

the Courthouse Journal

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

March 20, 2009
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Washington Association of County Officials
Washington State Association of Counties



Struggling Student Bail-Out Package

Five lucky students will receive their own \$3,000 "bail-out package" from the Washington Counties Scholarship Fund but... They have less than two weeks left to apply!

The awards are available to students who will be enrolled full-time in the 2009/10 school year in a baccalaureate degree, associate degree, or vocational/technical certification program. Eligible students include dependent children of county employees. Use the application attached to this Journal or go to <http://wacounties.org/waco/>. *Applications must be postmarked no later than April 1!*

Update on WACO Legislative Package

by James McMahan, WACO Staff

Each year, the WACO membership produces a 'WACO Legislative Package' comprised of the highest priority legislation among each of the seven WACO affiliates. WACO staff prioritizes their time and attention during the legislative session advocating the contents of the WACO Legislative Package to the Legislature.

As of Friday, March 20 the WACO Legislative Package stands as follows:

Job announcements & links to County Employment pages at:

<http://wacounties.org/>

the Courthouse Journal

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(WACO) wacounties.org/waco

and the **Washington State Association of Counties**

(WSAC) wacounties.org/wsac

We welcome your suggestions and contributions. The weekly / bi-weekly deadline is noon Wednesdays. Direct inquiries and correspondence to - *The Courthouse Journal*, 206 Tenth Av SE, Olympia, WA 98501

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Service to the Public

- **Implement annual revaluation of real property in all counties of Washington by 2014.** **HB 1056** died in the House Finance Committee. **SB 5099** is now **SB 5368**. **SB 5368** was heard in the House Finance Committee on March 17 and must pass the committee by March 30.
- **Improve ballot title information.** **HB 1057** died in the House State Government Committee and **SB 5098** died in the Senate Government Operations Committee.

Savings in Government

- **Reduce the number of spring special elections from four to two.** **SB 5016** died on the Senate floor. **HB 1018** was heard in the Senate Government Operations & Elections Committee on March 16 and must pass the committee by March 30.
- **Remove language requiring Auditors to send a ballot request form or official ballot to inactive voters prior to each election.** **HB 1019** died in the House Rules Committee. **SB 5017** was heard in the House State Government & Tribal Affairs Committee on March 19 and must pass the committee by March 30.
- **Apply the restriction against unfunded mandates to local governments to non-constitutionally mandated court rules.** **SB 5240** died in the Senate Judiciary Committee.
- **Expand the court authority to enjoin harassing public records requests.** **HB 1316** died in the House State Government Committee.
- **Urge members of the Washington State Congressional Delegation and the United States Congress to pass HR 5698, the Restoring the Partnership for County Health Care Costs Act of 2008.** **HJR 4000** was heard in the Senate Human Services & Corrections Committee on March 19 and must pass the committee by March 30.

Better Government

- **Safeguard the Local Government Archives Records Account and repeal the authority granted in the State Capital Budget to transfer funds from the Account for support of the Washington State Heritage Center.** **HB 1374** passed the House Rules and is awaiting a hearing in the Senate Ways & Means Committee.
- **Support the recommendations of the Washington Association of Sheriffs and Police Chiefs (WASPC) to develop possible legislation and policies that will most effectively increase the amount of funding provided to law enforcement for boating safety activities, emphasize the activities related to law enforcement; and increase the overall efficiency of the Boating Safety Program (BSP).** **HB 1418** is

Legislative Committee Schedules and Agendas:

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

Bill Information: www.leg.wa.gov

now **HB 2237**. **HB 2237** died in the House General Government Appropriations Committee. **SB 5691** was heard in the House Ecology & Parks Committee on March 20 and must pass the committee by March 30.

