being copied. Originally, **SB 5566** allowed review of the registration but would have prohibited the copying of the signature of the voter and other information. If **SB 5566** does pass today, it most likely will have the telephone number deleted from the bill and **SB 5566** will prohibit copying of the signature only.

**SB 5561**, a measure to allow voters to register on the day of the election, met with opposition from County Auditors and WACO as a threat to the integrity of elections and a nearly impossible undertaking with the current resource levels of county elections departments. The fiscal note was estimated at over \$9 million. To date, there are over 20 amendments prepared to be offered if **SB 5561** comes up for a vote on the House Floor and that alone may keep it from being passed.

### **Affordable Housing Bill Passes**

**E2SHB 1359**, an act relating to affordable housing, passed the Senate Thursday with an additional \$8 document recording surcharge of which 90% can be used by the county for purposes of the act. The remaining 10%, and also the state portion of the existing \$10 surcharge, is forwarded each month to the state treasurer for deposit in the Home Security Fund created in **E2SHB 1359**. The act also requires the counties to establish an affordable housing task force with additional reporting requirements and performance measures. A county may decline and cities may opt to establish one. **E2SHB 1359** requires detailed annual reports by the county as to the use of the receipts and expenditures by project.

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# Environment, Land Use & Resources

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## Growth Management/Land Use

**SHB 2212** and **SSB 5248** deals with the application of the growth management act to certain agricultural activities occurring on agricultural lands. It will create a two year time out for the development and adoption of new Critical Area Ordinances while the Ruckelshaus Center works with stakeholders on potential new programs, rules and proposed legislation. WSAC is working with both the environmental and agriculture stakeholders on this issue. **SHB 2212** is in Senate Rules and **SSB 5248** is in House Rules but on the calendar for floor action.

**SHB 1965**, authorizing major industrial development within industrial land banks. **SHB 1965** is in Senate Rules. **SSB 5145** dealing with the siting of "Wetland Mitigation Banks" on Commercially Significant Agricultural Resource Lands is stalled, with Senator Haugen looking to amend the language into **HB 1727**.

**SHB 1727** Planning to ensure sufficient land and densities available to accommodate growth. WSAC has opposed a section in this bill that would have required counties to adopt the development regulations of the city adjoining unincorporated UGAs. **SHB 1727** passed Senate Government Operations and Elections without the language opposed by WSAC and was brought to the floor for consideration. This bill is stalled while "scoping" rulings are pending.

## Agriculture

**SB 5108/HB 1627** creates the office of farmland preservation to support the retention of farmland and the viability of farming for future generations. Elements of this proposal are very consistent with WSAC's Agriculture Policy. We are concerned with the agency title, which implies preservation of farmland rather than WSAC's policy which is to sustain and enhance the agricultural economy of Washington State. **SB 5108** passed the House and Senate.

**SSB 5542/HB 2115** creates the Heritage Barn Preservation Program. **SHB 2115** has passed both the House and Senate.

**HB 1648** reinforces the importance of local right-to-farm ordinances to enhance the protection of agricultural operations and activities from nuisance lawsuits, and to further the clear legislative directive of the state Growth Management Act to maintain and enhance the agricultural industry and conserve productive agricultural lands. The bill has passed the House and Senate.

## Water

**ESSHB 1374/ESSSB 5372**, creating the Puget Sound Partnership has been merged into a single bill (**5372**) and has passed the House. Representative Upthegrove and Senator Rockefeller engaged WSAC and other stakeholders to come up with this bill that:

- Creates the Puget Sound Partnership, a new state agency, to clean up and restore the environmental health of Puget Sound by the year 2020.
- Creates an action agenda to achieve clean-up and restoration goals.
- Creates four organizational entities within the Puget Sound Partnership:
  - Leadership Council
  - Ecosystem Coordination Board
  - Action Areas
  - Science Panels
- Honors existing legal authorities of local government.
- Creates a corrective action process for entities in "substantial non-compliance."

**HB 1761** accelerates the cleanup of Puget Sound and hazardous waste and waste sites in the state. **HB 1761** has passed the House and Senate.

## Forest

2SSB 5883 and HB 1409 relate to the conversion of forestlands and applicability of local critical area ordinances and development regulations. They relieve counties from having to develop separate forest practice rules for forest conversion requirements. These bills are consistent with WSAC position statements. HB 1409 passed the House and Senate. 2SSB 5883 Passed the Senate and House.

## Energy

HB 1037 adds an additional type of facilities to the EFSC list of activities - electrical transmission or distribution lines and related equipment designed for or capable of operating at a nominal voltage in excess of one hundred fifteen thousand volts. Currently, these facilities are sited using local processes. This bill passed the House and Senate.

## Air Quality, State Environmental Policy Act and Shoreline Management Act

HB 1412 providing for a one-year extension for shoreline master program updates has passed the House. HB 1412 passed the House and Senate.

