



CITY OF SEATTLE 2016 STATE LEGISLATIVE BULLETIN

February 1, 2016

Number 3

The City of Seattle is committed to being a safe, vibrant, interconnected, and affordable city.

Week Overview

On January 29th, the 2016 Washington State Legislature completed nearly one-third of its scheduled 60-day session. The week was highlighted by disagreement between the two chambers on addressing McCleary and by the introduction of multiple pieces of legislation impacting the transgender community. More on both issues below.

Legislators now face their first big deadline on February 5th - policy committee cut-off for house of origin. This means legislation needs to be passed out of policy committee by the end of that day. Fiscal cutoff comes quickly – bills that have a fiscal impact must pass out of fiscal committee by February 9th.

Priority Areas

Safety Net and Housing

Preservation Tax Exemption

[SB 6239/HB 2544](#), (Sen. Fain-R/Rep. Frame-D) which provide a property tax exemption for the preservation of affordable housing, are scheduled for executive session on Monday, February 1st. The City supports this legislation.

Tenant Protections

Sen. Mullet (D) and Rep. Walkinshaw (D) introduced [SB 6413/HB 2811](#), respectively, which would modify the residential landlord-tenant act to require a landlord to notify a prospective tenant if they will accept a comprehensive reusable tenant screening report prior to charging that prospective tenant for a background check or screening report. Both bills were heard this past week and HB 2811 is scheduled for executive session on Thursday, February 4th. The City supports this legislation.

Mental Health & Homelessness

[HB 2439](#) by Rep. Kagi (D) establishes the children's mental health work group to review the barriers that exist in identifying and treating mental health issues in children with a particular focus on birth to age 5, and report to the Legislature by Dec. 1st, 2016. The bill moved out of the House Early Learning and Human Services committee on January 29th.

Transgender Discrimination

A hearing was held on [SB 6443](#) (Sen. Ericksen-R) in the Senate Commerce & Labor committee on Wednesday. SB 6443 seeks to overturn the Human Rights Commission's ruling earlier this year protecting the right for Transgender individuals to use the restroom of their gender identity. Large numbers of advocates on both sides of the issue packed the committee room and the overflow are in the Senate galleries. The bill passed from the Commerce & Labor committee on a party-line vote and sent to the Senate Rules committee. Five other bills on this same issue have been introduced in the House and Senate in the past week. The City Council and the Mayor went on record in opposition to this legislation by sending a letter to the Seattle Delegation on Monday, January 25th.

Pregnancy Accommodations

[HB 2307](#) by Rep. Farrell (D) requiring pregnancy accommodations in the workplace was voted out of the Labor Committee without any amendments. Speaker of the House Frank Chopp (D) stated the bill will be on the agenda for a floor vote next week. The Senate companion, [SB 6149](#) (Sen. Keiser-D) will be heard Monday in Senate Commerce and Labor.

Education

McCleary

On January 25th the House passed, on a vote of 64-34, legislation ([HB 2366](#), Rep. Lytton-D) addressing education matters, including some requirements from the McCleary court decision. The legislation creates an education funding task force to research and create a K-12 basic education full funding plan and requires the Legislature to eliminate school dependency on local levies for funding basic education by 2017.

On January 28, the Senate moved similar legislation, as the Early Learning & K-12 Education Committee passed [SSB 6195](#) (Sen Rivers-R) out of committee on a 5-4 vote. This bill also creates a funding task force, appropriates \$500,000 for a private consulting firm, and directs the legislature to address school levy reform, but sets the date at 2018, instead of 2017.

Teacher Shortage

At a press event this week, Governor Inslee (D) announced Washington State is in need of 7,000 teachers. A hearing on [HB 2573](#), to make progress on the teacher shortage issues in the state, had a public hearing and executive session this week. The House, with a vote of 96-1, passed [HB 1737](#) addressing the equally dire substitute teacher shortage. It now moves to the Senate.

