



CITY OF SEATTLE 2011 STATE LEGISLATIVE BULLETIN

February 14, 2011

Number 5

Weekly Overview

The House and Senate continue their negotiations on a compromise early action budget. Significant differences remain. The Disability Lifeline is one of the key sticking points.

We have also heard that the liquor profits and other state-local shared revenues are all on the table for the biennial budget. In addition, early word is that the March revenue forecast will make the budget gap worse, not better.

Meanwhile, policy committees continue their work at a blistering pace as they head towards policy committee cutoff on February 21st. It looks like the House hopes to move their deadline up, with all policy committees working towards finishing their business this week. Bills then need to pass out of the relevant fiscal committees by February 25th, then must pass out of the house of origin by March 7th.

Areas of Primary Focus

Municipal Revenue: [SB 5541](#), prime-sponsored by Senator Ed Murray and co-sponsored by several other members of the Seattle delegation, is scheduled for a hearing before the Senate Transportation Committee on Monday, February 14th. This bill would entirely exempt the University of Washington from paying the City of Seattle commercial parking tax (CPT), which would eliminate \$3 million of crucial City funding currently used for projects like road repair, seawall replacement, and other key infrastructure.

UW says it needs this exemption to save the U-Pass program, an important transit subsidy program for UW students, faculty, and staff. While the City supports the U-Pass, exempting UW from the CPT would not fix the structural problems with the U-Pass and would set a dangerous precedent. After careful consideration and input from many stakeholders, the City concluded last year that there is simply no fair way to allow exemptions from the CPT for some and not others. The City would like to work with 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.

Councilmember Sally Clark will testify at the Senate Transportation Committee in opposition to this bill, but in strong support of working together to help support the U-Pass and other important transit programs. The House companion bill, [HB 1882](#), is prime-sponsored by Representative Liias and co-sponsored by Representatives David Frockt and Phyllis Gutierrez Kenney of the Seattle delegation. The House bill has not yet been scheduled for a hearing.

Transit Funding: The House version of the short term transit funding bill, [HB 1536](#), had a public hearing in the House Transportation Committee. Councilmember Tom Rasmussen gave strong testimony in support of the bill on behalf of Seattle. Later in the week, the Transportation Committee passed the bill out, and it is now in Rules.

Fiscal Flexibility: [HB 1598](#) had a public hearing in the House Local Government Committee on Friday, February 4th. Seattle supports this bill because it 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. The companion bill in the Senate, [SB 5755](#), was introduced this week.

Criminal Justice: On Tuesday [SB 5545](#) had a public hearing in the Senate Human Services & Corrections Committee. 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, and the companion bill in the House, [HB 1874](#), is up for a hearing this week.

Education: The House and Senate education committees continued to hear a number of education reform bills and education budget bills, including a series of bills that will allow the legislature to make proposed budget cuts to education programs. A number of education reform bills had hearings, including [HB 1521](#), to recognize “innovation schools” in Washington, which is sponsored by several members of the Seattle delegation. [HB 1776](#), prime-sponsored by Representative David Frockt, was also heard on February 10th. This bill would establish a unified set of licensing requirements for child care centers operated in public buildings. Seattle supports this legislation. Next week there will be a hearing on [HB 1609](#), prime-sponsored by Representative Eric Pettigrew, which would require districts to take factors other than seniority into account when making layoffs. Seattle supports comprehensive education reform and will continue to monitor these and other education bills.

Other Issues of Significant Interest

Vulnerable Roadway Users: The House version, [HB 1339](#), passed out of the Judiciary Committee this week. This bill creates a new infraction and penalties for drivers who injure vulnerable roadway users. The Senate version, [SB 5326](#), also passed out of Committee, and has been made eligible for floor action.

State Environmental Policy Act (SEPA): The House Environment Committee held a hearing on [HB 1713](#), a bill modifying the categorical exemptions in SEPA, and is considering amendments. Seattle strongly supports modernizing SEPA, but we are concerned that the current version of the legislation goes too far in some places. Seattle is actively participating in a broad stakeholder process, and we are hopeful consensus legislation can move forward. We are also

working to include an exemption for farmer's markets. The Senate version, [SB 5657](#), is scheduled for a public hearing this week.

Secure Medicine Return: [SB 5234](#), creating a medicine return association to finance and operate a product stewardship program for the safe collection, transportation, and disposal of unwanted medicines, passed out of committee this week and is now in Senate Rules. The House companion, [HB 1370](#), is scheduled for executive session this week in the House Committee on Environment. Seattle is working in coalition with a number of groups in support of this legislation.

Phosphorus in Fertilizer: Last week [HB 1489](#), which would limit the use of fertilizer containing phosphorus, passed out of committee. 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.