HB 1413 changes the definition of floodway in the Shoreline Management Act. HB 1413 passed the House and is now in Senate Rules.

SB 5421 is designed to establish consistent language amongst states for environmental covenants, recorded use restrictions negotiated in connection with hazardous waste site cleanups, and other environmental response projects to insure they are legally valid and enforceable, and has passed the Senate and House.

## Eminent Domain

HB 1458 and SB 5444 require new notice requirements to property owners before condemnation decisions/action may occur. HB 1458 has passed the house and the senate. SHB 2016 also limits the use of eminent domain for economic development purposes and will increase compensation for certain activities including ROW purchases. It is now in Senate Rules.

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## General Government Issues

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The Community Economic Revitalization Board (CERB) 2006 Legislative Report has now been released. You may view the report at <http://www.cted.wa.gov/site/66/default.aspx>

CERB's objectives are to strengthen the economies of areas of the state that have experienced high unemployment rates or below-average economic growth; to encourage the diversification of economies throughout the state; and to provide incentives for expansion of employment opportunities.

If you have any questions you may direct them to Janea Eddy, 360-725-4052 or [JaneaE@cted.wa.gov](mailto:JaneaE@cted.wa.gov)

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## Public Health & Human Services

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### Public Health Funding language amended onto Blue Ribbon Commission Health Care Bill

On Thursday the House passed E2SSB 5930, the Governor's bill from the Blue Ribbon Commission. Prior to passing the bill, it was amended to add language (mostly taken from E2SHB 1825) about public health funding and accountability. Even though the probable funding will be \$20 million, the distribution formula in the amendment is the same as it was when we were talking about \$100 million. With only \$20 million, the distribution is not at all proportionate, and heavily favors some local health departments at the expense of others. Lobbyists continue to work with all legislative parties and the Governor's office to get this corrected. While the funding is critically important, just as important is how it is distributed to the local health departments.

## Public Health Bill Action this Week

SSB 1761, which deals with the Model Toxics Control Account, passed the Senate. WSAC supports the bill. SB 5778 is a Department of Health request bill addressing shellfish protection. The bill is on its way to the Governor for signature. WSAC supports. ESHB 5894, also a Department of Health request bill dealing with large on-site-sewage systems and clarifying the authority of the local health officer regulating small on-site-sewage systems, passed the House. WSAC supports. SHB 1098 allows local health officers to suspend the prohibition on use of vaccines with thimerasol when there is a vaccine shortage. It requires full disclosure to patient. The bill passed the Senate. WSALPHO supports. 2SSHB 2220, providing for a study of the geoduck aquaculture, passed the Senate. ESSB 5297, requiring medically accurate sexual health education, is on its way to the Governor for signature.

## Mental Health Bills All Have Passed Both Houses

The key mental health bills we have been monitoring have all passed both houses of the legislature and are just awaiting concurrence and final passage by the house of origin before going on to the Governor for her signature. These include SSB 5340, SSB 5533, ESB 6018, 2SHB 1088, EHB 1217, EHB 1460, 2SHB 2055, and SHB 1456. SSB 5340 is Sen. Kline's bill that clarifies the definition of disability in the discrimination law and was heavily worked by WPAS and consumers. Congrats to David Lord and Marie Jube especially. SSB 5533 is Sen. Pflug's bill that authorizes a law enforcement alternative to incarceration for those who would be better served in a crisis stabilization unit. The task force to study decriminalization was deleted on the House floor. ESB 6018 is Sen. Brandland's bill for the two secure detox sites so the two statutes are the same regarding competency restoration and referral for civil commitment. The change to the definition of "imminent" was deleted in the House Committee. Congratulations to both Senator Pflug and Senator Brandland for their success with both these important bills.

2SHB 1088 is Rep. Dickerson's bill on improving children's mental health services. There was some final discussion about when the expansion of visits would increase from 12 to 20 and in what part of the state, but the final version has it going statewide. The wrap-around pilots would now be evaluated by the new Institute created at the University of Washington instead of Portland State University. There is no language attached to new funding for non-Medicaid children, as that funding was also stricken. At this point the remaining funding is for the pilots, the evidence-based Institute, additional CSO workers to expedite Medicaid coverage for juveniles, and additional medical coverage for juveniles in detention wherever possible and the expanded number of visits and providers. Hearty congratulations to Rep. Dickerson for shepherding this important bill through the process.

After two years, the Marty Smith bill, SHB 1456, was also passed by the Senate on April 11 unanimously. The funding for the additional staff to be used for emergency home visits is in both budgets with the Senate version slightly higher. And in its first year, the clubhouse rehabilitation services bill, EHB 1217, also passed the Senate. Congratulations to the advocates of both these bills, SEIU and NAMI especially.

EHB 1460 extends parity to the individual and small employer health insurance market and has been signed into law by the Governor, C 8 L 07. Former King County Executive Randy Revelle worked tirelessly on this bill and deserves our congratulations. 2SHB 2055 would set up a program specifically for those with traumatic brain injuries and would add some funding.