Breakfast After the Bell

Rep. Hudgins' (D) [E3SHB 1295](#) (companion bill [SB 5437](#)) was passed by the House on a 69-28 vote on January 27th. This legislation requires that high-needs schools offer school breakfast at the beginning of the school day beginning in the 2017-18 school year. The legislation now heads to the Senate for consideration. The City supports this legislation.

Environment

Solar Incentives

[SHB 2346](#) (Rep. Morris – D) which seeks to promote a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling passed out of the House Technology & Economic Development Committee 11-2. The amended bill addresses the per-utility tax credit, adjusts the incentive rates solar customers would receive and changes some of the administrative pieces of the program. It is now in the House Committee on Finance. The City supports this legislation.

Back billing

[HB 2261](#) (Rep. Shea – R) which would put significant restrictions on Seattle City Light's ability to back bill their customers was voted out of committee on Tuesday, January 26th with an amendment added to restrict the amount a public utility can back bill to six months. The bill now goes to the House Rules Committee. The City opposes this legislation.

Carbon Policy

[SB 6306](#) (Rep. Hobbs-D) creating a fossil fuel carbon pollution tax of \$8 per ton was scheduled to be voted out of the Senate Energy, Environment & Telecommunications Committee on Thursday, January 28th but was not brought up for a vote.

Meanwhile, [SB 6173](#) (Sen. Ericksen-R) prohibiting rules and policies that limit greenhouse gases passed out of the Senate Energy, Environment & Telecommunications Committee on a 5-3 party-line vote. This bill would greatly impact the Department of Ecology and the implementation of their proposed Clean Air Rule.

Transportation

Oil Transportation Safety

On January 26th, the House Environment Committee heard [HB 2576](#) (Rep. Farrell-D), which would direct the Dept. of Ecology to contract for an update to the State's response capacity to chemical, biological, radiological, nuclear and explosive agents by June 2017.

Another oil safety bill, [SB 6418](#) by Sen Ranker (D), was heard on January 26th in the Senate Energy, Environment and Telecommunications committee. This bill is broader in scope, addressing a range of issues including oil spill prevention and contingency plans, oil refinery worker assistance, financial responsibility assessment, and natural resource damage assessment.

Disadvantaged Businesses

Sen. King (R) introduced [SB 6180](#), which creates the Disadvantaged Business Enterprise Advisory Committee within the Transportation Commission to advise the Commission on issues and concerns from the DBE community and to increase the level of accountability and transparency regarding DBE activities. The bill was heard on January 27th and moved out of the Senate Transportation committee 12-1, and has been referred to the Rules committee for further consideration.

Orphan Roads

Hearings were held this week on Sen. Fain (R) and Rep. Moscoso's (D) bills [SB 6314/](#)[HB 2590](#), which allow King County to transfer ownership of a county road to a city or town if the road is within a city or town or abuts the boundary of a city or town on both sides. HB 2590 was heard in the House Local Government committee on January 27th and SB 6314 was heard in the Senate Transportation committee on January 25th.

Distracted Driving

[HB 2574](#) by Rep. Farrell (D) seeks to modify current legislation which considers sending a text message a traffic infraction. The bill would broaden the definition of personal wireless communication device-related activities to include most forms of reading or manually entering data into a device, double the fine for a second offense of this traffic infraction, and direct the Department of Licensing to include questions on distracted driving on the written portion of the driver licensing examination. HB 2574 was heard in the House Transportation committee on January 27th and is scheduled for executive session on February 3rd.

Public Safety and Government Operations

Unreinforced Masonry

On Monday, January 25th, the House Community Development, Housing and Tribal Affairs committee heard [HB 2688](#) and [HB 2689](#), both sponsored by Rep. Eric Pettigrew (D). [HB 2688](#) allows cities to levy a regular property tax, in excess of current statutory limits, for up to 10 years to fund the rehabilitation of historic buildings. [HB 2689](#) creates a state historic building rehabilitation program in the Department of Commerce to provide loans for the safety and preservation of historic buildings. Barb Graff, director of the Seattle Office of Emergency Management testified to the need for legislative action on this challenging issue. Both bills are scheduled for executive session on Monday, February 1st. Seattle supports this legislation.

