From the Legislative Director

City voices are crucial as session passes halfway mark

Midpoint through the 2015 session, legislators are winding down floor debates as they decide which bills to pass over to the other chamber for continued consideration. So far, debates and pronouncements have been relatively civil. Many Olympia political pundits attribute this to the serious nature of issues facing legislators and the Governor, as well as the close margins of power held by Democrats in the House and Republicans in the Senate. The Everett Herald’s Jerry Cornfield shares his midpoint analysis in an interesting piece here.

AWC continues to promote our priorities and work to advance or stop numerous bills before the 5 pm deadline on March 11. This is the deadline for non-fiscal bills to move from one chamber to the other. In the Take Action section of this Bulletin, you can check out where your voices are needed most. Any help from home is most appreciated!

Another effective and very helpful strategy is city leaders sharing priorities with constituents, media and local legislators. We’ve posted a few short video clips of how cities in Snohomish County and the City of Sumner have approached this. There’s also a great example of how Bellingham’s Mayor Kelli Linville, a former legislator herself, reported to her community on what the city, county and port need and why. Check it out from the Bellingham Herald here. These examples showcase some of the ways to express your needs and priorities.

As a reminder, it is always a good time to connect with legislators – even more so now, as many legislators prepare to come home for Town Hall meetings beginning this weekend. Most Town Hall meetings are happening on March 14. Please attend, check in with your representatives on how they’re doing, and ask them what they’re doing to advance your issues. Don’t be shy - they’re coming home to talk and listen. As Town Hall meeting information is announced, AWC is gathering this information, including times and locations.

continued
Infrastructure

Water and sewer latecomer fee authority passes Senate
In a 38-10 vote the Senate passed SSB 5795 sponsored by Sen. Roach (R-Auburn) and promoted by AWC that provides cities the authority to independently undertake water and sewer investments and be the sole beneficiary of latecomer repayments. We give our thanks to Senator Roach for her leadership on this! We are also hopeful that the House bill, SHB 1911 will also pass before cutoff and that one of these two bills will pass the full legislature this year.

General government

Voting Rights Act passes House, moves to Senate
HB 1745, the Washington Voting Rights Act, passed out of the House on a party-line vote Thursday, March 5, and will now move to the Senate for consideration. Its companion, SB 5668, is still in the Senate Rules Committee.

Coming off the floor one amendment was hung on HB 1745, a striker that made only technical corrections to the bill.

As noted in earlier Bulletin articles, HB 1745 was amended in committee with changes AWC supports. However, concerns remain. You can read about the changes and concerns here.

Law and justice

Fireworks industry bill preempting city authority passes Senate, sort of
SB 5914 passed the Senate Thursday night with a vote of 33-14. However, there was a notice of reconsideration by Sen. Rolfes (D-Bainbridge Island) that puts the bill on hold for now. Once notice of reconsideration is given, the bill is on hold until it is either brought up for another vote (only on the 9th order, a rare procedural move) or until cutoff. If no further action is taken, the bill would be transmitted to the House after cutoff on March 11.

SB 5914 makes significant changes to local authority to regulate fireworks by setting statewide standards and prohibiting cities from adopting more restricted regulations. The bill would limit local authority to adopt regulations to only the days and hours of sales and the types of fireworks sold.

Also troubling is the timing of the bill. As currently drafted, it would take effect prior to July 4, 2015, meaning that the new regulations would take effect without sufficient time for the state or locals to revise regulations and prepare for the new requirements. Finally, the bill mandates that the state adopt the National Fire Protection Association (NFPA) code 1124 for the manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles. There are some concerns about the use of this particular standard as the NFPA itself has removed this code from their recommended regulations.

We urge city officials to let your legislators know that public safety is our highest priority and cities need to retain the ability to adopt specific local regulations to ensure the safe and sane use of fireworks. Urge your local legislators to oppose this bill.
Bill requiring security of violent and sexual offenders in hospitals passes off Senate floor

Currently, Washington law does not require law enforcement to secure or accompany to a hospital a patient who is in custody for a violent or sexual crime. SB 5593, sponsored by Sen. Bruce Dammeier (R-Puyallup), would change that by requiring law enforcement to accompany violent and sexual offenders who are brought to a hospital while in their custody. SB 5593 unanimously passed off of the Senate floor Thursday, March 5. It will now be sent to the House for consideration.

