

Skagit County Legislative Report February 3, 2019

This week, the Legislature passed amendments to I-940 and delivered the bill to the Governor to be signed into law. The Legislature continues to meet in committees and hold public hearings on proposed legislation. Bills need to be heard and passed out of any policy committee by Friday, February 22, 2019 to remain under consideration. This deadline is commonly referred to as the "policy committee cutoff deadline." Bills that have an impact on the state budget, are referred to a second committee to evaluate the fiscal components of the bill. Those bills must pass out of the fiscal committee by Friday, March 1, 2019. Once bills advance out of the policy and fiscal committee, they are referred to the Rules Committee. Bills remain in the Rules Committee until they are selected to be brought up for a vote in the entire chamber.

Skagit County Legislative Action for This Week

Based on the county's Legislative Agenda, known policy priorities, or direction from the county, GTHGA have identified the following upcoming hearings that may be of interest. We are paying particular attention to issues relating to behavioral health, housing, indigent defense, emergency communications, water resources, and timber. Please let us know if you'd like us to weigh in on any of the bills below.

Transportation (House) - HHR B, JLOB - 2/4 @ 3:30pm

- HB 1427 - Public Hearing - Concerning county electrical traffic control signals, illumination equipment, and other electrical equipment conveying an electrical current.

Finance (House) - HHR A, JLOB - 2/5 @ 8:00am

- HB 1493 - Public Hearing - Authorizing cities and counties to impose additional taxes for affordable housing.

Ways & Means (Senate) - SHR 4, JACB - 2/5 @ 3:30pm

- SB 5063 - Public Hearing - Providing prepaid postage for all election ballots.

Rural Development, Agriculture, & Natural Resources (House) - HHR B, JLOB - 2/6 @ 8:00am

- HB 1443 - Public Hearing - Extending the tax preferences in RCW 82.04.260(12).
- HB 1662 - Public Hearing - Concerning payments in lieu of real property taxes.

Housing Stability & Affordability (Senate) - SHR 2, JACB - 2/6 @ 1:30pm

- SB 5357 - Public Hearing - Authorizing cities and counties to impose additional taxes for affordable housing.

Ways & Means (Senate) - SHR 4, JACB - 2/6 @ 3:30pm

- SSB 5163 - Public Hearing - Concerning actions for wrongful injury or death.

Agriculture, Water, Natural Resources & Parks (Senate) - SHR 3, JACB - 2/7 @ 1:30pm

- SB 5547 - Public Hearing - Concerning the proposed department of natural resources' marbled murrelet long-term conservation strategy.
- SB 5696 - Public Hearing - Concerning payments in lieu of real property taxes.

Finance (House) - HHR A, JLOB - 2/7 @ 1:30pm

- HB 1653 - Public Hearing - Increasing the maximum tax rate for the voter-approved local sales and use tax for emergency communication systems and facilities.

Health Care & Wellness (House) - HHR A, JLOB - 2/8 @ 8:00am

- HB 1497 - Public Hearing - Concerning foundational public health services.

Rural Development, Agriculture, & Natural Resources (House) - HHR B, JLOB - 2/8 @ 10:00am

- HB 1546 - Public Hearing - Concerning the proposed department of natural resources' marbled murrelet long-term conservation strategy.

Bill Summaries

Outlined below are relevant bills GTHGA is tracking for the county.

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Priority</u>	<u>Position</u>
Local gov. revenue study Studying the constitutional and statutory obligations and tax revenue capacity of local government entities. SHB 1008 <i>Summary:</i> Requires the department of commerce to conduct a study that analyzes local governments' revenue capacity in relation to its constitutional and statutory obligations. Makes an appropriation from the dedicated marijuana account to the department of commerce for the purposes of this act.	H Approps	Appleton	Monitoring	
Working forests/real estate Adding proximity to working forests to the residential real estate disclosure statement. HB 1011 <i>Summary:</i> Revises the real estate disclosure statement, relating to the right to farm act, to include working forests, which gives home buyers a more accurate description of the effect of the act and science-based forest practices regulations that protect the state's public resources.	H Rules R	Reeves	Monitoring	
Opioid medications/schools Concerning opioid overdose medication at kindergarten through twelfth grade schools and higher education institutions. HB 1039 <i>Summary:</i> Increases access to opioid overdose medication at kindergarten through twelfth grade schools and institutions of higher education. Authorizes a school to obtain and maintain opioid overdose medication through a standing order. Requires the office of the superintendent of public instruction to: (1) In consultation with the department of health, develop opioid-related overdose policy guidelines and training requirements for public schools and school districts; and (2) Develop	H HC/Wellness	Pollet	Monitoring	

