

**CITY OF SEATTLE**  
**2003 STATE LEGISLATIVE BULLETIN**

**APRIL 11, 2003**

**NUMBER 13**

**SESSION PRIORITIES**

**Transportation Solutions**

Comprehensive Funding Plan

The House passed a statewide transportation package on April 5. The ten year, \$3.064 billion proposal includes a gas tax increase of 4-cents spread out as a 1-cent increase per year between 2003 through 2006. Funding also includes a 0.46 percent vehicle transfer fee for use on multi-modal projects and a 15% gross weight fee on trucks.

Projects of interest include \$125 million for the Alaskan Way Viaduct (AWV), \$38.5 million for SR 519 phase II, \$41 million for freight mobility projects, \$5.1 million for SR 520 and \$30 million for the commute trip reduction program. We continue to advocate for increased funding for the AWV.

Regional Transit Authority (Sound Transit)

**SB 5538**, requiring direct elections of Sound Transit Board members and prohibiting an appointed Board from approving expenditures, incurring debt, issuing any bonds, or entering into any agreement, for the purpose of implementing light rail, did not pass out of the House Transportation Committee. The City **opposes** this bill.

Monorail

**SHB 1557** would allow all existing debt to be paid off, through the ongoing collection of MVET, if the Monorail Authority is dissolved by a vote of the people. It also allows the Monorail Authority to impose civil penalties if a resident living in the monorail jurisdiction registers his/her vehicle outside of the jurisdiction. The civil penalty is three times the MVET amount owed. Amendments added in committee included an 8-12 member citizen oversight panel and requiring that no debt (bonds) could be incurred until 30 days after the final EIS is complete. This bill did not pass out of the Senate Highways & Transportation Committee.

**Local Revenue Options**

Local Taxing Authority

**SHB 1462**, prohibiting the taxation of intellectual property through the local B&O authority effective January 1, 2004, passed the Senate by a vote of 41-4 and will now be referred to the Governor.

**EHB 2030**, which enacts a uniform local B&O tax across WA State including apportionment provisions that could cost the City of Seattle roughly \$15 million, passed the Senate by a vote of 32-17 and will now be referred to the Governor. The Senate Democrats deserve a great deal of appreciation for their efforts on behalf of Seattle and other cities.

Local Options

**ESSB 5659** allows counties to impose a voter-approved sales tax of up to 0.3%. Sixty percent of the revenue would be used by the county for regional services and the remainder would be split by cities on a per capita basis. Cities and counties could also implement a voter approved multi-year property tax levy lid lift of up to six years. It does not include a utility tax option. This bill passed out of the Senate by a vote of 37-9 and has been referred to the House Rules Committee. The City **supports** this bill.

**State Funding**

**SB 5404** passed the Senate by a vote of 28-20 and was assigned to the House Appropriations Committee. The bill provides for appropriations for the '03-'05 biennium. The House is expected to release their budget the week of April 14.

## Key Water Issues

### Municipal Water Rights

**E2SHB 1338**, the House municipal water bill, remains in the Senate awaiting further action. Discussions between the House and Senate on specific issues are anticipated, but have not occurred yet. It is clear that municipal water legislation will only happen if other water issues are also resolved. In addition, there are still disagreements on what the conservation section of the bill should look like and what major issues should be addressed in the bill.

**HB 1376**, related to rain barrels, is in the Senate Rules Committee. The original bill provided a water right permit exemption for rain barrels and cisterns of 10,000 gallons or less. The bill as passed out of the Committee exempts all rainwater barrels, cisterns, ponds, or other stormwater facilities for capturing runoff from residential, commercial, or industrial properties, or from public facilities from a water right permit. An amendment was also made on the bill that this provision only relates to non-GMA counties, so the City would not benefit from this bill.

### Stormwater

**HB 1689**, the stormwater bill, is in Senate Rules. This bill requires the Department of Ecology to establish three Phase II storm water permit drafting advisory groups: Eastern Washington, Puget Sound area and Western Washington.

**SHB 2088** requires that the cities provide a minimum of a 10 percent discount to commercial buildings that have permitted rainwater harvesting systems on their building. We are concerned that this bill mandates a certain rate setting policy where the reduction in rates may not be commensurate with the reduction in stormwater runoff. The bill was amended in the Senate and passed to the House for concurrence on the Senate amendments. We are working with other interested cities and counties to further amend this bill so that there is more of a relationship between rate reduction and the reduction in stormwater runoff.

