



CITY OF SEATTLE 2011 STATE LEGISLATIVE BULLETIN

February 28, 2011

Number 7

Weekly Overview

The week started with five Councilmembers down for a full day of meetings on Monday. We had a total of 23 meetings, including leaders of all four caucuses and Governor Gregoire's senior staff. Topics included state budget priorities, transit funding, and the UW commercial parking tax exemption legislation, which would cut the City's budget by more than \$3 million a year.

Monday was also cutoff day for policy committees, and Friday was the last day for bills to make it out of fiscal committees. It is important to note, however, that bills deemed necessary to implement the budget are exempt from all cutoffs.

The House finished the week on Saturday by spending a full day and evening on the floor passing bills.

Areas of Primary Focus

Budget: With the early action cuts behind them now, legislators' attention has turned to the biennial operating budget. The next revenue forecast is due out on March 17th, and early indications are that the forecast will be down significantly.

Municipal Revenue: [SSB 5541](#), which would exempt the UW from the commercial parking tax (CPT), passed out of Senate Transportation and was referred to Senate Rules on Friday. The Senate Transportation Committee amended the bill, taking away even more local revenue authority by capping the commercial parking tax at 12.5% (unless voters' approve an increase, up to 15%), and expanding the tax exemption so that it now also includes non-profit hospitals.

Seattle opposes this legislation because it would mean a cut to the City's budget of more than \$1 million this year and more than \$3 million next year. The City is working with the UW to find a permanent fix for the U-Pass program so that it will continue to be viable not just for the short term, but for the long term. This bill underscores the dire state of transit funding.

Transit Funding: The House version of the short-term transit funding bill, [HB 1536](#), was previously passed out of the Transportation Committee, and is still in House Rules. Seattle supports this legislation. The Senate version, [SSB 5457](#), passed out of Senate Transportation on Friday. Councilmember Tom Rasmussen testified in support of this legislation on behalf of Seattle. The Committee amended the bill, reducing the maximum additional charge from \$30 to \$20, and limiting it to King County.

Fiscal Flexibility: [SB 5755](#), concerning county and city additional real estate excise tax authority, had a public hearing and passed out of Senate Government Operations, and Tribal Relations & Elections on Monday, February 21. The House version, [HB 1953](#), passed out of the House Ways & Means Committee and is now in House Rules. Seattle supports these bills because they would provide cities and counties the flexibility to use real estate excise taxes for the maintenance and operation of capital facilities and additional capital projects.

Criminal Justice: [SSB 5545](#) passed to the Senate Rules Committee for a second reading February 21. Seattle supports this legislation because it would give law enforcement personnel additional tools to fight human trafficking and the sexual exploitation of children by allowing law enforcement to intercept and record a conversation with the consent of only one party to the conversation when there is probable cause to believe the conversation involves the commercial sexual abuse of a minor. SPD testified in support of this legislation. The House companion bill, [SHB 1874](#), is still in House Rules.

[SB 5313](#), which would have stiffened penalties for juvenile gun crimes, died in committee because of a hefty fiscal note.

Education: [2SHB 1776](#), prime-sponsored by Representative David Frockt, would establish a unified set of licensing requirements for child care centers operated in public buildings. Seattle supports this legislation, and it is now eligible to come to a floor vote in the House.

Other Issues of Significant Interest

Vulnerable Roadway Users: Seattle supports this legislation because it creates a new infraction and penalties for drivers who injure vulnerable roadway users. The Senate version, [SSB 5326](#), passed the full Senate 43-5 and was referred to the House Judiciary Committee for a hearing on March 2. The House version, [SHB 1339](#), is on the House 2nd Reading Calendar.

Speed Limits: [SSB 1217](#) would simplify the process for cities and towns to lower speed limits on city streets. Seattle supports this legislation. It passed the House by a vote of 92-0, and has been referred to the Senate Transportation Committee.

Automated Traffic Safety Cameras: [SHB 1279](#) and [SSB 5188](#) would make improvements to red light camera programs. Seattle supports these bills, which have both passed their respective Transportation Committees and are now in Rules.

State Environmental Policy Act (SEPA): Legislation to update SEPA, [HB 1952](#), passed out of General Government Appropriations & Oversight Committee and was referred to House Rules. Seattle has been actively participating in a broad stakeholder process focused on modernizing SEPA, and we are looking forward to continuing to improve this legislation as it moves forward. We are pleased that the current version of the bill includes an exemption for farmer's markets.

Public Records: [HB 1300](#) and [SB 5088](#), both died in Committee. These bills would have allowed cities and other government entities to charge the public records requestor for the actual personnel costs of any request that exceeds five hours of staff time per month. Opponents claimed these cost recovery mechanisms would limit government transparency. [SHB 1899](#), which relates to penalties for public records violations, moved to House Rules. The bill now gives a range of monetary penalties that may be assessed, from a minimum of \$0 up to \$100. The range under current law is \$5-\$100 per day, so having an option for \$0 is a significant step forward. Seattle supports this legislation.