- **Amend several statutes that were not revised with the passage of SB 5732, Chapter 105, 2007 Laws, which allows county treasurers to receipt property taxes paid before February 15, updates an archaic statute for the use of a “stamp” and amend statutes allowing for refunds of taxes. **HB 1208** is scheduled for a hearing in the Senate Government Operations & Elections Committee on March 23 and must pass the committee by March 30.**
- **Amend miscellaneous county clerk fees in order to make them consistent with the fee schedule passed by the Legislature in 2005: amend the language in the statute from “paper” to “document” to reflect court business which is transacted electronically; and, clarify statutory authority. SB 5013 passed the House Judiciary Committee and will soon be referred to the House Rules Committee.**
- **Limit the responsibility of county clerks in certain actions and appropriately place it with the parties to the action by amending certain statutes: 1) direct the petitioner in an action to dissolve a public utility district to give notice of hearings; and 2) require the state, rather than the clerk, to publish notice of dependencies. HB 1003 died in the House Judiciary Committee.**

Cut-Off Dates

by James McMahan, WACO Staff

Cut-off dates are very important dates for those who live in the legislative world. Cut-off dates are administrative deadlines that the Legislature imposes on itself to control the number of bills that flow through the legislative process. There are seven cut-off dates in each legislative session. To be “alive” today, bills must have passed their chamber of origin (House bills must have passed the House, and Senate bills must have passed the Senate).

The following lists the remaining cut-off dates for the 2009 legislative session:

1. **Monday, March 30:** Bills must pass from policy committees in the opposite chamber (House bills must pass the Senate policy committee(s), and Senate bills must pass the House Policy Committees);
2. **Monday, April 6:** Bills must pass from fiscal committees in the opposite chamber (House bills must pass the Senate, Transportation, and/or Ways & Means Committee(s), and Senate bills must pass the House Finance, Transportation, Appropriations and/or Ways & Means Committee(s));
3. **Friday, April 17:** Bills must pass the opposite chamber (House bills must pass the Senate, and Senate bills must pass the House).

The 2009 Legislative Session ends on Sunday, April 26.

Bill Count

by James McMahan, WACO Staff

As of Thursday, March 12, there have been 2,521 bills introduced in the 68 days the 2009 Legislature has been in session. Of those, 1,354 are House bills and 1,167 are Senate bills. 359 Senate bills are still alive, and 434 House bills are still alive as of today.

House members are introducing bills at a rate of nearly 14 bills per Representative (there are 98 members in the House of Representatives). Senators are introducing bills at a rate of nearly 24 bills per Senator (there are only 49 Senators in the Senate).

Of the 2,521 bills introduced this session, 17 have passed the Legislature.

Courts, Public Safety, Law & Justice

Court Fees Increase

While ESB 5013, county clerk fees, was subject to repeated amendment and continuing discussions in both houses, SB 5277, a bill authorizing district court clerks to charge fees for certain services, drew hardly an objection. The wrinkle is that collection agencies weren't fond of the district court fees but county clerk fees attracted the most opposition from the courts and its officers, including the Board for Judicial Administration and the State Bar Association. It seems in times of revenue shortfalls and drastic staffing cuts in county clerks' offices, this is where clerks would find the most support.

District courts want to mirror the county clerk fees and be able to charge for preparing certified copies, receiving faxed copies and to collect fees for research, ex parte orders. These are all new to district court. In ESB 5013 county clerks mostly wanted to increase existing fees that were at least 16 years old and some twice that age. They did want a new fee for the filing of creditors' claims in probates and went from \$200 to \$30 during negotiations, and it was finally deleted entirely. The last amendment adopted also states "For processing ex parte orders, the clerk may collect a fee of thirty dollars." This is an increase of \$10.

The House Judiciary Committee amended ESB 5013 and passed it out of committee Thursday. It will most likely be referred to the House Rules Committee. County Clerks are urged to contact their House Rules members and urge them to "pull" ESB 5013 to the Floor.

