



CITY OF SEATTLE 2011 STATE LEGISLATIVE BULLETIN

March 14, 2011

Number 9

Weekly Overview

Monday, March 7th, was house of origin cutoff, so bills that failed to pass their chamber of origin by Monday are dead unless they are deemed necessary to implement the budget. Since cutoff the legislature has turned its focus back to committee hearings, as both chambers consider bills from the opposite house. The City will be actively involved in several hearings on key legislation.

Bills now must pass out of policy and fiscal committees by April 1, then out of the opposite house by April 12. Remaining differences on bills must be resolved before April 24th when the Legislature is scheduled to adjourn sine die.

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. We expect the House to release their proposed biennial budget the week after the March revenue forecast. In addition, it is still unclear whether there will be a capital budget at all, and if there is one, how much it will be.

Municipal Revenue: [SSB 5541](#), which would exempt the UW and certain public and nonprofit hospitals from the commercial parking tax (CPT), did not come up for a vote in the Senate before cutoff. We will continue to work with the UW to help find a long-term solution to the challenges facing the U-Pass program.

Transit Funding: The Senate version of the short-term transit funding bill, [SSB 5457](#), passed the Senate on Monday afternoon (26-23). The Senate Transportation Committee amended the bill, reducing the maximum additional charge from \$30 to \$20, and limiting it to King County. The bill was amended again on the floor of the Senate to require a 2/3 vote of the County Council or a majority vote of the people before implementation. The bill has been referred to the House Transportation Committee and is scheduled for a hearing on March 15th.

Fiscal Flexibility: [HB 1953](#), concerning county and city additional real estate excise tax authority, was passed by the House on Friday, March 4th (79-18). The Senate version, [SB 5755](#), did not pass the Senate before cutoff. 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. The House bill has not yet been scheduled for a hearing.

Criminal Justice: [SSB 5545](#) passed the Senate on Friday, 48-0, and is scheduled for a hearing on March 15th 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](#), prime-sponsored by Rep. Mary Lou Dickerson, passed the House 87-9, and was referred to the Senate Human Services & Corrections Committee. The House bill has not yet been scheduled for a hearing in the Senate.

Education: [E2SSHB 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. This bill passed the House on March 2nd, 62-35, and is scheduled on March 18th for hearing in the Senate Human Services & Corrections Committee. In addition, on Tuesday, March 8th, the House Education Committee held a work session on “Integrating Student and Family Support and Health Services.” This work session highlighted the exemplary wraparound services at West Seattle Elementary School. Finally, [2SHB 1510](#) and [2SSB 5457](#), regarding an assessment of students in state-funded full-day kindergarten, bills that Seattle supports, both made it past cutoff. The Senate version has been scheduled for a hearing in the House Education Committee on March 17th.

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](#), is scheduled for executive session in the House Judiciary Committee on March 17th. The House version, [SHB 1339](#), is scheduled for a hearing on March 15th in 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 scheduled for a hearing on March 14 in the Senate Transportation Committee.

Limousine Regulations: [SSB 5502](#) would provide the City of Seattle with the authority and additional resources to enforce limousine laws. It passed the Senate 37-12 and is scheduled for a hearing in the House Transportation Committee on March 16th. 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. Seattle supports this legislation.

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. However, 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 also the

consumer rates charged by taxis. We use our current authority to help ensure taxi drivers earn a living wage and to ensure taxis are affordable. Rep. David Frockt offered a floor amendment to address our concerns, the floor amendment was adopted, and the bill subsequently passed the House unanimously.

Automated Traffic Safety Cameras: [SHB 1279](#) and [SSB 5188](#) would make improvements to red light camera programs. Seattle supported these bills, but unfortunately both bills failed to advance before cutoff and died on the 2nd Reading Calendars.

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 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 are working with interested stakeholders to develop mutually agreeable amendments that address our concerns. The bill passed the Senate 47-0 and is scheduled for a hearing in the House Transportation Committee on March 14th.

