



## CITY OF SEATTLE 2011 STATE LEGISLATIVE BULLETIN

April 4, 2011

Number 12

### ***Weekly Overview***

Cutoff from fiscal committees was Friday, April 1<sup>st</sup>, and several of Seattle's priority bills survived, including the medical cannabis bill, which passed House Ways & Means; the short-term transit bill, which passed House Transportation; and the flood control bill, which passed Senate Ways & Means.

This week the House is expected to release its operating budget proposal on Monday and hold a hearing on it the same day in House Ways & Means. The House is scheduled to release its capital budget on Tuesday and hold a hearing on it that morning.

No word yet on when the House would vote on the budget, although it seems likely they would try to move it as quickly as possible. The Senate hasn't indicated when they will release their version.

April 12<sup>th</sup> is the next cutoff; it's the last day to consider bills from the opposite chamber. After that, the Legislature may only consider budgets and matters necessary to implement the budgets, initiatives and alternatives to initiatives, and differences on specific bills that have already passed both chambers. Session is scheduled to end on April 24<sup>th</sup>.

### ***Areas of Primary Focus***

**Budget:** As mentioned above, the House operating and capital budgets are expected to be released early next week. In the operating budget we will pay particular attention to whether or not they sweep any of the state-local shared revenues, most importantly, the liquor profits. We will also be looking at the funding levels for Disability Lifeline, community health clinics, Working Connections, other key safety net programs, and education funding.

In the capital budget, we are most interested in the funding levels for the Housing Trust Fund and local toxics cleanup.

The leadership of the House and Senate Transportation Committees met several times this week for negotiations on the transportation budgets.

**Transit Funding:** The short-term transit funding bill, [ESSB 5457](#), passed the House Transportation Committee on Wednesday, March 30<sup>th</sup>. It was referred to the House Rules Committee on Thursday, March 31<sup>st</sup>. Seattle supports this legislation. In its current form, the bill is limited to King County only, and would require a 2/3 vote of the King County Council or voter approval before implementation.

**Fiscal Flexibility:** [HB 1953](#), concerning county and city additional real estate excise tax authority, is in the Senate Rules Committee. Seattle supports this legislation because it will 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](#) is in the House Rules Committee, and the House companion bill, [SHB 1874](#), prime-sponsored by Rep. Mary Lou Dickerson, is in the Senate Rules Committee. Seattle supports this legislation because it would give law enforcement additional tools to fight human trafficking and sexual exploitation of children by allowing law enforcement to intercept and record a conversation with the consent of only one party when there is probable cause to believe the conversation involves the commercial sexual abuse of a minor.

**Education:** [E2SHB 1776](#), prime-sponsored by Representative David Frockt, would establish a unified set of licensing requirements for child care centers operated in public buildings. Seattle supports this legislation. On March 28<sup>th</sup> this bill was placed on second reading by the Senate Rules Committee. In addition, Seattle supports [2SHB 1510](#) and [2SSB 5427](#), regarding an assessment of students in state-funded full-day kindergarten. The Senate version had a hearing in the House Ways & Means Committee on Wednesday, March 30<sup>th</sup>. It passed out of committee and was referred to the House Rules Committee on March 31<sup>st</sup>. The House version did not pass the Senate Committee on Early Learning & K-12 Education before policy cutoff.

## ***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](#), passed the House 61-32 on Friday, April 1. The bill was amended in Committee and on the floor of the House. The House version, [SHB 1339](#), was not voted out of committee before the policy committee cutoff on March 25<sup>th</sup>.

**Speed Limits:** [SSB 1217](#) would have simplified the process for cities and towns to lower speed limits on city streets. Seattle supported this legislation. It had a hearing on March 14<sup>th</sup> in the Senate Transportation Committee but was not voted out of Senate Transportation before fiscal committee cutoff on Friday.

**Limousine Regulations:** [SSB 5502](#) would provide Seattle with the authority and additional resources to enforce limousine laws. On Monday, March 28<sup>th</sup>, the bill had a hearing in the House General Government Appropriations & Oversight Committee. Craig Lacey testified at the hearing on behalf of the City. The bill passed out of committee and then moved to the House Rules Committee on Thursday, March 31<sup>st</sup>. Currently, there are several 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.

**Taxicab Lease Rate Caps:** [ESHB 1367](#) would make all taxicab, limousine, and for-hire vehicle businesses and operators subject to mandatory industrial insurance. Seattle supports the underlying legislation, but we opposed three sections in the original bill that would have limited the City's ability to cap the lease rates taxi owners charge taxi operators and the consumer rates charged by taxis. We use our current authority to help ensure that taxi drivers earn a living wage and that taxis are affordable. Representative David Frockt offered a floor amendment to address our concerns, it was adopted, and the bill subsequently passed the House unanimously. The bill is now in Senate Rules.