Elections, Licensing & Recordings

Records and Elections

HB 1374, the Local Government Archives Account, is still waiting for a hearing in the Senate Ways and Means Committee. HB 1374 is the bill to safeguard local government records management projects, including the Digital Archives and local government grants program, by repealing all appropriations (\$4 million) and all future authority for the Heritage Center Account to tap the Local Government Archives Account. Another big objection to last year's grab at the Local Government Archives Account is that operating funds would be used for a capital project. All WACO members are urged to contact Senator Margarita Prentice, Chair, and other members of the Senate Ways and Means Committee to request a hearing for HB 1374.

Environment, Land Use & Resources

Ecology proposes modifications to municipal stormwater permits

OLYMPIA – The Washington Department of Ecology (Ecology) is collecting public comments through May 1 about modifications it proposes to make to the state's municipal stormwater permits.

The permits regulate polluted runoff in Washington's most populated areas to protect water quality in streams, lakes, wetlands and Puget Sound. Polluted runoff – or stormwater – is the leading water quality threat in the state's urban areas.

A number of parties challenged the permits after Ecology issued them in early 2007. Many of the permit modifications are the result of permit appeal decisions by the state Pollution Control Hearings Board.

The proposed modifications deal with water quality standards, low-impact development, and infrastructure projects. Low-impact development refers to the use of vegetation, porous pavement, rain gardens and vegetated roofs to reduce runoff.

The changes also add local stormwater ordinances/codes and stormwater manuals to the Phase 1 municipal stormwater permit that covers the state's most populated areas. Ecology approves these for King and Pierce counties, Seattle and Tacoma. Ecology conditionally approves Clark County's ordinances.

Ecology's proposed permit modifications also include outcomes of settlement agreements about monitoring, water quality cleanup plans, and sediment cleanup sites. And, they involve other minor corrections and clarifications.

In addition, Ecology will use the public comment period to solicit input from all interests about improving compliance with the permit at a lower cost without compromising permit standards.

As an example, extending interim permit deadlines may help municipalities save money and still meet ultimate permit deadlines. Ecology is also looking for input about innovative, cost-saving approaches to managing stormwater.

"We recognize that we are in a different economic climate than we were in 2007 when we issued these permits," said Kelly Susewind, manager of Ecology's water quality program. "Despite the economy, we are seeing positive steps to manage stormwater in many places like Kitsap, Pierce and Spokane counties, and in cities like Tacoma, Fife and Yakima."

Susewind emphasized, "While we support cost-reduction ideas, we remain committed to the permit standards that protect our waters from polluted runoff."

Ecology will hold five workshops and two public hearings across the state about the proposed modifications. The workshops provide an informal venue in which Ecology will discuss the proposed permit modifications and answer questions. The public hearing is a formal hearing process in which the public may provide testimony for the official record.

Ecology will hold workshops about the modifications at 2 p.m. on the following dates:

- March 26, Vancouver City Council Chambers, 210 East 13th St. in Vancouver.
- April 6, PUD District #1 of Skagit County, 1415 Freeway Drive in Mount Vernon.
- April 8, Bellevue City Hall, 450 110th Ave. N.E. in Bellevue.

Ecology will hold workshops followed by public hearings at:

- 2:30 p.m., April 22, Moses Lake Fire Station, 701 East Third St. in Moses Lake.
- 2 p.m., April 23, Pierce County Library PAC Bldg., 3005 112th St. E. in Tacoma.

The public may view or download an electronic copy of the proposed permit modifications at:

www.ecy.wa.gov/programs/wq/stormwater/municipal/permitMOD.html.

The public may submit oral or written comments until 5 p.m. May 1 either at a public hearing or by e-mail to SWPermitComments@ecy.wa.gov. Mail comments to Municipal Permit Comments, Washington Department of Ecology, Water Quality Program, P.O. Box 47696, Olympia WA 98504-7696.