State Environmental Policy Act (SEPA): Legislation to modernize SEPA, [2SHB 1952](#), was passed by the House, 95-2, before cutoff. It has been referred to the Senate Environment, Water & Energy Committee. 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 and reflects many of the principles the City has been advocating.

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 scheduled on March 17th for a hearing 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. [SSB 5049](#), which would have implemented recommendations of the sunshine committee, died on the Senate 2nd Reading Calendar.

Carpet Stewardship: [SSB 5110](#), requiring manufacturers or retailers of carpets to participate in a carpet stewardship program, died in Senate Rules. Seattle supported 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, 93-4, with several members of the Seattle delegation voting no or making remarks that the bill was still a work in progress. It is scheduled for a hearing on Tuesday, March 15th, in the Senate Environment, Water & Energy Committee. Seattle continues to have concerns with several of the provisions in this bill and will be testifying in opposition to the bill on Tuesday. 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 would,

however, result in a significant workload increase for SPU. We will continue to work on the legislation and try to make improvements in the Senate.

Secure Medicine Return: [SSB 5234](#) and [HB 1370](#) would have created a medicine return association to finance and operate a product stewardship program for the safe collection, transportation, and disposal of unwanted medicines. Both bills died before reaching cutoff. The Senate bill made it onto the order of consideration, but never came up for a vote on the floor. Seattle worked 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 was heard in the Senate Environment, Water, & Energy Committee on March 9th. Jonathan Frodge, Ph.D., Stormwater Scientist from Seattle Public Utilities, testified in support of this legislation on behalf of the City.

Houseboats: Legislation that would exempt houseboats from certain land use regulations passed the House last week, 58-40. The bill, [SHB 1783](#), is scheduled for a hearing in the Senate Natural Resources & Marine Waters Committee on March 17th. It 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 through the Senate.

Cottage Food Operations: [ESSB 5748](#), which enacts labeling requirements on cottage food operations and also exempts them from certain regulations and permitting laws, passed the Senate, 47-2, had a hearing last week in the House Committee on Agriculture & Natural Resources, and is scheduled for executive session this Wednesday, March 16th. Seattle supports this and other legislation that would allow value-added home processing and selling of low-risk food items.

Mutual Aid: [SHB 1585](#) passed the House 97-0 and is scheduled for a hearing on March 14th in 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. The Senate version, [SSB 5420](#) died in the Senate. [ESHB 1406](#), establishing the intrastate building safety mutual aid system, is also scheduled for a public hearing in the Senate Government Operations and Tribal Relations & Elections Committee on March 14. The Senate version, [SSB 5221](#), died in the Senate. 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. Both bills passed their house of origin on Friday, March 5th, by significant margins. Neither bill has been scheduled for a hearing yet, but the City will continue to actively support these bills as they move forward.

Medical Cannabis: [E2SSB 5073](#), which clarifies laws surrounding the medical use of cannabis, passed the Senate on March 2nd, 29-20, and is scheduled for a hearing on March 14th in the House Health Care & Wellness Committee. Seattle supports this legislation.

Youth Access to Tobacco Products: [SHB 1246](#) died in House Rules. This bill aimed 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 supported this bill.

Stadium Taxes: [SHB 1997](#), providing economic development by funding tourism promotion, workforce housing, art and heritage programs, and community development, passed out of the House 55-42, and is moving to the Senate Ways & Means Committee. A more limited version of the bill focused on Arts & Heritage, [SSB 5834](#), passed the Senate 35-14, and has been referred to House Ways & Means.

Looking Ahead

This will be a very busy week in Olympia. Both the House and the Senate will be focused on Committee work as each chamber considers bills from the opposite house. The City will be involved in several hearings throughout the week, including hearings on short-term transit funding, police investigations of commercial sexual abuse of a minor, medical cannabis, mutual aid, limousine regulations, and many more key issues. We will also continue to work to find resolution on several bills that the City still has concerns with, including the dig law bill, private carriers in transit lanes, and the houseboats legislation.

Towards the end of the week we expect attention to turn to the state revenue forecast due out on the 17th and the House-proposed biennial budget which is due to be released the following week.