The only remaining mental health bills of interest are HB 1993, the counselor credentialing bill, which as of Thursday, the 11<sup>th</sup>, was still in Senate Rules; and SB 5070, the offender re-entry bill, which is on the House 2<sup>nd</sup> Reading Calendar and not subject to the cut-off on Friday, April 12.

## Housing Bills Still Under Construction

The primary affordable housing bill, HB 1359, which would raise the document recording fee again, was brought up in the Senate for action on Wednesday, April 10. However, Sen. Honeyford raised a point of inquiry regarding the surcharge. He asked for a ruling on whether the bill would require a two-thirds vote, as the surcharge would be considered a tax since it had no direct nexus with affordable housing, the subject of the bill. On Thursday the Lieutenant Governor ruled on the point of inquiry and found that the bill was okay as written. Senator Weinstein brought the bill up for passage and the Senate Ways and Means version which includes a \$2.00

document recording fee. It is destined for a conference committee and there is an intention to raise it back to \$8.00 and to insert additional performance measures.

There are several other housing bills still pending action. These include [HB 1450](#), which expands the sources of revenue that are eligible for a property tax exemption to include the two prior surcharges on the document recording fee; [HB 1401](#), which sets up a fund for acquiring land for affordable housing; and [HB 1187](#) and [HB 1117](#) which both recodify housing statutes. [HB 1187](#) was tried out as a vehicle upon which to hang the condo conversion bill which would place conditions on converting existing properties to condos. However, it was ruled that it was beyond the scope of the underlying bill so the attempt failed. This is the time during which all sorts of bills find new homes on bills with broad enough titles to support them. One of the child welfare bills, for example, has at least 4 bills combined on it in its final form.

Unfortunately, it appears [E2SHB 1910](#) has been successful this year. This bill would lower the eligible population for a city to take advantage of a property tax exemption for up to 8 years and up to 12 years if they include 20% affordable housing in their multi-housing projects. For larger cities, this law has already been on the books for a number of years. It is debatable whether any real affordable housing has been created for the average worker, especially in the Puget Sound corridor, but also in larger cities across the state. But counties have lost their piece of the property tax with no advantage gained to them or ability to approve or deny.

## **Most Bills Concerning Developmental Disabilities Moving Along**

[ESHB 1050](#), allowing certain students with disabilities to participate in graduation ceremonies, has passed both houses.

[SHB 1097](#), protecting frail elders and vulnerable adults and persons with developmental disabilities from perpetrators who commit their crimes while providing transportation within the course of their employment, to frail elders and vulnerable adults has been signed into law as C 20 L 07.

[HB 2137](#), allowing school employees' children with disabilities to enroll in special services programs in the district where the employee is assigned, is on the Senate 2<sup>nd</sup> Reading Calendar.

[2SSB 5467](#), the Lance Morehouse, Jr. bill, creating the individual and family services program for people with developmental disabilities, has passed the Senate.

Other DD bills are lagging a bit but may still get a chance.

[SHB 1394](#), authorizing incentive grants to support medical research and products to improve services to persons with developmental disabilities, is stuck in Senate Rules along with [HB 1505](#), regarding physician assistants determining disability for special parking privileges, and [SHB 2230](#), regarding early intervention services for children three years old.

## **Chemical Dependency Bills Still Alive**

This hasn't been the big year for substance abuse bills. But there are some we are very engaged in. These include:

[E3SHB 1001](#), combating auto theft, has passed the Senate.

[E2SHB 1993](#) is the counselor credentialing bill mentioned above. It is still in Senate Rules.

[E2SSSB 5070](#) is the offender re-entry bill which is on the House 2<sup>nd</sup> Reading Calendar and still the subject of a number of amendments. The bill is necessary to implement the budget so there is no rush to move it out this week.

[SB 5711](#) is the bill that expands the offender score to include offenses concerning the influence of intoxicating liquor or any drug, and has been delivered to the Governor.

**ESB 6018** changes provisions concerning detention of persons with a mental disorder or chemical dependency, and has been delivered to the Governor. It applies only to the two secure detox sites.

**ESSB 6032** concerns the medical use of marijuana and has been passed by the House.

## **Other Human Services and Health Insurance Bills of Note**

**2SHB 1095**, implementing the Part D drug co-payment program, has been signed into law, C 3 L 07.

**2SHB 1201**, extending Medicaid coverage for foster care youth who reach age eighteen, has passed the Senate.

**E2SHB 1422**, addressing children and families of incarcerated parents, has passed the Senate.

**E2SHB 1569**, reforming the health care system in Washington State (the “connector” bill), is on the Senate 2<sup>nd</sup> Reading Calendar. This bill will probably not be subject to the cut-off.

**2SSB 5093**, concerning access to health care services for children, has been signed into law, C 5 L 07.

**SSB 5336**, protecting individuals in domestic partnerships by granting certain rights and benefits has been passed by the House. This bill allows for domestic partnerships not only for same sex couples but also for heterosexual couples where one person is 62 or over.