Carpet Stewardship: [SSB 5110](#), requiring manufacturers or retailers of carpets to participate in a carpet stewardship program, was passed out of the Senate Committee on Environment and Water & Energy to Senate Rules. Seattle supports this legislation. Seattle calculates that approximately 14,000 tons of carpet is sent to landfill annually in Seattle that instead could be recycled into other materials.

Regulating Underground Utilities: [2SHB 1634](#) aims to improve pipeline safety in Washington State by making changes to dig law practices. This bill passed the House General Government Appropriations & Oversight Committee and was referred to House Rules. Seattle continues to have concerns about some of the unintended consequences of this bill. Specifically, the bill will require a change in practice for marking or identifying certain sewer and water lines, and it is unclear whether this provision would significantly reduce water and sewer line disruptions; it could, however, result in a significant workload increase for SPU. We are continuing to work the legislation and make improvements as it moves through the process.

Secure Medicine Return: [SSB 5234](#), creating a medicine return association to finance and operate a product stewardship program for the safe collection, transportation, and disposal of unwanted medicines, is still in Senate Rules. The House companion, [HB 1370](#), died in Committee. Seattle is working closely with a broad range of stakeholders in support of this legislation.

Phosphorus in Fertilizer: Last week [SHB 1489](#), which would limit the use of fertilizer containing phosphorus, passed out of committee, and is now in Rules. The committee passed out a substitute version of the bill that the City supports. This legislation aims to protect water quality by reducing phosphorous runoff from lawn fertilizers. The Senate version, [SSB 5194](#), also passed out of Committee and is now in Rules.

Houseboats: Legislation that would exempt houseboats from certain land use regulations has had hearings in both the House and Senate ([SB 5623](#) and [SHB 1783](#)). The House version was amended in Committee so that it now applies statewide, not just in Seattle. It is now in Rules. The Senate bill died in Committee. These bills were introduced because houseboat advocates were concerned that state and local regulations would eventually lead to fewer spaces for existing houseboats. Representatives from DPD and the houseboat advocates have been meeting and it appears that they are close to reaching agreement on a compromise amendment that addresses the houseboat advocates' concerns while protecting environmentally sensitive areas. Environmentalists and the state DOE and DNR have significant concerns with the legislation. The objective at this point is to find amendment language that satisfies houseboat advocates, environmental advocates, the City, and the state agencies. Negotiations continue.

Limousine Regulations: [SSB 5502](#) would provide the City of Seattle with the authority and additional resources to enforce limousine laws. Currently, there are a number of locations in Seattle where some limousine operators are operating more like taxicabs than limousines, and the City does not have the legal authority to take action. The bill is on the Senate 2nd Reading Calendar, which means it is eligible to come up for a floor vote. Seattle supports this legislation.

Mutual Aid: [SHB 1585](#) passed the House with a 97-0 vote, and its companion bill, [SSB 5420](#), passed to Senate Rules. These bills would allow local governments to provide aid when another city or county in Washington has experienced an emergency and requests assistance. Seattle supports efforts to allow this type of coordinated assistance.

Flood Control District: [SB 5638](#) and [HB 1969](#) would exempt the King County Flood Control District from certain limitations on regular property tax levies. Seattle supports this legislation because a portion of the property taxes that would be collected if this bill passes are slated to help fund the seawall replacement and other critical projects. Both bills are now in Rules.

Storm Water Funding: [SB 5604](#) and [HB 1735](#) would impose a storm water pollution fee on petroleum and other hazardous products and use the revenue to help fund important projects that reduce storm water pollution. Seattle supports this legislation. Neither bill made it out of their respective Ways & Means Committees. They could, however, be deemed necessary to implement the budget.

Taxicab Lease Rate Caps: [SSB 5498](#) passed from the Senate Labor and Commerce & Consumer Protection Committee to Senate Rules. It would make all taxicab, limousine, and for-hire vehicle businesses and operators subject to mandatory industrial insurance. Seattle supports the underlying legislation. However, we opposed two sections in the original bill that would have limited our ability to cap the lease rates taxi owners charge taxi operators. Our ability to cap the lease rates owners charge drivers is essential to preserving the drivers' ability to earn a living wage. We have been working with legislators and key stakeholders on amendments that would address this concern. The Senate version has been amended to address our concerns, but the House version, [SHB 1367](#), which is in House Rules, still contains the original language we oppose. We are working with the impacted stakeholders in an attempt to find mutually agreeable language.

Medical Cannabis: [SB 5073](#), which clarifies laws surrounding the medical use of cannabis, passed the Senate Ways & Means Committee and was referred to Senate Rules. Seattle supports this legislation.

Youth Access to Tobacco Products: [SHB 1246](#) is now in House Rules. This bill aims to reduce youth access to tobacco products by restricting access to flavored tobacco products and by removing the state preemption of local tobacco regulations if the regulations are at least as restrictive as the State's under the Youth Access to Tobacco Law. Seattle supports this legislation.

Looking Ahead

The week ahead will be consumed with floor action in both the House and Senate. Bills must pass their house of origin by March 7th.