### Water Infrastructure Proposals

**SB 5014** passed the House and now awaits concurrence in the Senate. This bill directs the Public Works Board to create a new subaccount in the Public Works Assistance Account to fund local government water storage and water systems projects.

## SESSION OBJECTIVES

### General Government

#### Building Codes

**SHB 1734**, which adopts the International Building Code, Residential Code, Mechanical Code and Fire Code and the Uniform Plumbing Code, is currently on the floor calendar. The City **supports** this bill.

#### Tax Increment Financing

**2SSB 5364**, allowing a credit against the state sales and use tax to local government to help generate investment in public infrastructure to support economic development and revitalization that would not otherwise occur, passed out of the Senate by a vote of 47-2. The City **supports** this bill.

### Capital Funding

The Senate released its proposed Capital Budget on April 10 and the House is expected to release its version of the Capital Budget the week of April 14.

#### Housing Trust Fund

The Senate Capital Budget proposal includes \$63 million for the Housing Trust Fund. Of this amount, \$50 million is not programmed, \$8 million will go towards farm worker housing and \$5 million is for homeless shelters. This is the same proposal that the Governor put forward.

#### Seattle Center/McCaw Hall Funding

The Senate Capital Budget included \$2 million for McCaw Hall. The Governor's proposed budget included \$4.5 million for this project.

Other projects of note receiving funding include: \$250,000 for the Paramount Theater, \$1.5 million for the Wing Luke Museum, \$350,000 for the Historic Seattle PDA, \$350,000 for the Northwest Maritime Center, \$350,000 for the Museum of History and Industry and \$5 million for the Seattle Heart Alliance at Swedish.

Finally this proposal included \$40 million for the Washington Wildlife and Recreation Program (WWRP) however at this funding level there no Seattle projects.

## **POLICY ISSUES**

### Air Quality

**HB 1240** and **HB 1241**, relating to tax incentives for biodiesel fuels, passed both the House and Senate and now are moving to the Governor for signature. **HB 1242**, establishing the use of biodiesel fuel by state agencies, and **HB 1243**, establishing the use of biodiesel fuels for school transportation, also passed both the House and Senate and are now moving to the Governor for signature.

### Elections and General Government

Two bills would exempt bank account, social security, and credit card numbers from public disclosure. **ESHB 1845** passed the Senate with amendments and now must go back to the House for concurrence.

### Energy

**SJM 8000**, asking Congress to withdraw its standard market design proposal passed the House. **SJM 8012**, requesting the federal energy regulatory commission to withdraw a new pricing policy proposal, is on the House Floor Calendar awaiting further action. **HJM 4003** asking for increased borrowing authority for BPA is on the Senate Calendar for further action.

### Housing

**ESB 5389** relating to clean & sober housing is on the House floor calendar. The bill states that if a tenant who has been living in the drug and alcohol free housing for less than two years uses, possesses, or shares alcohol or drugs, the landlord may deliver a written notice to the tenant terminating the tenancy. The intent is to foster a safe environment for tenants recovering in drug and alcohol free housing. The City **supports** this legislation.

### Human Services

**SSB 5474** relating to kinship caregivers was unanimously passed out of the House on April 9. The bill creates an affidavit lasting six months that allows a kinship caregiver to enroll a minor in school, as well as authorize dental and emergent medical treatment for the minor. At the end of six months, the kinship caregiver must choose among the following: return the child to the parents, notify the department that the parents are not available, or petition for permanent legal custody. If a parent is not available to sign the affidavit, law enforcement must be notified. In addition, civil and criminal liability is limited for those who act in good faith in relying on the affidavit when providing dental or medical care to the minor. The City **supports** this legislation.

**SHB 1028**, moving forward on an at-risk youth study, is on the Senate floor calendar. The bill requires the Joint Legislative and Audit Review Committee (JLARC) to review and analyze research that identifies programs that can be implemented by local jurisdictions, are cost beneficial, and are effective at preserving families and reducing juvenile crime. The City **supports** this bill.

### Land Use Statutes, Smart Growth and Infrastructure Funding

**SSB 5409** is on the House Floor Calendar. This bill provides for an alternative method of direct petition annexation. The City **supports** this bill.

**SSB 5307**, relating to permit timelines for local governments, is on the House floor calendar. The bill was amended in committee to say that local governments may meet the 120-day limit and eliminates the expiration date on annual performance reports on how the jurisdiction is meeting the 120-day limit. This report must then be posted on the jurisdiction's web site.

**SSB 6012** was amended in House Local Government to contain the bulk of ESHB 1769. The bill now mandates that the city of Seattle, King County and its cities over 10,000 complete their shoreline master program by 2009, if funding is available. This bill is on the House floor calendar.