**E2SSB 5659**, establishing family and medical leave insurance, is on the House 2<sup>nd</sup> Reading Calendar. This bill would establish a new payroll tax on employees to allow for paid leave of up to five weeks for the care of certain specified individuals. It is very controversial and the Governor has expressed her reservations about enacting an additional tax without taking it to a vote of the people.

**SB 5773**, concerning treatment records, has passed the House. We retain some privacy concerns with this bill as it applies to persons with mental illness or substance abuse issues.

**ESSB 5774**, revising background check processes, has passed the House. Originally a sweeping consolidation of some 12 different background check statutes that crossed DSHS, it has been amended to those requirements necessary to be in compliance with the federal Adam Walsh Act, which include fingerprint records.

**E2SSB 5930**, providing high quality, affordable health care to Washingtonians based on the recommendations of the blue ribbon commission on health care costs and access, is on the House 2<sup>nd</sup> Reading Calendar. This bill will probably not be subject to the cut-off since, like **E2SHB 1569**, it is necessary to implement the budget.

## **Pierce Council gives \$400,000 to Drug Program**

### **THE NEWS TRIBUNE**

*Last updated: April 11th, 2007 04:33 AM (PDT)*

The Pierce County Council voted Tuesday to release \$400,000 to the Pierce County Alliance to treat 80 drug court defendants with an experimental addiction-treatment regimen called Prometa.

Prometa treats addiction with generic drugs, counseling and nutritional supplements. It's controversial because the California company that owns the patent on the protocol, Hythiam Inc., has heavily promoted it before sound scientific evidence of its effectiveness is available, said Dr. Andrew Saxon of the Seattle Veterans Affairs Medical Center.

Test results comparing Prometa to a placebo are expected in 2008. Meanwhile, the company, which started in 2003, has raised more than \$300 million in the stock market, according to federal filings.

The council was persuaded to fund Prometa based largely on the testimony of drug court and Alliance personnel, plus a handful of former addicts, who told council members the protocol helps curb drug cravings.

Council Chairman Terry Lee said even if the program is only partly successful, it's worth trying, given the area's methamphetamine problem.

Council members Dick Muri and Shawn Bunney opposed the move. They said they worry that the council voted to use taxpayer dollars to fund research, because Prometa is described as research in the liability waiver drug court defendants will be asked to sign if they volunteer for it.

"This could all blow up in our faces big time and turn out to be a scam," Muri said.

M. Alexander Otto, The News Tribune

*Originally published: April 11th, 2007 01:00 AM (PDT)*

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## ***Transportation & Public Works***

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### **WSAC Priority Issue - \$20 Vehicle License Fee – Thank You!**

On a partisan vote of 32-17, [SHB 1858](#) passed the Senate to allow up to a \$20 motor vehicle license fee to be imposed by the majority of the members of a transportation benefit district (TBD) without a public vote. Because the bill was not changed in the Senate, this bill heads to the Governor for her consideration.

### **Regional Transportation Commission**

Both [E2SSB 5803](#) and [HB 2101](#) are on the House floor calendar. While a study seemed to be the direction the Legislature was taking, people are working to resurrect the underlying bill that mandates the creation of a Regional Transportation Commission. We may be asking you to make calls on this issue next week, if and when a bill moves from the House.

### **Capital Budget – Contact Members on Section 1034 of Senate Capital Budget**

Please continue to contact legislators to remove the proviso contained in Section 1034 of the Senate Capital Budget related to the Public Works Trust Fund (PWTF). The proviso would require the PWTF to require a minimum interest rate of 1% for PWTF loans. The PWTF currently allows an interest rate of 0.5% for projects that provide the maximum match, and for emergency loans. In addition, the proviso would prohibit other state grants and loans from being used as part of the match for a PWTF loan.

### **HB 1303 - Cleaner Energy Mandate**

This bill continues to be reworked. However, it is expected that the rulemaking to require local government goals to satisfy their fuel needs with biofuel in vessels, vehicles, and construction equipment will remain as it came out of committee.

### **Eminent Domain**

WSAC, AWC, and the Governor's office provided the Senate with language changes to [EHB 2016](#). However, other possible amendments to the bill have delayed action on the bill, possibly killing it for the session.

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## ***Association News***

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### **WCIF Executive Director Leaves Insurance Pool**

After just less than two years Mark Fukuhara, Executive Director for the Washington Counties Insurance Fund, has announced that at the end of April he will be leaving to join a nationwide consulting firm, eventually working in Honolulu, Hawaii. Fukuhara will continue in a consulting capacity with WCIF for two months to help the transition to find a new executive director.

