



CITY OF SEATTLE 2011 STATE LEGISLATIVE BULLETIN

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Number 8

Weekly Overview

The week was consumed with floor action in both the House and Senate. Bills must pass their house of origin by Monday, March 7th, at 5 p.m. As a result, both chambers spent long days on the floor debating and passing bills. The House finished the week late Saturday night, passing the SEPA modernization bill a little after 11:00 p.m., while the Senate adjourned earlier in the evening on Saturday.

Several key pieces of legislation passed their house of origin last week, including medical cannabis clarifications, fiscal flexibility for cities and counties, protection for vulnerable roadway users, and flood control authorization. We are hopeful that several remaining priorities will pass on Monday before the cutoff.

Areas of Primary Focus

Budget: The next revenue forecast is due out on March 17th, and early indications are that the forecast will be down significantly. It is unlikely that there will be activity around the biennial operating budget before the March revenue forecast.

Municipal Revenue: [SSB 5541](#), which would exempt the UW and certain public and nonprofit hospitals from the commercial parking tax (CPT), is still in the Senate Rules Committee. In its current form, Seattle opposes this legislation because it would mean a cut to the City's budget of more than \$1 million this year and nearly \$5 million next year. This week the City had several meetings with the UW both in Seattle and Olympia and we are hopeful that we will be able to work out a compromise. The City strongly supports the U-Pass program and wants the program to 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 Senate version of the short-term transit funding bill, [SSB 5457](#), is on the 2nd Reading Calendar, and eligible to come to the floor for a vote before cutoff on Monday. The Senate Transportation Committee amended the bill, reducing the maximum additional charge from \$30 to \$20, and limiting it to King County. Unfortunately, the House version of the bill, [HB](#)

[1536](#), is still in House Rules and will not make it out of the House before cutoff. Seattle supports this legislation.

Fiscal Flexibility: [SB 5755](#), concerning county and city additional real estate excise tax authority, was placed on second reading by the Senate Rules Committee on Friday and could make it out of the Senate on Monday. The House version, [HB 1953](#), was passed by the House on Friday (79-18). 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 the Senate on Friday, 48-0, and is now in the House Public Safety & Emergency Preparedness 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. The House companion bill, [SHB 1874](#), is still in House Rules.

Education: [E2SSHB 1776](#), prime-sponsored by Representative David Frocht, would establish a unified set of licensing requirements for child care centers operated in public buildings. Seattle supports this legislation. This bill passed the House on March 2nd, 62-35, and is now in the Senate Human Services & Corrections Committee.

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](#), had a hearing in the House Judiciary Committee last week and is scheduled for executive session on March 10th. The House version, [SHB 1339](#), passed the House on Thursday, 59-39, and has been referred to the Senate Judiciary Committee.

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 is in 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. Both the House and Senate versions are eligible for floor action and may be taken up on Monday.

State Environmental Policy Act (SEPA): Legislation to modernize SEPA, [2SHB 1952](#), was passed by the House late Saturday night, 95-2. Seattle has been actively participating in a broad stakeholder process focused on updating SEPA, and the version of the bill that passed out of the House reflects many of the principles the City has been supporting. We are looking forward to continuing to work on this legislation as it moves forward. We are also pleased that the version of the bill that passed the House 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, passed the House, 96-2, on March 1st, and is now in the Senate Government Operations, Tribal Relations & Elections Committee. The bill 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 of \$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 placed on second reading on March 2nd, and on Monday it must be moved to the floor and passed to stay alive. Seattle supports this legislation. Seattle calculates that approximately 14,000 tons of carpet are sent to landfill annually in Seattle that instead could be recycled into other materials.

Regulating Underground Utilities: [E2SHB 1634](#) aims to improve pipeline safety in Washington by changing dig law practices. The bill passed the House late on Friday, 93-4, with several members of the Seattle delegation voting no or making remarks that the bill was still a work in progress. 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 will continue to work on the legislation and try to make improvements as it moves to the Senate.

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 eligible for floor action in the Senate. 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: [ESHB 1489](#), which would limit the use of fertilizer containing phosphorus in order to protect water, passed the House (58-39), and has been scheduled for a hearing in the Senate Environment, Water, & Energy Committee on March 9th. Jonathan Frodge, Ph.D., Stormwater Scientist from Seattle Public Utilities, is planning to testify on behalf of the City in support of this legislation. He has testified in support of this or similar legislation twice previously this session.

Houseboats: Legislation that would exempt houseboats from certain land use regulations passed the House last week, 58-40. The bill, [SHB 1783](#), was amended in Committee so that it now applies statewide, not just in Seattle. The Senate version 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 and we are hopeful that a compromise will be reached as the bill moves to the Senate.

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. This bill passed the Senate last week, 37-12, and has been scheduled for a hearing on March 9th in the House Transportation Committee. Seattle supports this legislation.

Mutual Aid: Last week [SHB 1585](#) passed the House, 97-0, and was referred to the Senate Government Operations, Tribal Relations & Elections Committee. This bill 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. The Senate version, [SSB 5420](#), is still in Rules.

Flood Control District: [ESB 5638](#) and [EHB 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 passed their house of origin on Friday by significant margins.

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 its respective Ways & Means Committee. They could, however, be deemed necessary to implement the budget.

Taxicab Lease Rate Caps: [SSB 5498](#) is still in 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 three 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 eligible for floor action, still contains the original language we oppose. Representative David Frockt has been working with us and the other impacted stakeholders to find mutually agreeable language. We appreciate Representative Frockt's time and effort on this bill.

Medical Cannabis: [E2SSB 5073](#), which clarifies laws surrounding the medical use of cannabis, passed the Senate on March 2nd, 29-20, and is now in the House Health Care & Wellness Committee. Seattle supports this legislation.

Youth Access to Tobacco Products: [SHB 1246](#) is still in House Rules. This bill aims to limit youth access to tobacco products by restricting access to flavored tobacco products and by removing 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 bill.

Looking Ahead

Monday will be an action packed day of floor activity for both chambers as both the House and Senate race to pass bills before house of origin cutoff at 5 p.m. After Monday focus will return to committee hearings as both chambers consider bills from the opposite house. The City will be actively involved in several hearings on key legislation.