**Private Carriers in Transit Lanes:** [SSB 5836](#) would allow private transportation carriers like employer shuttles and aeroporters to use transit-only lanes. While Seattle supports providing incentives for people to use these forms of transit, we are concerned that the current version of the bill will limit our ability to ensure the smooth and timely flow of public transit in transit-only lanes. We worked with stakeholders to develop mutually agreeable amendments that address our concerns and the bill was passed out of the House Transportation Committee on Wednesday, March 30<sup>th</sup>, with amendments that the City of Seattle supported. The bill is now in House Rules and we have heard that there may be a move to make additional amendments to the bill on the House floor. We will continue to work with stakeholders as this bill moves forward.

**Public Records:** [SHB 1899](#), which relates to penalties for public records violations, passed out of Senate Rules and was sent to the Senate floor for a second reading on Thursday, March 31<sup>st</sup>. The bill gives a range of monetary penalties that may be assessed, from a minimum of \$0 up to \$100 per day. 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.

**Regulating Underground Utilities:** [E2SHB 1634](#) aims to improve pipeline safety in Washington by changing dig law practices. Seattle and a number of cities are opposed to this bill because we have serious concerns with several provisions. Specifically, the bill would require a change in practice for marking or identifying certain sewer and water lines, and these provisions would not significantly reduce water and sewer line disruptions or improve overall pipeline safety, but would result in a significant cost and workload increase for Seattle Public Utilities. Senator Sharon Nelson, Vice Chair of the Senate Environment, Water & Energy Committee, has agreed to work with cities and other stakeholders to try to resolve the cities' concerns before the bill is voted on in the Senate. We continue to work with Senator Nelson and other stakeholders to find a mutually agreed upon solution.

**Phosphorus in Fertilizer:** [ESHB 1489](#), which would limit the use of fertilizer containing phosphorus in order to protect water, passed the Senate on Friday, March 25<sup>th</sup>, by a vote of 32-16. The House concurred in the Senate amendments, and on Friday, April 1<sup>st</sup>, the bill passed the House by a vote of 56-37.

**Houseboats:** [SHB 1783](#), which would place some limits on regulation of houseboats, is in the Senate Rules Committee. Seattle has been working on compromise language with houseboat advocates and state agencies for several weeks, and late this week we reached an agreement, which will be offered as an amendment on the Senate floor when the bill comes up for a vote.

**Cottage Food Operations:** [ESSB 5748](#), which enacts labeling requirements on cottage food operations and exempts them from certain regulations and permitting laws, had a hearing in the House Health & Human Services Appropriations & Oversight Committee on Monday, March 28<sup>th</sup>. It passed the Committee on Tuesday, March 29<sup>th</sup>, and is now in House Rules. Seattle

supports this and other legislation that would allow value-added home processing and selling of low-risk food items.

**Mutual Aid:** [SHB 1585](#) would allow local governments to provide aid when another city or county in Washington has experienced an emergency and requests assistance. This bill passed the Senate 47-0 on Friday, April 1<sup>st</sup>. [ESHB 1406](#), establishing the intrastate building safety mutual aid system, is still in the Senate Rules Committee. Seattle supports efforts to allow this type of coordinated assistance and is supporting both of these House bills as they move through the Senate.

**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. The House version had executive action taken on Thursday, March 31<sup>st</sup>, and is now in Senate Rules. The Senate version did not make it out of House Ways & Means before the fiscal committee cutoff on Friday.

**Medical Cannabis:** [E2SSB 5073](#), which clarifies laws surrounding the medical use of cannabis, had a public hearing in the House Ways & Means Committee on Wednesday, March 30<sup>th</sup>. John Schochet from the City Attorney's office testified in support of the bill on behalf of the City and suggested a number of clarifying amendments that would help improve the bill. Seattle supports this legislation and sent a joint letter from the Mayor, all nine Councilmembers, and the City Attorney. Seattle was involved in several stakeholder discussions to try to find agreement on amendment language and also coordinate strategy in support of the bill. The bill was voted out of Ways & Means on Thursday, March 31<sup>st</sup>, with an amendment sponsored by Representative Cody that addressed all of our significant concerns.

**Stadium Taxes:** [SHB 1997](#), providing economic development by funding tourism promotion, workforce housing, art and heritage programs, and community development, had a hearing in the Senate Ways & Means Committee on Wednesday March 30<sup>th</sup>. On Friday, April 1<sup>st</sup>, executive action was scheduled, but the report on the motion to move the bill out of committee did not receive sufficient signatures. A more limited version of the bill focused on Arts & Heritage, [SSB 5834](#), had a public hearing in House Ways & Means on March 14<sup>th</sup>, but has not been voted out of committee. Although the bills failed to pass out of the fiscal committees before deadline, some of the proponents have indicated they plan to continue to explore ways to revive the legislation.

**Film Tax Incentive:** [2SSB 5539](#), concerning Washington's motion picture competitiveness, is in Senate Rules. The House version, [SHB 1554](#), is in the House Ways & Means Committee. Seattle supports this legislation because it will continue a program of incentives for the motion picture industry in Washington State, which is crucial for the health of Seattle's film industry.

## ***Looking Ahead***

The House and Senate will be on the floor all week and we expect floor action on many of our priority bills. We also continue to prepare for the release of the House operating and capital budgets, and once they are released we will be analyzing them and communicating with legislators about Seattle's top priorities. The session is scheduled to end on April 24<sup>th</sup>.