Post-incarceration aid

Rep. Pettigrew (D) also introduced [HB 2791](#), which authorizes the creation of a statewide council to help address and promote successful reentry of offenders after incarceration back into the public. The bill was heard in the House Public Safety committee on January 26th and is scheduled for executive session on February 3rd. Seattle supports this legislation

Marijuana

[HB 2494](#), (Rep. Tarleton-D) which would seek to align marijuana possession penalties more closely with alcohol possession penalties is up for executive session in the House Commerce and Gaming Commission this week. The City supports this legislation.

This week, the House Commerce & Gaming Committee recommended 8-0 that the House vote to reduce the retail marijuana tax from 37% to 25%, by passing [HB 2347](#) out of committee. It is scheduled for a public hearing in House Finance on February 5th.

Pensions

On Thursday, January 28th the House State Government Committee heard [HB 2648](#), (Rep. Fey-D) which would expand investment opportunities for the Cities of Seattle, Tacoma and Spokane, bringing them in-line with the Washington State Investment Board and the UW Endowment fund. The bill is scheduled for executive session on February 2nd. A companion bill, Sen. Roach's (R) [SB 6170](#), is in Senate Rules. The City supports this legislation.

Public Records Requests

Attempting to address the often overwhelming amount of work put into Public Records Requests, [HB 2576](#) (Rep. McBride – D) was introduced and had a public hearing on Thursday, January 28th. This legislation would seek to, among other things, authorize a local agency to adopt a policy on the amount of time it devotes to public records requests provided certain documents are publically available and meet certain other criteria. The bill would also create a state commission on public records, impose fees on requests made for commercial purposes, and establish and fund a Local Government Archives Account to assist local governments with the often overwhelming task of properly archiving and accessing records.

Initiative 735 Certified

This week Secretary of State Wyman (R) certified [I-735](#) to the Legislature. The measure would urge the Washington State congressional delegation to propose a federal constitutional amendment clarifying that constitutional rights belong only to individuals, not corporations. Although the Senate is not expected to take action on I-735, two bills ([HB 2848](#) and [SB 6505](#)) that mirror the initiative have been introduced. These bills were sponsored by Rep. Frame (D) and Sen. Chase (D), respectively.

Gun Safety

On January 25th, [SB 6165](#) (Sen. Takko-D) legalizing short-barreled rifles and [SB 6158](#) (Sen. Dammeier-R) carving out an exemption to the background check requirements for guns at fundraisers without background checks had hearings in Senate Law & Justice Committee.

Looking Ahead

Senate Commerce will be hearing [SB 6578](#) (Sen. Baumgartner-R) on Monday, February 1st at 1:30. This bill would preempt cities, towns and port authorities from raising their minimum wages or requiring any additional work standards (like paid sick leave). The bill states minimum wage laws can only be set at the county, state or federal level. The City opposes this legislation.

In addition, the committee will also hear an amended version of [SB 6087](#) , which creates steps to a \$12 minimum wage for those over 18, directs L&I to establish a different minimum wage for those under 18 and prospectively preempts local authorities from enacting any laws impacting minimum wage or working conditions. The preemption clause does not affect local ordinances passed prior to this legislation.

February 2nd is Housing & Homelessness Advocacy day in Olympia. [HB 1565](#) by Rep. Ormsby (D), with the intent of protecting low-income renters from source of income discrimination, has a public hearing that day and is scheduled for executive session on February 4th. The companion, ([SB 5378](#) Rep. Miloscia-R) was heard on January 21st. The City supports this legislation.

On Wednesday, February 3rd, the Senate Accountability and Reform committee will hold a work session on the state homelessness plan performance. OIR will attend and monitor.

As noted earlier, cut-off for bills to pass from policy committee is Friday, February 5th.