#### Public Health

**E2SHB 1214** the Prescription Drug bill was referred to the Senate Ways & Means Committee on April 4. The Bill directs the Washington State Institute for Public Policy, with the assistance of the Department of Social and Health Services (DSHS), to report to the Legislature by November 15, 2003, on options for providing a state-subsidized drug benefit for low-income persons aged 65 and older under a waiver of federal Medicaid rules. The report is to assess the potential enrollment, costs and offsetting savings of six alternative approaches to such a program. The Senate Health & Long-Term Care Committee struck the language in the bill in its entirety and replaced with the language of ESSB 5904.

**ESSB 5904** passed to the House Rules Committee on April 7. The bill directs the Department of Social and Health Services (DSHS) to seek a waiver of federal Medicaid rules to provide for a pharmacy plus prescription drug benefit. Participants shall be charged an enrollment fee and the program is terminated within 12 months after the implementation of a Medicare prescription drug benefit. Furthermore, the Health Care Authority must implement a program whereby it negotiates with prescription drug manufacturers for price discounts on drugs to be available to state-purchased health care programs and Washington residents who lack prescription drug coverage.

**HB 1375** passed to the Senate Rules Committee on April 4. The bill provides an avenue of BHP savings by eliminating Basic Health Plan eligibility of full-time students on a temporary visa to study in the United States.

**ESHB 1787** is in the Senate Rules Committee. The bill directs the Department of Social and Health Services and the Washington Information Network 2-1-1 (WIN 2-1-1) to work in conjunction to establish and maintain a network consisting of call centers and a statewide resource database. The bill creates a 2-1-1 account in the state treasury from public and private funds and is used for granting purposes to develop, operate and maintain the network. The companion bill, **ESSB 5692**, is in the House Rules Committee

**SB 5597** relating to tobacco product sampling was referred to the House Finance Committee on April 4. The bill prohibits distribution of samples of tobacco products to members of the public, except in certain locations accessible only to people 21 years of age or older. In addition, the bill deletes and repeals various provisions of the laws regulating this practice.

#### Public Safety

**SHB 2197** and **SHB 2198** relate to Initiative 790. SHB 2197 implements the initiative, as called for in I-790. SHB 2198 amends I-790 by removing Section 6(5), which requires that all earnings of the pension system, in excess of the actuarially assumed rate of investment return, be used exclusively for additional benefits for members and beneficiaries. This section has been interpreted to mean dramatically increased contribution rates for both cities and members. Both bills were heard in the Senate Ways & Means Committee last week and are expected to move forward.

**ESSB 5269** is in the House Rules Committee. The bill directs the Washington Association of Sheriffs and Police Chiefs (WASPC) to create and operate a statewide first responder building mapping information system. All state and local government owned buildings will be mapped by the WASPC or another source, contingent on available funding. The owners of non-government owned buildings may voluntarily forward mapping and emergency data to the WASPC. Building mapping information will be made available to all state, local, federal, and tribal law enforcement agencies, along with the Military Department and fire Departments. All tactical and intelligence information provided to the WASPC is exempt from public disclosure. The WASPC will pursue federal funds and develop grants to create the mapping system.

**SSB 5550** was unanimously passed out of both the House and the Senate and delivered to the Governor on April 10 for signature. The bill prohibits the siting of a secured transition facility adjacent to, across the street from, or within the line of sight of a risk potential facility or activity unless the site was identified pursuant to a process for siting adopted by a city or county in compliance with the requirement to develop regulations for siting requirements under

ESSB 6594. The definition of risk potential facilities and activities includes public and private youth camps.

**ESHB 1009** is on the Senate floor calendar. The bill makes it a class I civil infraction (punishable by a fine of \$500) for a retailer to sell, rent, or permit to be sold or rented, a violent video game or computer game they know to be a violent video or computer game to a minor under the age of 17.

Solid Waste

The 75-cent fee to implement tire-recycling programs (HB 1705) was amended on to the House Transportation Budget that passed out of the House this week. The City **supports** this fee.

Telecommunications

**SHB 1624**, which makes the Washington Telephone Assistance Program permanent and allows funding from the program to be used for community voice mail, passed out of the Senate and now must go back to the House for concurrence on the Senate amendments. The City **supports** this bill.

**SB 5632**, relating to utility relocation costs, would require that the cost of removal or relocation must be paid for by the authority requiring the utility to make the relocation. This bill passed out of the House by a vote of 76-18 and will now go to the Governor.

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