and administer a grant program to provide funding to public schools with any of grades kindergarten through twelve and public institutions of higher education to train personnel on the administration of the medication to respond to symptoms of an overdose. Requires a public institution of higher education with a residence hall housing at least one hundred students to develop a plan for: (1) The maintenance and administration of opioid overdose medication in and around the residence hall; and (2) The training of designated personnel to administer the medication.

<u>HB 1086</u> <u>(SB 5098)</u>	Public defense funding	H Approps	Chapman	Monitoring
	Increasing appropriated funding for public defense services.			
	<i>Summary:</i> Requires a county or city to: (1) Provide documentation that attorneys providing public defense services are in compliance with the state supreme court standards for indigent defense; and (2) Collect hours billed for nonpublic defense legal services in the previous calendar year from each individual or organization that contracts to perform public defense services. Requires the office of public defense to: (1) Annually determine the cost of public defense services based on an average of the actual expenditures for the services reported by counties and cities for the previous two years; (2) Monitor trial level criminal public defense services to determine eligibility of counties and cities to receive state funds; and (3) Establish policies for the distribution of appropriated funds to eligible counties and cities. Requires counties and cities to annually provide information on the actual expenditures for public defense services to the office of public defense.			
<u>SHB 1100</u>	Competency eval. payment	H Approps	Jinkins	Monitoring
	Evaluating competency to stand trial.			
<u>SHB 1135</u> <u>(SSB 5163)</u>	Wrongful injury or death		Santos	Monitoring
	Concerning actions for wrongful injury or death.			
<u>HB 1146</u>	Christmas tree growers	H Rules R	MacEwen	Monitoring
	Extending the program establishing Christmas tree grower licensure.			
	<i>Summary:</i> Delays, until July 1, 2030, the expiration of the program establishing Christmas tree grower licensure.			
<u>HB 1209</u> <u>(SB 5063)</u>	Ballots, prepaid postage	H State Govt & T	Hansen	Monitoring
	Providing prepaid postage for all election ballots.			
	<i>Summary:</i> Requires the state to reimburse counties for the cost of return postage on mail and absentee ballots for elections. Requires return envelopes for election ballots to include prepaid postage.			
<u>HB 1219</u> <u>(SB 5195)</u>	Real estate taxes/housing	H Hous, Com Dev	Walen	Monitoring
	Providing cities and counties authority to use real estate excise taxes to support affordable housing and homelessness projects.			
	<i>Summary:</i> Authorizes the use of real estate excise taxes, by cities and counties, to support affordable housing and homelessness projects.			
<u>HB 1249</u>	B&O tax/manuf. & timber	H RDev, Ag&NR	Chapman	Monitoring

Reducing the business and occupation tax for certain manufacturers and extending an expiration date for current business and occupation tax treatment for the timber industry.

Summary: Changes the business and occupation tax structure of manufacturers to encourage economic growth. Delays, from July 1, 2024, until July 1, 2056, the expiration date for the timber products business and occupation tax rate of the state forest practices habitat conservation plan.

[SHB 1273](#)
(SB 5330)

Small forest landowners H Approps Kretz Monitoring
Analyzing state regulatory impact on small forest landowners.

[HB 1283](#)
(SB 5277)

Agricultural fair funding H Approps Dent Monitoring
Ensuring the funding of agricultural fairs.

Summary: Changes the funding source and the amount of funding for the fair fund.

[HB 1291](#)
(SB 5073)

Election cost reimbursement H SGOVDP Walsh Monitoring
Concerning state reimbursement of election costs.

Summary: Addresses the obligation of a county or the state with regard to the reimbursement of certain election costs.

[HB 1324](#)
(SSB 5423)

Rural development, zones H RDev, Ag&NR Chapman Monitoring
Creating the Washington rural development and opportunity zone act.