Bill Status Report

| Bill # | Abbrev. Title | Short Description | Status | Sponsor |
|--|-------------------------------|--|---------------------|------------|
| HB 1182 (SB 5088) | Geological hazard assessment | Concerning a geological hazards assessment. | H Ag & Nat Res | Hurst |
| SHB 1257 (SB 5123) | Tenant screening reports | Concerning tenant screening. | H Judiciary | Walkinshaw |
| E3SHB 1295 (SB 5437) | Breakfast after the bell | Concerning breakfast after the bell programs. | S EL/K-12 | Hudgins |
| HB 1355 (SB 5285) | Minimum hourly wage increase | Increasing the minimum hourly wage to twelve dollars over four years. | H Labor & Work plan | Farrell |
| HB 1356 (SB 5306) | Sick & safe employment leave | Establishing minimum standards for sick and safe leave from employment. | H Labor & Work plan | Jinkins |
| 2SHB 1436 (2SSB 5404) | Homeless youth | Concerning homeless youth prevention and protection. | H Erly Lrn/H Svc | Kagi |
| E2SHB 1472 (SB 5406) | Chemical action plans | Concerning using chemical action plans to require safer chemicals in Washington. | H Environment | Fitzgibbon |
| HB 1481 (E2SSB 5564) | Juvenile records and fines | Concerning the sealing of juvenile records and fines imposed in juvenile cases. | H Erly Lrn/H Svc | Kagi |
| HB 1487 (SB 5423) | Clean car stds and program | Reducing emissions by making changes to the clean car standards and clean car program. | H Environment | Fey |
| HB 1525 (SB 5008) | Beverage containers | Concerning beverage containers. | H Environment | Caldier |
| HB 1565 (SB 5378) | Housing options/govt programs | Concerning the preservation of housing options for participants in government assistance programs. | H Judiciary | Ormsby |
| HB 1579 | Underinsured motor vehicle | Addressing motor vehicle underinsured coverage. | H Bus & Fin Svcs | Sawyer |
| ESHB 1646 (SB 5630) | Equal pay and opportunities | Enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities. | H 2nd Reading | Senn |
| ESHB 1713 | Mental hlth, chem dependency | Integrating the treatment systems for mental health and chemical dependency. | H Approps | Cody |

| Bill # | Abbrev. Title | Short Description | Status | Sponsor |
|--|------------------------------|---|--------------------|----------------|
| EHB 1729 (SSB 5631) | Domestic violence victims | Concerning the administration of a statewide network of community-based domestic violence victim services by the department of social and health services. | H Public Safety | Pettigrew |
| E2SHB 1850 | DOT, local reviews & permits | Exempting certain department of transportation actions from local review or permit processes under the shoreline management act. | H Local Govt | Hayes |
| HB 1911 (SSB 5795) | Water or sewer facilities | Authorizing municipalities to create assessment reimbursement areas for the construction or improvement of water or sewer facilities. | H Local Govt | Fitzgibbon |
| HB 1917 | Recordings/law enf., etc. | Concerning video and/or sound recordings made by law enforcement or corrections officers. | H Judiciary | Hansen |
| HB 2127 (SSB 5957) | Pedestrian fatality review | Creating a pedestrian fatality and serious injury review panel. | H Trans | Farrell |
| HB 2133 | Childcare provider addresses | Exempting the addresses of certain child care providers from the public records act. | H State Government | Hunt |
| HB 2211 | Vapor products taxation | Concerning vapor products, e-cigarette, and nicotine products tax and regulatory reform to support youth substance prevention. | H Finance | Pollet |
| HB 2310 | Fire prevention/2016 | Concerning fire prevention in 2016. | H Ag & Nat Res | Van De Wege |
| HB 2346 | Renewable energy promotion | Promoting a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling. | H Approps | Morris |
| HB 2362 | Recordings/law enf., etc. | Concerning video and/or sound recordings made by law enforcement or corrections officers. | H Rules R | Hansen |

