



CITY OF SEATTLE 2011 STATE LEGISLATIVE BULLETIN

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Weekly Overview

The Senate passed its version of [HB 1086](#), the early action budget, on a bipartisan 38-9 vote, with one excused. Like the House version, the Senate's leaves a shortfall of approximately \$200 million for the current biennium. The House and Senate are now negotiating a compromise.

Some of the key differences include funding levels for the Disability Lifeline program, the Basic Health Plan, and K-4 enhancements, and allocation of state-local shared liquor revenue. In his floor speech in support of the budget, Senator Jim Hargrove, a Democrat from the 23rd district (Olympic Peninsula), noted the historical significance of the Senate's bipartisan support for the budget. The House version passed along party lines, with the exception of one Democrat who voted against.

The Senate, as part of its budget proposal, moved \$6 million from the Liquor Revolving Account into the Auto Theft Prevention Account (which also funds law enforcement officer training programs). Cities and counties share the Liquor Revolving Fund revenues on a per capita basis. For Seattle, this means the loss of \$699,935 in revenue during this fiscal year.

Meanwhile, policy committees continue their work at a blistering pace, as they head towards policy committee cutoff on February 21st. 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

Budget: As mentioned above, on Friday the Senate approved its version of an early-action budget bill. Similar to the House version, the Senate early-action budget leaves a budget gap for this year of approximately \$200 million.

One key difference between the House and Senate budgets is the Senate's transfer of \$6 million from the Liquor Revolving Account into the Auto Theft Prevention Account. For Seattle, this transfer would mean a loss of \$699,935 in revenue this fiscal year. This would be a significant cut to the City's budget on top of the cuts the City has already taken in the last year and the increased burden on City resources likely to result from many of the other state budget

cuts to come. We will work to resolve this during the budget negotiations between the House and Senate.

Below is a comparison of the impact of the House and Senate versions of the budget on several programs important to Seattle. Specifically, the Senate version of the budget:

- **Disability Lifeline (formerly GAU):** includes funding for the medical portion of this program but eliminates funding for the cash grant portion (\$18.5 million); the House fully funded both parts of this program
- **Federally Qualified Health Centers (FQHC):** restores \$12 million of the \$40 million cut for FQHC reimbursement rates (\$5 million in State funds and \$7 million in leveraged federal funds); this is the same as what the House did
- **Apple Health for Kids:** restores funding for this program, like the House, but freezes new enrollments effective March 1 and reduces income eligibility from 300% of the federal poverty level to 200%, effective April 1
- **Basic Health Plan (BHP):** reduces enrollments to the BHP by requiring enrollees to provide valid social security numbers by March 1st to receive coverage; \$6 million is transferred from the Life Sciences Discovery Fund to maintain the BHP program through June 2011
- **K-4 Class Size Enhancements:** restores approximately \$20 million of funding to reduce K-4 class sizes; the House version, in contrast, cut \$42 million from this program

The House budget package reduced **state funded research for the UW & WSU** by \$2 million each. The Senate version of the budget restored this research funding but cut approximately \$25 million from state universities by transferring tuition money from the universities to the State Need Grant account and moving the State Need Grant funding to the State General Fund. This is an approximately \$5.5 million cut for the UW. The Senate also proposed eliminating the Higher Education Coordinating Board (HEC Board) and the Council of University Presidents.

The Senate budget plan, like the House, transfers \$17 million from the state **Model Toxics Control Account (MTCA)**.

Attention now turns to budget negotiations between the House and Senate.

Transit Funding: The House version of the short term transit funding bill, [HB 1536](#), is scheduled for a public hearing in the House Transportation Committee on Wednesday, February 9th.

Fiscal Flexibility: [HB 1598](#) had a public hearing in the House Local Government Committee on Friday, February 4th. This bill 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: On February 1st, the Senate Judiciary Committee held a public hearing on [SB 5313](#), which addresses the serious problem of juvenile firearm possession by increasing the sentencing standards for certain juvenile gun crimes. The bill is prime-sponsored by Senator Adam Kline.

Education: This week 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. In addition, [SB 5639](#), the

Governor's proposal to reorganize educational governance in Washington State, was introduced and received a hearing on February 2nd. Finally, [HB 1776](#), prime-sponsored by Representative Frockt, was introduced on February 2nd and is scheduled for a hearing 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.

Other Issues of Significant Interest

Automated Traffic Safety Cameras: Last week the House Transportation Committee held a public hearing on three bills related to automated traffic safety cameras. Deputy Chief Dick Reed and Officer Dean Shirey testified in support of [HB 1279](#), along with officers from Lakewood, Tacoma, and Auburn. In sharp contrast to the Senate hearing, there was significant opposition to automated traffic safety cameras at the House hearing, including from Tim Eyman, who testified that if the Legislature wants to save the program, they should pass legislation requiring cities to secure voter approval before they can use automated traffic safety cameras.

Vulnerable Roadway Users: The House version, [HB 1339](#), had a public hearing in the House Judiciary Committee on Thursday, February 3rd, and is scheduled to pass out of committee this week. This bill creates a new infraction and penalties for drivers who injure vulnerable roadway users.

