

CITY OF SEATTLE
2010 STATE LEGISLATIVE BULLETIN

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Number 9

Thursday, March 11th was the final day of the regular session. A week-long special session has been called by the Governor, beginning on the 15th. Completing the budget and revenue package is the focus of the special session, along with passing legislation focused on creating jobs. All bills that did not pass both houses in the same form returned to their house of origin.

SESSION PRIORITIES – 2010

Budget Safety Net: Do No Harm

Both the Senate and House have now passed a supplemental operating budget and revenue package.

ESSB 6444, the supplemental operating budget, is now back in the Senate. Key differences between the House and Senate versions include overall spending, the ending fund balance, and the use of federal funds. The funding level for GA-U is also a major issue in the negotiations.

ESSB 6143, the revenue package, passed the Senate on March 7th by a vote of 25-23. The House amended ESSB 6143 to reflect their revenue package, and passed it 52-45 on March 9th. The primary difference between the two revenue packages is that the Senate relies on a temporary .3 sales tax increase, the House version does not. The bill is now back in the Senate.

SHB 3177 was returned to the Rules Committee. SHB 3177 would require the county auditor to administer a surcharge of sixty-two dollars for each document recorded and authorizes the State Finance Committee to issue general obligation bonds to provide funds for the housing trust fund. Seattle **supports** this legislation. The House version of the Capital Budget contains an additional \$100 million for the Housing Trust Fund. The Senate's original Capital Budget actually cut funding for the Housing Trust Fund, but the funds were restored with a floor amendment when they passed their version out of the Senate (**ESSB 6364**).

2SHB 2782, the Security Lifeline Act would: facilitate easier access to existing public benefits and services; change the name of GA-U to Disability Lifeline, expedite DSHS's review of whether Disability Lifeline participants are eligible for federal SSI benefits and if so, assist them with the SSI application. The bill did not pass out of the Senate so it returns to the House. It is a major part of the budget negotiations.

Education

SHB 2893 modifies school levy provisions. The Senate passed the House version by 29-19 so the bill is on its way to the Governor's desk. The final version of the bill restores the school levy base and raises the levy lid by 4 percent for all school districts through 2017. This measure could provide up to \$21.2 million for Seattle Public School students. Without asking voters for a modification to the recently passed operational levy, \$7.3 million would be made available in 2011. An additional \$13.9 million would be available if voters approved. Seattle **supports** this legislation.

2SHB 2731 passed the Legislature and is on its way to the Governor. The bill says that the Legislature intends to create an entitlement program for early learning, maintain the number of early learning slots in the 2011-13 biennia, and phases in funding over the next several biennia until the program is fully funded. **SSB 6759**, is a related early learning bill that creates a work group to examine the opportunities and barriers to developing a comprehensive plan for a voluntary program of early learning. The work group will examine the opportunities and barriers to adding early learning to basic education and to creating a program of early learning as a protected entitlement. SSB 6759 passed the Legislature and is now on its way to the Governor's desk.

E2SSB 6696 is the education reform bill that would require action plans for persistently low-achieving schools and their districts to target funds and assistance to turn around the identified low-achieving schools, as well as other reforms. It passed the Legislature and is on its way to the Governor's desk.

Public Safety

EHB 1679, the Jason McKissack Act, would reimburse medical expenses for certain disabled public safety personnel. It passed the Senate 46-0 and the House concurred in the Senate amendments 95-0. The bill now heads to the Governor's desk. Seattle **supports** this legislation.

Revenue/Fiscal

ESHB 3179 passed the Legislature and is now on its way to the Governor's desk. This bill removes the non-supplant requirements, but it also contains additional provisions that would allow cities to impose a .1 public safety sales tax if the county fails to impose the full .3 by Dec 31st. In addition, HB 3179 clarifies the recent brokered natural gas court case to allow the City to continue collecting the tax. Seattle **supports** this legislation.

Transportation

E2SHB 1591 passed the Senate 44-2 without amendment so the bill now heads to the Governor's desk. HB 1591 provides greater flexibility for Transportation Benefit Districts, primarily by allowing the sales tax to be collected up to 30 years thereby allowing it to be bonded against. Seattle **supports** this legislation.

ESSB 6392 relates to the use of toll revenue in the SR 520 corridor. The final version of the bill allows bond proceeds from toll revenue to be used to begin construction including \$200 million for the Westside. It also creates several workgroups that will examine transit connections on the Westside, refinements to the design on the Westside, and high capacity transit planning and integrated funding. The bill passed the Legislature and now heads to the Governor's desk.

Transportation budget proviso: A budget proviso in section 221 of the supplemental transportation budget (**ESSB 6381**) ties public transportation grant funding administered by WSDOT to requirements that local governments provide private transportation providers use of high occupancy vehicle lanes, transit only lanes, and park and ride facilities. Seattle **opposed** this proviso and seeks a veto of this proviso.