An announcement from the WCIF Board stated, "We are sad to announce the departure of Mark Fukuhara, Executive Director. Mark has been a valuable asset to WCIF and we will miss him. With this departure the WCIF is currently seeking a dynamic individual to serve as the new Executive Director." A job announcement has been placed on the WSAC web page and you can view it by clicking on <http://wacounties.org/> and then Employment Opportunities.

Under Fukuhara's leadership WCIF has seen significant growth in both the number of employees and employer groups added to the fund as well as increased financial stability. WCIF has also developed a new partnership with WSAC by entering into a marketing agreement and being a major sponsor at association meetings.

### **Richard Selected for NACo County Leadership Institute**

NACo has selected Spokane County Commissioner Mark Richard as Washington's representative to the 2007 County Leadership Institute. Commissioner Richard will spend several days in New York City at the end of May with colleagues from around the country on a leadership curriculum developed by New York University's Robert F. Wagner Graduate School of Public Service. Congratulations Mark!

### **NACo Award Deadlines Approaching**

NACo's County Courthouse Awards, which honors elected county officials who have improved the lives of citizens through outstanding governance and strong leadership, and their County Leadership in the Arts Award both have submittal deadlines in May. For more information, visit:

[http://www.naco.org/Content/NavigationMenu/County\\_Resource\\_Center/Awards/Awards.htm](http://www.naco.org/Content/NavigationMenu/County_Resource_Center/Awards/Awards.htm)

### **National County Government Week April 22-28**

April 22-28 is National County Government Week. The theme for this year's celebration is *Protecting the Environment*. Created to raise public awareness and understanding about the roles and responsibilities of the nation's counties, NCGW provides an exciting opportunity to publicly recognize the many ways counties serve communities. For more information and promotional tools, visit:

<http://www.naco.org/Template.cfm?Section=Publications&template=/ContentManagement/ContentDisplay.cfm&ContentID=22290>

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## ***Boards & Commissions***

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### **Notice of Special Meeting of the WSAC Board of Directors**

Pursuant to the WSAC Bylaws, President Leo Bowman has called a special meeting of the WSAC Board of Directors for the purpose of considering entering into an amicus brief in behalf of King v. King in Snohomish County. The meeting, which will be held via telephone conference call, is scheduled for 1:00 p.m. on Monday, April 23. For more information about the meeting, contact WSAC at (360) 753-1886.

### **Correction to Recent Appointments Announcement**

The list of recent WSAC Board appointments and nominations to statewide boards and commissions in last week's issue of the Courthouse Journal incorrectly listed the appointment to the Washington State Noxious Weed Control Board. Commissioner Mary Lou Peterson of Okanogan County was the person appointed to the Board. Congratulations Mary Lou!

### **More Board Seats Open to WSAC Members, Others**

In addition to the long list of open seats on statewide boards and commissions advertised in the last two issues of the Courthouse Journal (listed below), the following positions are available. To apply for any of the seats, complete the short online interest form by June 9 at [http://wacounties.org/wsac/boards\\_form.htm](http://wacounties.org/wsac/boards_form.htm)

**Shorelines Hearing Board alternates** – Two alternate positions are open. In the event WSAC's representative is unable to attend hearings, an alternate list is tapped to ensure that a quorum is achieved for the hearing. Alternates can be appropriate county staff and former county commissioners or council members. For more information visit:

<http://www.eho.wa.gov/Boards/SHB.asp>

Community Economic Revitalization Board - Three year term beginning 9/07

<http://www.governor.wa.gov/boards/profiles/033.asp>

DRS Advisory Committee for Public Employees (PERS) - Three year term beginning 7/07

Forensics Investigation Council - Four year term beginning 8/07

<http://www.governor.wa.gov/boards/profiles/073.asp>

Law Enforcement and Fire Fighters Plan 2 Retirement Board - Six year term beginning 7/07

<http://www.governor.wa.gov/boards/profiles/230.asp>

Municipal Research Council - Two year term beginning 8/07; two positions available

<http://www.governor.wa.gov/boards/profiles/141.asp>

Pipeline Safety Committee - Two year term beginning 8/07

<http://www.governor.wa.gov/boards/profiles/165.asp>

Puget Sound Council - Four year term beginning 8/07 <http://www.governor.wa.gov/boards/profiles/182.asp>

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## **Training & Upcoming Events**

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### **Future WSAC Summer Conference Locations Set**

The Executive Committee of the WSAC Board of Directors has selected the locations for the 2008 and 2009 Summer Joint District Conferences. Mark your calendars now!

June 17-20, 2008: Kitsap Conference Center at Bremerton Harborside, Kitsap County

<http://www.kitsapconferencecenter.com/>

June 9-12, 2009: Red Lion Hotel Columbia Center, Kennewick, Benton County

<http://redlion.rdln.com/HotelLocator/HotelOverview.aspx?metaID=20>

### **Writing Grants That Get Funded**

**May 2, 2007 - Wenatchee**

**May 24, 2007 - Arlington**

**May 31, 2007 - Tumwater**

Does your county struggle with meeting infrastructure and other needs? If so, seeking grants might be something to explore. The Association of Washington Cities is offering a series of "Writing Grants that Get Funded" workshops which will be offered throughout the state during May. But now is the time to register!