Public Records: The City of Seattle is working with AWC to get [HB 1300](#), which provides for cost recovery for public records requests, out of the State Government & Tribal Affairs Committee this week before the Committee cutoff deadline. This bill would allow 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. In addition, [HB 1899](#), which would change the daily penalties for public records violations from \$5 - \$100 to \$0 - \$500, is scheduled for a hearing this week. Although we support giving courts the option of awarding no penalties for unintentional public records violations, we, along with our partners at AWC, will continue to oppose this increase in the amount of daily penalties that may be awarded.

Carpet Stewardship: [SB 5110](#), requiring manufacturers or retailers of carpets to participate in a carpet stewardship program, has not yet been scheduled for an executive session. Seattle calculates that approximately 14,000 tons of carpet are sent to landfill annually in Seattle that instead could be recycled into other materials. Seattle supports this legislation and hopes that it will be voted out of committee this week.

Regulating Underground Utilities: On Tuesday the House Committee on Technology, Energy & Communications held a hearing on [HB 1634](#), a bill that changes dig law practices in Washington State to improve pipeline safety. Two representatives from Seattle Public Utilities testified in opposition to certain provisions of the bill. Specifically, the bill will require a change in practice for marking 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. After the hearing, a stakeholder meeting on the bill was held on Friday, and SPU, along with a representative from AWC, participated in the meeting and were able to come to some agreement on modifications to the bill. We are currently reviewing the latest version of the bill that incorporates the changes agreed to on Friday at the stakeholder meeting. The bill is scheduled for executive session this Tuesday, February 15th.

Houseboats: Legislation that would exempt houseboats from certain land use regulations had hearings in both the House and Senate last week ([SB 5623](#) and [HB 1783](#)). These bills were introduced because houseboat advocates were concerned that state and local regulations would eventually lead to fewer and 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. Margaret Glowacki, Senior Land Use Planner with the Department of Planning and Development, testified on behalf of the City at

both hearings, and DPD continues to work closely with the houseboat advocates to move forward on this issue.

Limousine Regulations: Denise Movius testified in support of [SB 5502](#) on behalf of the City at a public hearing in the Senate Transportation Committee. The bill would provide the City of Seattle with the authority and some 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.

Mutual Aid: This week [HB 1585](#) and companion bill [SB 5420](#) each had hearings. 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, and Barb Graff, Director of Seattle's Office of Emergency Management, testified at both hearings. Executive action was taken on the House version of the bill on Friday and executive action is scheduled for the Senate bill next week.

SR 520 Tolling: [SB 5700](#) would authorize tolls in the SR 520 corridor. This bill had a public hearing in the Senate Transportation Committee last Tuesday, was passed out to Rules on Thursday, and then made eligible to come to the floor for a vote by the Senate. The House version, [HB 1887](#), is up for a public hearing this week.

Flood Control District: [SB 5638](#) 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. The bill had a public hearing in the Senate Ways and Means Committee last Thursday, February 10th.

Storm Water Funding: [SB 5604](#) would impose a stormwater pollution fee on petroleum and other hazardous products and use the revenue to help fund important projects that reduce stormwater pollution. Seattle supports this legislation. It had a public hearing in the Senate Ways and Means Committee, and the House version, [HB 1735](#), is up for hearing this week.

Taxicab Lease Rate Caps: [SB 5498](#) would make all taxicab, limousine, and for-hire vehicle businesses and operators subject to mandatory industrial insurance. Seattle supports the underlying legislation, but opposes two sections that would limit 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. The bill had a public hearing in the Senate, and Denise Movius testified about our concerns. The House version, [HB 1367](#), already had a public hearing and is scheduled for executive action this week. We are working on amendments to address our concerns.

Medical Cannabis: [SB 5073](#), which clarifies laws surrounding the medical use of cannabis, passed out of the Senate Health & Long Term Care Committee on a bipartisan vote and was referred to the Senate Ways & Means Committee.

Electric Vehicles: On Friday, the House Technology, Energy & Communications Committee held a work session on "Preparing for the Large-Scale Deployment of Electric Vehicles." Kelly Enright, Customer Care Director of Seattle City Light, participated in the discussion.

Looking Ahead

As mentioned above, the House and Senate are now negotiating the early action budget bill. They hope to reach agreement quickly, but there continue to be notable differences between the two chambers.

We expect this to be one of the busiest weeks of the session in Olympia. In addition to anticipated movement on the early action budget, policy committees will be in high gear to move bills out of committee before cutoff. As mentioned above, we will be participating in several committee hearings, including the hearing in the Senate Transportation Committee on Monday on [SB 5541](#), at which Councilmember Sally Clark will testify. We will also closely watch the schedule for executive action on bills that we have an interest in.

Finally, the Association of Washington Cities' annual City Legislative Action Conference is coming up this week. Mayor Mike McGinn will be in Olympia for a round of meetings on Thursday, February 17th. Councilmembers Jean Godden and Tom Rasmussen will be in Olympia on Wednesday, February 16th.