| Bill # | Abbrev. Title | Short Description | Status | Sponsor |
|--------------------------------------|------------------------------|--|---------------------|----------------|
| HB 2368 | Marijuana delivery/pilot prg | Creating a two-year pilot program authorizing up to five qualified licensed marijuana retailers to deliver marijuana to Washington residents in a city with a population of over six hundred fifty thousand. | H Commerce & Gam | Hurst |
| HB 2374 | Statewide ammunition fee | Concerning a statewide ammunition fee to fund local public safety. | H Judiciary | Senn |
| HB 2377 | Schools/GMA | Establishing schools as essential public facilities within the growth management act. | H Local Govt | Taylor |
| HB 2449 | Truancy reduction | Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy. | H Judiciary | Orwall |
| HB 2460 (SB 6351) | Firearms/public places | Providing local authorities with the authority to regulate firearms in certain public places. | H Judiciary | Walkinshaw |
| HB 2468 (SB 6334) | GMA/rail dependent uses | Concerning rail dependent uses for purposes of the growth management act and related development regulations. | H Local Govt | Pike |
| HB 2491 | Local wage law preemption | Establishing state preemption of local wage laws and contracts. | H Labor & Work plan | Manweller |
| HB 2494 (SB 6486) | Marijuana offense penalties | Concerning penalties for marijuana offenses. | H Commerce & Gam | Tarleton |
| HB 2509 (SB 6227) | Wildlife and recreation prg. | Implementing the recommendations of the 2015 review of the Washington wildlife and recreation program. | H Cap Budget | Tharinger |
| HB 2524 (SB 6307) | Trans sup budget 2015-2017 | Making 2015-2017 supplemental transportation appropriations. | H Trans | Clibborn |
| HB 2530 (SB 6484) | Victims of sex crimes | Protecting victims of sex crimes. | H Approps | Orwall |
| HB 2540 (SB 6412) | Annual tax surveys & reports | Modifying the penalty for taxpayers that do not submit an annual survey or report. | H Finance | Nealey |
| HB 2547 | Synthetic turf materials | Ensuring that recreational facilities with synthetic turf materials are not a hazard to public health. | H Environment | Pollet |

| Bill # | Abbrev. Title | Short Description | Status | Sponsor |
|--------------------------------------|------------------------------|---|--------------------|----------------|
| HB 2569 | Police & fire in HOV lanes | Authorizing the use of high occupancy vehicle lanes by law enforcement and fire department vehicles. | H Trans | Sells |
| HB 2574 | Distracted driving incidents | Enhancing public safety by reducing distracted driving incidents caused by the use of personal wireless communications devices. | H Trans | Farrell |
| HB 2575 | Oil transportation safety | Continuing state efforts to increase oil transportation safety. | H ENVIDPS | Farrell |
| HB 2614 | Flood risk & habitat proj. | Providing for flood risk reduction and habitat restoration projects in the state. | H Cap Budget | DeBolt |
| HB 2644 | Animal forfeiture | Concerning animal forfeiture in animal cruelty cases. | H Judiciary | Blake |
| HB 2648 (SB 6170) | Retirement info. disclosure | Providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system. | H State Government | Fey |
| HB 2672 | Utility relocation costs | Relating to utility relocation costs. | H Tech & Econ D | Zeiger |
| HB 2700 | Impaired driving | Concerning impaired driving. | H Public Safety | Goodman |
| HB 2738 | Concealed firearm permission | Requiring permission to bring a concealed firearm into another person's residence or dwelling place. | H Judiciary | Hunt |
| HB 2752 | Religion/gov. discrimination | Enacting the protection of the rights of religious exercise and conscience from government discrimination act. | H Judiciary | Griffey |
| HB 2782 | Gender segregated facilities | Concerning the use of facilities segregated by gender. | H Judiciary | Klippert |
| HB 2811 (SB 6413) | Landlord-tenant provisions | Modifying residential landlord-tenant act provisions relating to tenant screening, evictions, and refunds. | H Judiciary | Walkinshaw |
| HB 2818 | Covering of loads on highway | Concerning the covering of loads on public highways. | H Trans | Kilduff |
| HB 2822 | Underservd grps/I-200 repeal | Restoring the fair treatment of underserved groups in public employment, education, and contracting. | H Cap Budget | Santos |