Take this opportunity to come together and hear from Susan Howlett, grant writing expert as she shares practical solutions to persistent problems, and suggestions that you can put to use immediately. But you must register now!

For more information on the workshop and locations, link to: [www.awcnet.org/training](http://www.awcnet.org/training), then click on Writing Grants that Get Funded. If you have any questions, contact Karen Tanner at [karent@awcnet.org](mailto:karent@awcnet.org) or 800-562-8981.

## Calendar of Events

Meeting	Location	Date	Information
For your convenience training and workshops are bolded.			
<u><b>APRIL 2007</b></u>			
WA State Association of County Auditors' Finance Conference	Best Western Lighthouse Inn, Ocean Shores	April 17-19	(360) 753-7319
Urban County Caucus	Mercato Ristorante', Olympia	<b>April 18</b> 6:30 - 8:30 pm	(360) 753-1886
Rural Issues Sub-committee	Ramblin' Jacks, Olympia	<b>April 18</b> 6:30 - 8:30 pm	(360) 753-1886
Transportation Sub-committee	WA Counties Bldg, Olympia	<b>April 19</b> 8:00 - 9:00 am	(360) 753-1886
Legislative Steering Committee	WA Counties Bldg, Olympia	<b>April 19</b> 9:00 am - 1:00 pm	(360) 753-1886
CRAB Board	CRAB Office, Olympia	April 19 - 20	(360) 753-5989
18 <sup>th</sup> Annual National County Government Week		April 22-28	
<b>Sine Die</b>	<b>Olympia</b>	<b>April 22</b>	
WA State Association of County Clerks' Spring Conference	Coast Wenatchee Center Hotel, Wenatchee	April 23-25	(360) 753-7319
Court Administrator, Superior Court Clerks' Conference	Coast Wenatchee Center Hotel, Wenatchee	April 23-26	
ACHS Mental Health Section only/DSHS Mental Health Division	Olympia	April 26	(360) 586-4219 ext 106
WA Assn of Prosecuting Attorneys' Annual Spring Conference	La Quinta, Tacoma	April 25-27	(360) 753-2175
<u><b>MAY 2007</b></u>			
WA Assn of Prosecuting Attorneys' Annual Conference	Coast Hotel Wenatchee Center, Wenatchee	May 7 -11	(360) 753-2175
Washington State Association of County Auditors' Annual Conference	Spokane	May 8-10	(360) 753-7319
NACo Annual Western Interstate Region (WIR) Conference	Fairbanks North Star Borough, Alaska	May 9-11	(360) 753-7319
Assn of County Human Services - Tacoma/Pierce	TBD	May 16 - 17	(360) 586-4219 ext 106
<b>WA Assn of Prosecuting Attorneys' Support Staff Training</b>	<b>Red Lion Hotel, Wenatchee</b>	<b>May 16 -18</b>	<b>(360) 753-2175</b>
WA Association of Sheriffs and Police Chiefs Spring Conference	The Coast Wenatchee Center Hotel, Wenatchee	May 21-24	<a href="http://www.waspc.org">www.waspc.org</a>
WSAC Board of Directors Retreat	Campbell's Resort, Chelan	May 23-25	(360) 753-1886
Mental Health only/DSHS Mental Health Division	TBD, Olympia	May 24	(360) 586-4219 ext 106

Meeting	Location	Date	Information
Holiday Closure	WA Counties Building	May 28	Memorial Day
WA Assn of Prosecuting Attorneys' District Court Training	Icicle Inn, Leavenworth	May 31-June 1	(360) 753-2175
<u>JUNE 2007</u>			
Government Finance Officers Association (GFOA)'s 101 <sup>st</sup> Annual Conference	Anaheim Convention Center, Anaheim, CA	June 10-13	(360) 753-7319
International Association of Coroners and Medical Examiners' Annual Conference	Boise, Idaho	June 10-15	(360) 753-7319
WA State Association of County Assessors' Annual June Conference	Yakima	June 11-14	(360) 753-7319
WA State Association of County Treasurer' Annual Conference	Marcus Whitman Hotel, Walla Walla	June 11-15	(360) 753-7319
WA Association of County Clerks' Annual Conference	Best Western Friday Harbor Suites, Friday Harbor	June 12-15	(360) 753-7319
Association of Washington Cities (AWC)'s Annual Conference	Tacoma	June 12-15	
WA Association of Coroners & Medical Examiners (WACME) Training	Campbell's' Resort, Chelan	June 17-19	(360) 753-7319
WSAC Summer Convention	Marcus Whitman Hotel, Walla Walla	June 19 - 22	(360) 753-1886
WSAC Board of Directors	Marcus Whitman Hotel, Walla Walla	June 19 or 20-TBD	(360) 753-1886
WA Assn of Prosecuting Attorneys' Summer Training Conference	Campbell's' Resort, Chelan	June 20-22	(360) 753-2175
National Sheriffs Association (NSA)'s Annual Conference & Exhibition	Salt Lake City, Utah	June 23-27	(360) 753-7319
2007 Northwest Regional Elections Conference	Red Lion Hotel at Jantzen Beach, Portland, OR	June 26-29	
Mental Health only/DSHS Mental Health Division	TBD, Olympia	June 28	(360) 586-4219 ext 106