State Environmental Policy Act (SEPA): On Thursday the House Environment Committee held a hearing on [HB 1713](#), a bill modifying the categorical exemptions in SEPA. Cliff Portman from the Department of Planning and Development testified at the hearing. In his testimony he stressed that while Seattle strongly supports modernizing SEPA, we have concerns that the current bill may go too far in some places. We will continue to work with cities, counties, and other supporters of this legislation to try to strike the right balance between streamlining SEPA and making sure that projects go through the right amount of environmental review during the planning process.

Secure Medicine Return: [HB 1370](#) had a public hearing in the House Environment Committee on February 3rd. This bill would create the medicine return association to finance and operate a product stewardship program for the safe collection, transportation, and disposal of unwanted medicines. Seattle supports this legislation, which is scheduled to pass out of the House Environment Committee this week.

Phosphorus in Fertilizer: On Friday the House Committee on Environment held a hearing on [HB 1489](#), which would limit the use of fertilizer containing phosphorus. This legislation aims to protect water quality by reducing phosphorous runoff from lawn fertilizers. Seattle strongly supports this legislation, and Jonathan Frodge, Ph.D., Stormwater Scientist from Seattle Public Utilities, testified at the hearing on behalf of the City. He testified in support of a similar piece of legislation in the Senate last week. The House bill is scheduled for executive session next week.

Public Records: The House held public hearings on AWC priority bills [HB 1300](#) and [HB 1299](#), which provide for cost recovery and a voluntary conference between agencies and requestors. Seattle supports these bills, which will help reduce conflict between agencies and requestors and the financial impact of responding to public records requests. The Senate Government Operations Committee passed the bill to implement recommendations of the Sunshine Committee, [SB 5049](#). The Committee amended the bill to address some of the cities' concerns. The bill still includes language that would require local governments to make public the resumes

and applications of the top candidates for upper level positions. We are concerned that this provision would have the effect of deterring highly qualified candidates from applying for positions because their current employers could become aware of their interest in another position. The bill is now in the Senate Rules Committee.

Youth Access to Tobacco Products: On Monday in the Senate Committee on Labor and Commerce & Consumer Protection there will be a hearing on [SB 5380](#), a bill aimed at reducing youth access to tobacco products. Last week the House held a hearing on the companion bill, [HB 1246](#). Seattle strongly supports these bills and reducing youth access to tobacco products.

Carpet Stewardship: On Wednesday, [SB 5110](#), requiring manufacturers or retailers of carpets to participate in a carpet stewardship program, had a hearing in the Senate Committee on Environment and Water & Energy. Seattle calculates that approximately 14,000 tons of carpet are sent to landfill annually in Seattle that instead could be recycled into other materials. Shirli Axelrod, Senior Environment Analyst from Seattle Public Utilities, testified in support of the bill on behalf of the City. Senator Jeanne Kohl-Welles is the prime-sponsor of the bill and several other members of the Seattle delegation are co-sponsors.

Access to Public Lands for Hunting and Fishing: On Tuesday there was a hearing on [HB 1273](#), a bill that prohibits a public agency from allowing one segment of the general public to access land for the purposes of hunting or fishing without providing the same opportunity for access to the entire general public. A few years ago, because of a federal court settlement, Seattle Public Utilities started allowing controlled access to the Cedar River Watershed for members of the Muckleshoot Indian Tribe for limited hunting and gathering. This settlement agreement includes detailed rules and enforcement protocols as well as significant areas that remain closed to the Tribe. Nancy Ahern, a Deputy Director of Seattle Public Utilities, testified at the hearing that if HB 1273 interprets the tribe to be “a segment of the general public,” then we are strongly opposed to the bill. If the watershed is opened to the general public it would require Seattle to build a water filtration plant, which would cost between \$150 and \$200 million, and then require ongoing annual operating costs.

Looking Ahead

Operating Budget: The House and Senate are now negotiating the early action budget bill. They hope to reach agreement quickly, but there are notable differences between the two chambers.

Transit Funding: The House version of the short term transit funding bill, [HB 1536](#), is scheduled for a public hearing in the House Transportation Committee on Wednesday, February 9th.

Houseboats: Legislation that would exempt houseboats from certain land use regulations is scheduled to be heard in both the House and Senate ([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 hope to reach a compromise that addresses the houseboat advocates’ concerns while protecting environmentally sensitive areas.

Limousine Regulations: [SB 5502](#) 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. This bill, which Seattle supports, is up for a public hearing in the Senate Transportation Committee on February 9th.

Regulating Underground Utilities: On Tuesday the House Committee on Technology and Energy & Communications will hold a hearing on [HB 1634](#), a bill that changes dig law practices in Washington State to improve pipeline safety. One provision in the bill will require a change in practice for marking sewer and water lateral lines, and it is unclear whether this provision would significantly reduce water and sewer line disruptions. This part of the bill could, however, result in a significant workload increase for Seattle Public Utilities, and a representative from SPU will be testifying at the hearing to raise concerns about this section of the bill.