Earth Day Activities

The Washington Department of Ecology will post 2009 Earth Day/Week/Month activities on its website. If you are sponsoring such an event or know of one, please contact Michael Bergman at Ecology: mber461@ecy.wa.gov 360.407.6243

General Government Issues

Free NACo Webinar April 2: Leading in Tough Times

The first in NACo's series of free webinars will provide you with information and ideas about coping with and recovering from the recession. This 75-minute webinar, *Leading in Tough Times: Implementation of the Stimulus Package — What Counties Need to Know*, will be held Thursday, April 2, at 2 p.m. (EDT). Funds from the American Recovery and Reinvestment Act are already reaching state and local governments. Learn what's in it for counties; the purpose, structure and status of key funding for counties; and the important accountability requirements of the law. To register visit www.naco.org/toughtimes.

Contact: [Carrie Clingan](mailto:Carrie.Clingan@naco.org) · Phone: 202/942-4246

Public Health & Human Services

Department of Health to Change Rulemaking Notification Procedures

In an effort to save money, the Washington State Department of Health is changing the way they provide notifications about rulemaking. **Starting July 1, instead of mailing notices, DoH will send notifications via e-mail.** DoH expects to save at least \$77,000 over the next two years by doing away with mailed paper notices. DoH will instead be able to use these precious dollars to help ensure safe and reliable drinking water.

The Office of Drinking Water typically sends at least three notices about rulemaking:

1. The first notice announces they are considering rulemaking.
2. The second announces a proposed rule and public hearing.
3. The third announces that DoH has adopted a rule.

DoH will use a ListServ (special e-mail mailing list) to send rulemaking notices. You can sign up at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=WA-DRINKINGWATERRULES&A=1>

Although DoH recognizes that many enjoy receiving rulemaking notices in the mail, they think it's important to adopt new technology to get work done more efficiently. There are also benefits for you, such as:

- It is your choice whether to receive rulemaking notices.
- More than one person in an organization can sign up for the ListServ.
- You will receive rulemaking information sooner.
- Saves paper and postage!

DoH will still post rulemaking notices and supporting information on our Rules Web site at http://www.doh.wa.gov/ehp/dw/our_main_pages/regula.htm

If you choose NOT to sign up for the ListServ, it is still your responsibility to comply with any new rules. If you have any questions or concerns about the ListServ, please contact:

Theresa Phillips, Lead Rules Coordinator
(360) 236-3147

Theresa.phillips@doh.wa.gov

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(360) 236-3156

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Association News

WACO Board Meets

The WACO Board of Trustees met Wednesday and Thursday, March 18 and 19, with President Judi Morris, Jefferson County Treasurer, presiding. The Board meets quarterly to conduct the business of the association.

Highlights of this meeting included a presentation by Franklin County Coroner Dan Blasdel. Dan has been working on an interactive video game directed at middle school age children called "Beat the Reaper." The objective is to test their knowledge and hone their decision-making skills in the ultimate game of life. The video brings home the fact that good decisions can be the difference between life and death. It includes scenarios, resources, true stories and games that show people learning about destructive decisions. The video is a "must see" for your teenagers and is provided free of charge through the grants Dan has secured. (Please see the article attached to the March 13 *Courthouse Journal* or contact Franklin County Coroner Dan Blasdel at (509) 546-5885 for more details or a copy of the video.

The WACO Board Meeting concluded on Thursday after lunch with a presentation by newly-elected State Treasurer Jim McIntire. Treasurer McIntire recounted how bank failures and bailouts have impacted his first 75 days in office.

The WACO Board will meet again in Olympia on July 22 and 23.

Reminder: WACO Legislative Committee

by James McMahan, WACO Staff

The WACO Legislative Committee meets every week during the legislative session. Unless otherwise announced, the Committee meets by conference call at 9:00 AM each Tuesday. All WACO members are welcome and invited to participate. The Committee reviews recently introduced and active legislation related to any affiliate and considers requests for WACO to take a position or take action on legislation. The Committee also reviews the WACO Legislative Package and provides guidance to the WACO staff in that effort. Each WACO affiliate, time permitting, has an opportunity to review legislative action from their perspective.

The WACO Legislative Committee conference call dial in number is 1 (866) 393-8073. The PIN is *8093393*. Please announce yourself when you arrive on the call.