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## Featured Courthouse

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### This week's feature: Whatcom County



Whatcom County was established in 1854 by the Washington territorial government from a portion of Island County. Eventually Skagit and San Juan counties were carved from Whatcom. The region's early European settlers sought water power to establish a sawmill which they did at Whatcom Creek. Logging, coal mining, canning and, for a time, a route to Canada's Fraser River Gold Rush sites made up the area's early economy.

The county's first "courthouse" was actually Commissioner R.V. Peabody's residence. The courthouse then moved to many locations in the settlements surrounding Bellingham Bay until those towns merged into the city of Bellingham in 1903, where the courthouse is today.

The 2007 Northwest Washington Fair in Lynden is scheduled for August 13-18. For more information about Whatcom County, visit: <http://www.co.whatcom.wa.us/>

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# Attachments

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## Capitol Dispatch: Senate balks at longer prison time for speeders

By Don Jenkins, Columnist, *The Longview Daily News*, April 7, 2007

Two weeks are left in the legislative session, and once-promising bills are stumbling and dying daily. Take, for example, Longview Rep. Dean Takko's bid to imprison drivers who recklessly speed away from police.

Takko, a Democrat, proposed a year in prison, instead of two months in jail, for speedsters who put lives in danger by attempting to elude police.

The House unanimously agreed and passed Takko's bill over to the Senate.

The Senate Judiciary Committee, however, was concerned about the expense of sending more offenders to prison and that the penalty could be harshly applied against a motorist who just didn't stop quick enough.

The committee amended Takko's bill. Instead of a year in prison, the committee proposed three months in jail for hitting or scaring pedestrians or other motorists.

Pacific County Sheriff John Didion said the Senate version was too weak to achieve what he and other law enforcement officials wanted. A stronger penalty might make a petty offender decide not to speed away in the first place, he said. "I was frustrated with (the Senate amendment). To me, the importance of the bill is to be deterrence."

Law enforcement officials decided that no felony eluding bill would be better than settling for one that wasn't strong enough, Didion said. Law enforcement will let the issue drop but will take it up again next year, he said.

"That seems to be the consensus. That's probably the best chance of getting the bill we want, not the watered-down version," he said.

Takko said he will heed that advice. The bill officially died this week in the Senate budget committee, and Takko said he won't make any effort to resurrect it.

Takko also said he doubts he'll have more success next year because the make up of the Senate Judiciary Committee will remain the same until at least after the 2008 elections. "What's the point in playing the game again and getting the same answer?" Takko asked. "Some things take many years to get through."

Budget reviewed: Ridgefield Sen. Joe Zarelli, the lead Republican on the Senate budget committee, issued a lengthy critique of the \$33.3 billion two-year budget proposed by Senate Democrats.

Zarelli employed five bar graphs and a pie chart to argue that Democrats proposed a budget that can't be maintained unless future legislatures cut programs or raise taxes.

One chart shows projected tax revenues of \$32 billion over the next two years, while Senate Democrats propose spending \$33.3 billion during that time.

Spending like that is possible because tax revenues over the past year have consistently been higher than forecast, and the state has compiled a projected surplus of more than \$2 billion.

Democrats say they are betting money spent on education, health care and economic development will make the state prosper, increase tax revenues and prove Zarelli wrong.

Senate and House Democrats, and Gov. Chris Gregoire are negotiating the final budget. All three parties proposed spending plans of similar size.

Vegetable lauded: The Walla Walla sweet onion will be added to the state's list of official symbols. The Senate last week passed a House bill naming that particular type of onion the state vegetable. Senate Agricultural Committee chairwoman Marilyn Rasmussen, D-Eatonville, called it an important bill. "You ask why? I'll say 'why not?'"

Walla Walla Sen. Mike Hewitt, a Republican, said the onions are good enough to eat like apples when they're fresh out of the ground. "It's a tremendous vegetable," he said.

Capitol Dispatch appears Sundays and Thursdays. Don Jenkins can be reached in Olympia at 360-705-9438 or [don.jenkins@tdn.com](mailto:don.jenkins@tdn.com)

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# Attachments

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## **Innovative purchasing alliance saves counties, cities, schools and non-profits \$735 million on \$5 billion in purchases nationally**

*Note: WSAC endorses the U.S. Communities Program, which saved Washington counties \$ 281,648 on just over \$2 million in purchases in 2006.*

**WASHINGTON, D.C.** – Marking its 10-year anniversary, an innovative government purchasing alliance has saved counties, cities, schools, and non-profit organizations across the country \$735 million on \$5 billion in purchases, officials representing the U.S. Communities Government Purchasing Alliance announced, today, April 12, at the National Press Club.

