

CITY OF SEATTLE
2009 STATE LEGISLATIVE BULLETIN

March 16, 2009

Number 9

The House of Origin cut-off was 5:00 p.m. on March 12, where bills need to have been passed by their originating chamber in order to continue over to the opposite body. In other words, any bill that did not get passed by the House or Senate is now officially "dead". The exception is when a bill is deemed "necessary to implement the budget" or NTIB. This Thursday will also bring the next quarterly revenue forecast, which will play a significant role in shaping the Legislature's 2009-2011 budget proposal.

SESSION PRIORITIES – 2009

Public Safety

HB 1498 would make changes to state law regarding when a person's right to possess firearms is revoked after a certain time of involuntary commitment for mental health treatment, making state law consistent with federal law. The House passed the bill by a vote of 97-0 on March 5. It will be heard in the Senate Human Services & Corrections Committee on Tuesday, March 17. **Seattle supports this legislation.**

Housing Resources

SHB 1464 passed out of the House of Representatives 63-32 on March 4 and is likely to be scheduled for a hearing in the Senate Financial Institutions, Housing & Insurance Committee the week of March 23. SHB 1464 makes modifications to the incentive zoning for affordable housing statute. The Senate version, **SSB 5544** did not pass out of the Rules Committee by the March 12 cutoff and is considered 'dead' for the session. **Seattle supports these bills.**

Regional Transportation

SSB 5768 authorizing the replacement of the State Route 99/Alaskan Way Viaduct with a bored tunnel passed the Senate by a vote of 43-9. It has been scheduled for a public hearing in the House Transportation Committee on March 18. **Seattle supports this legislation.**

HB 1591 would have made technical changes to the Transportation Benefit District Statute and allowed the voter approved sales tax to go out to thirty years for bonding purposes. An amendment would have allowed councilmatic authority for an additional \$20 (for a total of \$40) if used for transit purposes. This bill did not come up for a vote in the House.

Health Care

2SHB 1985 was passed by the House 96-0 on March 10 and has been referred to the Senate Health & Long-Term Care Committee. 2SHB 1985 requires local health districts to comply with minimum health standards as a condition for receiving state funding.

Education

ESHB 2261 passed out of the House on March 12, 71-26. ESHB 2261 states that the Legislature intends to monitor the progress of developing formulas, processes, and systems and to begin a schedule of implementation in the 2011-12 school year. The Senate version, **ESB 6048**, passed out of Senate by a vote of 28-20 on March 9 and was referred to the House Education Appropriations Committee. **Seattle supports these bills.**

STATEMENT OF POLICY – 2009

Civil Rights

HB 1727 and **SB 5688** would expand rights, responsibilities, and protections for registered domestic partners. SB 5688 passed the Senate by a vote of 30-18 on March 10 and has been referred to the House Judiciary Committee. HB 1727 died in the House Rules Committee. **Seattle supports this legislation.**

On March 10, the Senate passed **SB 5952** by a vote of 36-12, and it has been referred to the House Public Safety & Emergency Preparedness Committee. It would expand the definition of “sexual identity” as it relates to protection under the malicious harassment statute. **Seattle supports this legislation.**

HB 1517 would restore the right to vote to persons convicted of a felony in a Washington State Court when he or she ceases to be in the custody of the Department of Corrections. HB 1517 passed the House on March 10 53-43 and has been referred to the Senate Government Operations & Elections Committee. SB 5534, its companion bill, never received a vote on the Senate floor. **Seattle supports this legislation.**

HB 1766 and **SB 5672** would have amended state discrimination laws by adding protections for tenants and others dealing in real estate transactions from being discriminated against on the basis of lawful source of income such as SSI, Section 8, and other public and lawful sources of income. Neither of these bills received a vote in their respective chambers of origin. **Seattle supported this legislation.**

Climate Protection & Environment

HB 1819 and **SB 5735**, by request of Governor Gregoire, would take steps to implement a regional cap-and-trade program in line with the Western Climate Initiative. **Seattle testified in support of the original legislation**, though both bills were modified significantly since then. SB 5735 was passed by the Senate by a vote of 29-19 on March 11 and has been scheduled for a public hearing in the House Committee on Ecology & Parks on March 17. HB 1819 did not receive a vote in the House.