| Bill # | Abbrev. Title | Short Description | Status | Sponsor |
|--------------------------------------|-------------------------------------|---|-----------------------|----------------|
| HB 2935 (SB 6443) | Gender seg. facility rules | Concerning human rights commission rules on gender segregated facilities. | H Judiciary | Van Werven |
| SB 5277 | Patronizing a prostitute | Making the crime of patronizing a prostitute a gross misdemeanor. | S Law & Justice | Kohl-Welles |
| SB 5378 (HB 1565) | Housing options/govt programs | Concerning the preservation of housing options for participants in government assistance programs. | S HumSer/MenHlth/ | Kohl-Welles |
| SB 5604 | Countywide planning policies | Addressing the review and evaluation of countywide planning policies under the growth management act. | S GovtOp&Sec | Lias |
| SB 6115 | Water, sewerage businesses | Limiting tax imposed by a city or town on a water distribution business, a sewerage system business, or water and sewerage system business. | S GovtOp&Sec | Chase |
| SB 6163 | District charter schools | Authorizing district charter schools. | S EL/K-12 | Billig |
| SB 6170 (HB 2648) | Retirement info. disclosure | Providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system. | S Rules 2 | Roach |
| SB 6192 | Educational opportunity gap | Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee. | S EL/K-12 | McCoy |
| SB 6227 (HB 2509) | Wildlife and recreation prg. | Implementing the recommendations of the 2015 review of the Washington wildlife and recreation program. | S Rules 2 | Honeyford |
| SB 6265 (HB 2611) | Ag. vehicle weight limits | Concerning vehicle weight limits for the movement of agricultural commodities. | S Transportation | King |
| SB 6280 (HB 2828) | Potentially unstable slopes | Concerning forest practices board rules to decrease risks to public safety from potentially unstable slopes. | S Natural Resource | Rolfes |

| Bill # | Abbrev. Title | Short Description | Status | Sponsor |
|--------------------------------------|------------------------------------|--|-----------------------|----------------|
| SB 6307 (HB 2524) | Trans sup budget 2015-2017 | Making 2015-2017 supplemental transportation appropriations. | S Transportation | King |
| SB 6310 | Firearm responsible storage | Promoting the safety of children and communities through responsible storage of firearms. | S Law & Justice | Jayapal |
| SB 6334 (HB 2468) | GMA/rail dependent uses | Concerning rail dependent uses for purposes of the growth management act and related development regulations. | S GovtOp&Sec | Benton |
| SB 6375 | Marijuana clubs | Modifying marijuana club provisions. | S Commerce and L | Rivers |
| SB 6413 (HB 2811) | Landlord-tenant provisions | Modifying residential landlord- tenant act provisions relating to tenant screening, evictions, and refunds. | S Fin Inst/Ins | Mullet |
| SB 6418 | Oil transportation safety | Concerning oil transportation safety. | S Energy, Enviro | Ranker |
| SB 6443 (HB 2935) | Gender seg. facility rules | Concerning human rights commission rules on gender segregated facilities. | S Rules 2 | Ericksen |
| SB 6444 | Commercial trans. providers | Regulating providers of commercial transportation services. | S Transportation | Braun |
| SB 6509 | Viaduct project contingency | Concerning contingency planning for the state route number 99 Alaskan Way viaduct replacement project. | S Transportation | Baumgartner |
| SB 6527 | Environmental policy reviews | Incentivizing trade and economic development through state environmental policy reviews. | S Trade & Economic | Brown |
| SB 6540 | Safe playgrounds & turf | Ensuring safe playgrounds and turf fields. | S Energy, Enviro | Chase |
| SB 6548 | Gender-segregated facilities | Allowing the use of gender- segregated facilities. | S Law & Justice | Warnick |
| SB 6578 | Private employers/local reg. | Addressing local regulation of private employers. | S Commerce and L | Baumgartner |