U.S. Communities provides a money-saving national purchasing forum for local and state government agencies, school districts (K-12), higher education and non-profits nationwide by pooling the purchasing power of tens of thousands of public agencies in the U.S. and Canada. The alliance was founded in 1996 by the National Association of Counties (NACo), the United States Conference of Mayors (USCM), the National Institute of Governmental Purchasing (NIGP), the National League of Cities (NLC) and the Association of School Business Officials (ASBO).

The cumulative savings were immediate and have grown steadily since the purchasing alliance was implemented: \$3 million saved in 1997; \$8 million saved in 1998; \$16 million saved in 1999; \$29 million saved in 2000; \$34 million saved in 2001; \$48 million saved in 2002; \$53 million saved in 2003; \$74 million saved in 2004; \$108 million saved in 2005; and \$152 million saved in 2006. Officials estimate that U.S. Communities will generate \$210 million in saving this year.

“Since the program’s inception, counties, cities, schools, colleges, special districts, burroughs, townships, villages, towns, state agencies, and non-profit organizations have achieved more than \$735 million in hard dollar savings on purchases of commodities through the contracts,” said Rick Grimm, chief executive officer of the National Institute of Governmental Purchasing and chair of the U.S. Communities Board of Directors. “Total purchases have exceeded \$5 billion over the 10 years of the program including 2007 estimates.”

Grimm said U.S. Communities was born of the need for local agencies to find more efficient ways to purchase commodities and services. This was never more apparent than in 1996 when Congress decided to close Federal General Services Administration schedules to local agencies. In an effort to bring efficiencies and savings to local governments, the idea of a national buying cooperative took hold.

“While we suspected it would be successful, the savings, purchasing power and reach of the alliance has far exceeded our expectations,” Grimm said. “In 2006 alone, savings of \$150 million were documented on purchases exceeding \$1 billion. Today more than 20,000 public agencies are registered and participating in the program.”

Supervisor Gerry Hyland, Fairfax County, Va., a founding member of the alliance and an original member of the advisory board, said using the U.S. Communities program has “saved Fairfax County millions of dollars in purchases on a plethora of products including office and school supplies, computer products, office furniture, and industrial supplies.”

Hyland cited the office and school supply program as a prime example of savings.

“By using the existing contract under Los Angeles County, Fairfax County saved more than \$1.6 million in fiscal year 2006 on these supplies,” Hyland said. “That \$1.6 million a year plus significant savings from other alliance contracts allows us to fund other vital county services without having to ask for additional taxpayer assistance.”

Nancy Locke, purchasing manager, Seattle, Wash., said the city has taken full advantage of the number of offerings through U.S. Communities, including office supplies, technology solutions, janitorial supplies, maintenance and repair supplies, and playground equipment.

“In 2006 we estimate our total savings at more than \$350,000,” Locke said. “In addition, the city of Seattle was able to piggyback on contracts and free our staff to work on more complicated solicitations for the city.”

Darren Muci, director of operations, Wichita Public Schools, said, “Using the expertise of the school team members of U.S. Communities we have been able to build significant savings and improvements in the school product offerings.”

Hyland said the soft dollar savings are as significant as the hard dollar savings. He again cited the Los Angeles County school supply contract as an example.

“In addition to hard dollar savings are process or soft savings,” Hyland said. “We no longer warehouse office and school supplies because the Los Angeles County contract requires ‘just-in-time’ delivery to our work sites. We no longer have to spend money on the bidding process because Los Angeles County incurred those costs on behalf of all users of the program.”

According to the U.S. Communities Web site at [www.uscommunities.org](http://www.uscommunities.org) the primary advantages of the purchasing alliance are as follows:

- Competitively solicited contracts by a lead public agency;
- Most favorable public agency pricing;
- No cost to participate;
- Nationally sponsored by leading associations and purchasing organizations;
- Broad range of high quality products;
- Aggregates purchasing power of public agencies nationwide; and
- Managed by public purchasing professionals.

The alliance is guided by a national group of professional public purchasing advisors:  
<http://www.uscommunities.org/gpa/keyPart/ab.html>

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*U.S. Communities Government Purchasing Alliance (U.S. Communities), a division of U.S. Communities Public Services Alliance was designed in cooperation with an Advisory Board of local and state government purchasing officials and is jointly sponsored by the National Association of Counties (NACo), Association of School Business Officials International (ASBO), the National Institute of Governmental Purchasing (NIGP), the National League of Cities (NLC), and the United States Conference of Mayors (USCM). U.S. Communities provides a national purchasing forum for local and state government agencies, school districts (K-12), higher education and non-profits nationwide by pooling the purchasing power of over 87,000 public agencies.*