Elections and General Government

SB 5130 relates to prisoners making public records requests. Currently, when a prisoner has been denied access to a requested public record, they may petition the court to determine whether the agency was correct in its denial. SB 5130 adds that the

court may enjoin the examination of any nonexempt public record requested by a person serving a criminal sentence if it court finds that the request was made to harass or intimidate the agency, its employees, or any person, or that disclosure of the record would likely threaten the security of correctional facilities, the safety and security of staff or other persons, or the deterrence of criminal activity. It passed the Senate 47-0 on March 3 and is scheduled for a public hearing on March 17 in the House Committee on State Government & Tribal Affairs.

Energy

E2SHB 1747 passed out of the House 70-25 on March 9 and was referred to the Senate Environment, Water & Energy Committee. The Senate version, **E2SSB 5854**, passed the Senate by a vote of 42-5 on March 10 and is scheduled for a hearing in the House Technology, Energy & Communications Committee on March 18. This legislation promotes low-energy-use building codes; disclosure of buildings' energy use scores; financing energy-saving upgrades to existing buildings; and reducing low-income households' utility bills. The original versions of the bills allowed cities and counties to create a "conservation utility"; this authority is removed from the current versions of these bills. **Seattle supports this legislation.**

ESSB 5840 passed out of the Senate on March 10 by a vote of 27-21 and was referred to the House Technology, Energy & Communications Committee. ESSB 5840 makes the following modifications to Initiative 937, the Energy Independence Act: expands the geographic boundaries for eligible renewable resources and renewable energy credits; expands the definition of eligible renewable resource to include all incremental hydroelectric generation from efficiency improvements; increases the eligible renewable acquisition targets and allows the limited use of conservation to meet those targets. **Seattle is monitoring this legislation.**

Growth Management, Land Use and Annexation

SSB 5321 would continue the current sales tax credit for annexations over 10,000 by cities under 400,000. It provides approximately \$600,000 for Seattle in the event of an annexation in the North Highline area. It also allows smaller cities an extra 0.1% sales tax credit if an annexation "commences" before 2010. The bill passed out of the Senate by a vote of 41-6 and was referred to the House Finance Committee.

HB 1710 which would provide up to \$5 million for an annexation in the North Highline area did not come up for a vote in the House. The language in the bill had been proposed in striking amendments for HB 1147 and HB 2249 although neither bill came up for a vote in the House.

Hazardous and Solid Waste

2SHB 1469 did not pass out of the House by the March 12 cutoff and is considered 'dead' for the session. 2SHB 1469 would have established the product stewardship recycling act for mercury-containing lights. **Seattle had supported this bill.**

2SHB 1165 did not pass out of the House by the March 12 cutoff and is considered 'dead' for the session. 2SHB 1165 would have provided for the safe collection and disposal of unwanted drugs from residential sources through a producer-provided and funded product stewardship program. **Seattle had supported this bill.**

Human Services

SSB 5301 would allow the 0.1% sales tax imposed by the County Council to be used for supplanting of existing funding for chemical dependency or mental health treatment programs. As currently written the supplanting could be up to 25% in 2010 and decreases by five percent each year until sunseting at the end of 2014. This bill passed out of the Senate by a vote of 41-7 and is scheduled for a public hearing in the House Finance Committee on March 17.

Infrastructure/Finance

HB 2249 is a bill that only affects King County (KC) and the cities in King County that have proposed annexation areas. This bill would extend the existing sales tax credit for annexations over 10,000 to January 1, 2012. It allows KC to impose a utility tax in the unincorporated areas. Finally, it requires a performance audit of KC, specifically looking at overhead costs, service and streamlining improvements and local and regional services provided inside and outside of cities. The bill was amended and now it would make cities ineligible for state grants like TIB and PWTF if they didn't annex PAAs. The bill also requires KC to provide \$10 million annually to assist with annexations. Although there was a striking amendment and numerous other amendments, this bill did not come up for a vote in the House.

2SSB 5433 would allow the 0.3% sales tax, permitted under existing statute with a public vote, to be used for supplanting and extends the definition of "criminal justice" to include fire protection. This legislation passed the Senate by a vote of 31-16 and was referred to the House Finance Committee.