Training & Upcoming Events

Washington Counties – [wacounties.org/Calendar of Events](http://wacounties.org/Calendar%20of%20Events)
County Training Institute – www.countytraininginstitute.org

NACo Annual Conference

NACo is now accepting proposals for workshop presentations at its Annual Conference, 7/24-28 in Davidson County (Nashville), TN. Follow the link below for proposal specifications and the proposal form. The deadline for submission is COB, April 17, 2009. Presenters will be announced by May 6.

http://www.naco.org/Template.cfm?Section=annual&Template=/cfiles/events/proposals/proposal_annual.cfm

*** If you have further questions feel free to call Ruth Nybro at 202-942-4277 or mybro@naco.org ***

Courthouse Ramblings

Leon “Red” Almer, former Wahkiakum County Commissioner, Has Died

Saturday, March 7, 2009 9:48 PM PST

By [Erik Olson](#)

The Daily News, Longview, WA

Leon “Red” Almer was known throughout Wahkiakum County as a commissioner, a plumber, a sheriff’s deputy and a hunting safety teacher.

But those who knew him as a guitarist might remember that the most. Not because he was the most famous musician or the most talented, but because he knew how to put on a good show — sometimes incorporating bawdy lyrics in the wee hours at bars, son Jim Almer said.

Almer died Feb. 25 at the Columbia View Care Center in Cathlamet, where he’d lived for the past eight years after suffering a stroke. He was 80.

Survivors include son Jim; daughters Rita Kirwan and Julie Hampson; grandsons Tom Almer, Ryan Kirwan and Zachary and Tyler Hampson; and seven brothers and sisters.

Red Almer moved from Montana to Vancouver when he was a boy. He moved to Skamokawa at age 20 to become a logger, and he soon realized he’d found his home, Jim said. “He just loved Wahkiakum County. ... The hunting and fishing is what kept him right here.”

Almer was a logger for almost a decade before he switched careers and became a deputy sheriff, patrolling the county in his own vehicle. He was fair and diligent in his duty, Jim said.

Almer started Red’s Plumbing in the late 1960s. He was the area’s only plumber at the time, and he seemed to work on nearly every home in Wahkiakum County, Jim said.

That’s what prompted Almer to run for county commissioner in 1968, Jim said. Almer served two terms.

It was a tough job managing the county, and Almer often found himself mediating disputes with people he considered friends, Jim said.

Almer married Jim’s mother, Zenna Melick, in 1950, and they later divorced. She died in 1991. He married Carolyn Anderson in 1969. She died nine years later. He remarried, but his marriage to Jerry Miller ended in a divorce. In 1968, Almer was featured in a Daily News story shortly after opening Red’s Plumbing. Almer felt right at home in Wahkiakum County then, according to the story, just as he did until he died, according to his son.

“For the present, well — Red Almer is the closest thing to a really happy man that you are apt to locate in these hectic times,” the 1968 article said.

Attachments

Welcome to the U.S. Communities Purchasing & Finance Agency

(U.S. Communities) website <http://www.uscommunities.org/>

The Association of School Business Officials International (ASBO), the National Association of Counties (NACo), the National Institute of Governmental Purchasing (NIGP), the National League of Cities (NLC), and the United States Conference of Mayors (USCM), jointly sponsor the

U.S. Communities Government Purchasing Alliance (U.S. Communities)

Designed in cooperation with an Advisory Board of local government purchasing officials, U.S. Communities pools the purchasing power of public agencies, achieves bulk volume discounts on behalf of public agencies, competitively solicits quality products through a lead public agency and provides a purchasing forum for public agencies nationwide.

You can obtain information on how to contact all U.S. Communities suppliers by telephoning (866) 472-7467 or by sending an email to info@uscommunities.org

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"Results from our internal customer satisfaction survey show that our customers want two things from Purchasing. First save us time in the procurement process and second save us money. When Kansas City, Missouri uses a U.S. Communities contract we save both time and money for our customers."

Ray Burnett,
Commissioner of Purchases and Supplies
Kansas City, MO.