Water Stewardship

HB 3181 and **SB 6851** would provide state funding for local stormwater clean up, primarily through a competitive grant program. It would increase the Hazardous Substance Tax – the existing funding source for the state and local toxics accounts (MTCA). Although neither bill passed it respective chamber during the regular session, the proposal is on the list for consideration for the special session; it is both a generator of revenue and will lead to the creation of jobs when implemented. However, the outcome of a vote is still uncertain.

HB 3181 currently includes a .4% increase of the tax, with the money going to stormwater – an amount that we and other proponents consider too low. However, a new version of the bill has been circulated by legislative proponents, which includes a .85 % increase (about \$100 million a year). This is the proposal we would expect to be voted on in the House. **SB 6851** was passed out of the Senate Ways and Means Committee with a .5% increase – 85% to a new stormwater account for local stormwater clean-up and 15% to the motor vehicle account for WSDOT stormwater projects. Seattle **supports** this legislation.

ONGOING PRIORITIES

Race and Social Justice/Civil Rights

E2SHB 3026 relates to school district compliance with state and federal civil rights laws and was prime sponsored by Rep. Sharon Tomiko Santos. The House concurred with the Senate amendments and the bill now heads to the Governor. The bill represents

one of the recommendations made by the Achievement Gap Oversight and Accountability Committee. It prohibits discrimination in Washington public schools on the basis of race, creed, religion, color, national origin, military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained guide dog or service animal by a person with a disability. It directs OSPI to develop rules and guidelines to eliminate such discrimination, and allows private court actions to be brought for violations of the law and rules that are developed. Seattle **supports** this legislation.

Economic Development

2ESHB 2912 failed to pass out of the Senate before policy bill cutoff, so has returned to the House. As it passed the House originally, it would have extended certain stadium taxes and dedicated the revenue to arts, affordable housing, tourism promotion, youth athletic facilities, regional centers, performing arts centers, and health and human services provided by nonprofit agencies.

Utilities

ESB 6261 is a bill addressing utility services collections against rental property. It will require some changes in our billing practices and notice of shutoff in situations where a tenant has paid rent (with an understanding that the landlord will pay the water/power bills) but where a landlord has failed to pay the bill. The changes protect our lien authority. The Senate concurred with the House amendments and the bill was sent to the Governor.

Energy

ESHB 2925 affects Seattle City Light's impact fee agreement with Pend Oreille County regarding City Light's hydroelectric generation facility. The House concurred with the Senate's amendments and the bill now heads to the Governor. Seattle **supports** this legislation as a reasonable compromise with Pend Oreille County.

Growth Management, Land Use and Annexation

HB 3067 did not pass. It would have allowed developers to defer payment of impact fees until purchase of a property, rather than at the time of application. It was amended to alleviate escrow companies of liability if the fees aren't paid. This bill would have affected only Snohomish and King County and their cities. Seattle **opposed** this legislation.

Hazardous and Solid Waste

ESSB 5543 would establish a product stewardship recycling act for mercury-containing lights and ban the sale of bulk mercury. The Senate concurred with the House amendments and the bill was sent to the Governor. Seattle **supports** this legislation.

SSB 6557 would limit the use of copper in brake friction material, phased over the next ten years. Copper has been shown to have a significant negative impact on salmon and other aquatic species. It enters our water bodies, including Puget Sound, through stormwater run-off. This bill is a high priority of the Puget Sound Partnership. The Senate concurred with the House amendments and the bill was sent to the Governor. Seattle **supports** this legislation

Planning & Development

SSB 6459 passed the House 96-0. The Senate concurred in the House amendments with a 38-8 vote and the bill now goes to the Governor. SSB 6459 establishes limitations on local government's authority to conduct mandatory rental inspection programs and provides local governments the authority to conduct civil administrative search warrants. Although improved by the House, the City is still **concerned** that this bill would permit a certificate of inspection to be issued even when illegal or hazardous housing conditions exist, and that the procedural requirements to obtain a search warrant are overly burdensome and take too long, especially when dangerous conditions exist.

Sustainable Farming and Healthy Food

SSB 6343 would establish the Washington Food Policy Forum. It passed the House of Representatives 72-26. The Senate concurred with the House amendments and the bill now heads to the Governor's desk. SSB 6343 would establish a Washington Food Policy Forum to advance the following six food system goals: support local food; increase healthy food in schools; reduce hunger; develop health & nutrition programs; and protect resources needed for sustained local food production. Seattle **supports** this legislation.

Water Stewardship

E2SSB 6267 authorizes an alternative cost-reimbursement process for water rights applications as well as an expedited processing procedure for water rights applications. It creates a Water Rights Processing Account to support processing of water rights applications. The bill was amended on the House floor, which would have prohibited DOE from requiring meters on exempt wells. However, when the bill returned to the Senate, the House amendment was ruled beyond the scope and object of the bill and was removed. Both chambers passed the underlying bill, which was sent to the Governor.

The **Senate budget** contain a **proviso** requiring the Washington Dept. of Fish and Wildlife to do an environmental impact statement before declaring the Cedar River Watershed (game management unit 490) open for deer and elk hunting. The City of Seattle/Seattle Public Utilities strongly **supports** this language. We are asking our legislators to help assure that the proviso is in final budget bill passed by the legislature.