This bill is the result of negotiations and compromise between hospitals and law enforcement to address concerns for both. Hospitals have been concerned about security with potentially violent offenders and law enforcement for cities and counties are concerned about the cost of health care for inmates. AWC is supportive of this compromise measure.

Specifically, under SB 5593, an individual does not need to be accompanied or otherwise secured if:

1. The individual's medical care provider so indicates; or
2. The law enforcement officer determines that:
   • The individual does not present an imminent and significant risk of causing physical harm to themselves or another person;
   • There is no longer sufficient evidentiary basis to maintain the individual in custody;
   • Or in the interest of public safety, the presence of the law enforcement officer is urgently required at another location and the public safety interest outweighs the need to accompany or secure the individual in the hospital.

If the medical care provider determines the individual does not need to be accompanied or otherwise secured, the officer or guard has no ongoing duty to oversee the individual for the duration of their treatment by the hospital. If the officer or guard determines that the individual does not need securing, the officer or guard must notify the medical care provider.

Liability
Law enforcement officers, corrections officers, guards supplied by a law enforcement or corrections agency, and their employing departments, agencies, and representatives are immune from civil liability arising out of the failure to comply with this act, unless it is shown that, in the totality of the circumstances, the officer or agency acted with gross negligence or bad faith.

Payment
A payment rate structure is created for hospital services provided to patients who are the financial responsibility of the law enforcement entity. Unless other rates are agreed to by the governing unit and the hospital, the hospital must accept as payment in full by the governing units the applicable facility's percent of allowed charges rate or fee schedule as determined, maintained, and posted by the Washington State Department of Labor and Industries.
Bill allowing law enforcement access to call location information in emergencies moving through Legislature

SB 5158, sponsored by Sen. John McCoy (D-Tulalip), requires wireless telecommunications providers to provide call information for a telecommunications device (cell phone, etc.) of a user when requested by law enforcement responding to an emergency involving risk of death or serious physical harm. Law enforcement may not request this information for any other purpose and must first consult with the FBI crime center and any other databases to determine if the person requesting the information has a known history of domestic violence, stalking, etc.

This legislation is the result of the tragic kidnapping and death of a young woman in 2007. She had a cell-phone on her at the time that may have revealed her location in time for emergency response. However, state law prohibited law enforcement from obtaining her cell phone’s location from her phone provider in a timely manner.

SB 5158 passed out of the Senate unanimously on March 3 and is scheduled for public hearing in the House Public Safety Committee on March 13 at 10 am.

Marijuana

House Finance Committee considers marijuana revenue sharing bill

The House Finance Committee held a hearing on HB 2136 on Wednesday evening that includes revenue sharing for cities and counties. AWC would like to thank the Mayor Harding of Yelm, Mayor Ryder and Police Chief Pierpoint of Lacey and Councilmember Klobe of Kirkland for coming down to testify on the bill. We also appreciate the numerous cities who signed in to express their desire to see revenue sharing.

During the hearing cities expressed support for local flexibility on siting of marijuana businesses and support for revenue sharing, but asked for some changes to the revenue sharing proposal including: removing the 2022 sunset, removing the annual cap on revenue sharing, and replacing the funding distribution model with one agreed to by cities and counties.

The Committee was slated to take executive action on the bill at noon on Friday, but action has been postponed until later in the afternoon. There are rumored to be several amendments to the bill, but none are publicly available at this time. AWC will update this article as soon as information becomes available.
Transportation

Updated materials for Senate transportation package

The bills associated with the transportation package went through several changes before final passage in the Senate. Below are links to an updated project list, balance sheet, and summary of transportation reforms that were passed along with the package.

Balance sheet
Project list
Reforms

Oil train bill passes House

ESHB 1449, which provides new regulatory requirements for the transport of oil by marine and oil, passed the House on March 5 on a 60-38 vote. See how your representative voted here. The competing Senate version 2SSB 5057 has yet to be voted on, but is on the second reading calendar and we expect a vote in coming days.

AWC Legislative Contacts

During the legislative session, AWC’s lobbyists often are unable to return your phone calls immediately. If you have a legislative or specific issue question, please request AWC’s analyst staff, or send them an email directly.

Call AWC at (360) 753-4137 or 1-800-562-8981

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