HB 1422 allowing the taxation of brokered natural gas to be maintained at a status quo level did not come up for a vote in the House. Without this legislation Seattle could lose \$3.3 million per year and pay back four years worth of taxes collected under the current statute. **Seattle supports this legislation.**

HB 2252 would take existing taxes, the 2 percent car rental tax, the 0.5 percent restaurant tax, the 2 percent state shared hotel-motel tax, and 75 percent of the 1 percent car rental tax and re-prioritize their use as the Safeco and Qwest bonds are paid off. The funding would shift uses requiring money in the account to be used for regional centers (outside Seattle), art and heritage programs, low income housing (as described in HB 1490 related to transit oriented development), community development, and human services. It would not provide any help for Seattle Center. This bill passed out of the House by a vote of 54-42. It is scheduled for a public hearing in the Senate Ways & Means Committee on March 18.

SB 6116 would take the 2 percent car rental tax, the 0.5 percent restaurant tax, the 2 percent state shared hotel-motel tax, and 75 percent of the 1 percent car rental tax and re-prioritize their use as the Safeco and Qwest bonds are paid off. The King County Council could use the existing taxes for arts and heritage programs, tourism promotion, youth sports activities, regional centers, publicly owned stadiums, community development, and low-income housing. It is scheduled for a public hearing in the Senate Ways & Means Committee on March 18.

Law & Criminal Justice

HB 1177 and **SB 5615** would have established that persons found guilty of possession of 40 grams or less of marijuana commit a class 2 civil infraction and must pay a \$100 penalty, which would be deposited into the criminal justice treatment account. HB 1177 never received a House hearing, and SB 5615 died in Senate Rules this past week.

Parks

SB 5967 was passed by the Senate 41-4 on March 11 and has been referred to the House Judiciary Committee. In its revised form, the bill expressly prohibits any city, town, county, or district from discriminating against any person on the basis of sex in the operation, conduct, or administration of community athletics programs for youth or adults. **Seattle supports this legislation.**

Planning & Development

HB 1775 would have returned regulation authority over towncars and limousines to local jurisdictions, including Seattle. The bill did not receive a vote on the House floor and is considered 'dead' for this session. **Seattle supported this legislation.**

SHB 1490 did not pass the House by the March 12 cutoff and is considered 'dead' for the session. The Senate version, **SSB 5687**, did not pass out of the Senate by the March 12 cutoff and is also considered 'dead' for the session. SHB 1490 and SSB 5687 would reduce greenhouse gas emissions through land use and transportation requirements.

SSB 5495 did not pass out of the Senate and is considered 'dead' for the session. SSB 5495 would have placed a moratorium on third-party rental housing inspection programs and prohibited local governments from assessing a fee for inspections. The House version, HB 1296, did not pass out of the House by the March 12 cutoff and is also considered 'dead' for the session. **Seattle opposes these bills.**

Sexual Assault & Domestic Violence

SHB 1505 passed out of the House of Representatives on a unanimous 97-0 vote on February 23 and is scheduled for a hearing in the Senate Human Services & Corrections Committee on March 19. **Seattle supports this Legislation.**

Telecommunications and Cable

E2SSB 5916 was passed by the Senate on March 12 by a vote of 48-0 and is scheduled for a public hearing in the House Committee on Technology and Energy &

Communications on March 19. It provides that the authority for overseeing broadband adoption and deployment efforts in the state is vested in the department of information services. The revised bill also authorizes the department of information services to apply for and oversee implementation of federally funded or mandated broadband programs and to adopt rules to administer the programs, and provides parameters for mapping of high-speed internet service and infrastructure. **Seattle supports the underlying bill and is monitoring its content.**

SB 5917 declares an intention to conduct a statewide assessment of the availability, location, service levels, and other characteristics of high-speed internet services and other advanced telecommunications services in the state. It also creates the broadband development and deployment account. SB 5917 never received a floor vote, and so it is dead.

E2SHB 1698 was passed on March 10 by a vote of 95-1 and has been referred to the Senate Economic Development, Trade & Innovation Committee. E2SHB 1698 designates the Department of Information Services (DIS) as the single eligible entity for the purposes of the Broadband Data Improvement Act and authorizes the DIS to continue the work of the 2008 High Speed Internet Strategy Work Group and implement high-speed internet strategies, subject to available state or federal funding.

2SHB 1700 requires the department of information services to survey high-speed internet infrastructure owned or leased by state agencies and create a map. 2SHB 1700 never received a floor vote, and so it is dead.

E2SHB 1701 was passed by a vote of 93-2 on March 9 and has been referred to the Senate Economic Development, Trade & Innovation Committee. E2SHB 1701 authorizes the Department of Information Services (DIS) to implement a high-speed internet strategy for the state, subject to available funding and designates the DIS as an eligible entity for purposes of the federal Broadband Data Improvement Act.