Summary: Establishes the Washington rural development and opportunity zone act. Requires the department of commerce to accept applications for approval as a rural development and opportunity zone fund. Establishes an insurance premium tax credit and a business and occupation tax credit. Creates the rural development and opportunity zone account. Provides a July 1, 2025, expiration date for the tax credits.

[HB 1331](#)
(SB 5380)

Opioid use disorder H HC/Wellness Cody Monitoring
Concerning opioid use disorder treatment, prevention, and related services.

Summary: Declares that opioid use disorder is a public health crisis. Requires state agencies to: (1) Increase access to evidence-based opioid use disorder treatment services; (2) Promote coordination of services within the substance use disorder treatment and recovery support system; (3) Strengthen partnerships between opioid use disorder treatment providers and their allied community partners; (4) Expand the use of the state prescription drug monitoring program; and (5) Support comprehensive school and community-based substance use prevention services. Requires agencies that administer state purchased health care programs to: (1) Coordinate activities to implement this act and the state interagency opioid working plan; (2) Explore opportunities to address the opioid epidemic; and (3) Provide status updates as directed by the joint legislative executive committee on health care oversight to promote legislative and executive coordination.

[HB 1334](#)
(SB 5305)

Electric util wildland fires H RDev, Ag&NR Blake Monitoring
Concerning electric utility wildland fire prevention.

Summary: Requires the commissioner of public lands to convene a utility wildland fire prevention task force with electrical power distribution utilities, and requires the task force to advise the department of natural resources on certain issues including electric utility wildland fire prevention.

<u>SHB 1348</u>	B&O tax provisions	Chapman	Monitoring	
	Helping Washington businesses succeed by modifying certain business and occupation tax provisions.			
<u>HB 1393</u> (SB 5432)	Behavioral health, integrate	H HC/Wellness	Cody	Monitoring
	Concerning fully implementing behavioral health integration for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations; and making technical corrections related to the behavioral health system.			
	<i>Summary:</i> Changes the name of the community mental health services act to the community behavioral health services act. Addresses the implementation of behavioral health integration for January 1, 2020; clarifying the roles and responsibilities among the state health care authority, the department of social and health services, and the department of health; and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations.			
<u>HB 1406</u> (SB 5646)	Affordable housing/sales tax	H Hous, Com Dev	Robinson	Monitoring
	Encouraging investments in affordable and supportive housing.			
	<i>Summary:</i> Encourages investments in affordable and supportive housing.			
<u>HB 1418</u> (SB 5458)	Building trades apprentices	H Coll & Wkf Dev	Sells	Monitoring
	Expanding access to building trades apprenticeships.			
	<i>Summary:</i> Requires the Marysville school district to collaborate with Everett Community College, Arlington school district, other local school districts, local labor unions, and local industry groups to develop the regional apprenticeship pathways program. Requires the program to: (1) Establish an education-based apprenticeship preparation program that prepares individuals for registered apprenticeships in the building trades; and (2) Provide dual credit for participants by meeting high school graduation requirements and providing opportunities for credit leading to a college credential.			
<u>HB 1427</u> (SB 5179)	County electrical equipment	H Trans	Irwin	Monitoring
	Concerning county electrical traffic control signals, illumination equipment, and other electrical equipment conveying an electrical current.			
	<i>Summary:</i> Addresses the conveyance of electrical current by county electrical traffic control signals, illumination equipment, and other electrical equipment.			
<u>HB 1443</u> (SB 5467)	Tax preferences/mass timber	H RDev, Ag&NR	Chapman	Monitoring
	Extending the tax preferences in RCW 82.04.260(12).			
	<i>Summary:</i> Extends business and occupation tax preferences for mass timber products.			
<u>HB 1481</u> (SB 5500)	Election costs & postage	H State Govt & T	Dolan	Monitoring
	Concerning state reimbursement of election costs and payment of prepaid postage return costs.			
	<i>Summary:</i> Provides prepaid postage for all election ballots, state reimbursement of election costs, and state payment and reimbursement of prepaid postage costs.			

	Affordable housing taxes	H Finance	Morgan	Monitoring
	Authorizing cities and counties to impose additional taxes for affordable housing.			
<u>HB 1493</u> (SB 5357)				<i>Summary:</i> Authorizes counties and cities to impose an additional excise tax on the purchase and sale of real property in its jurisdiction at the rate of one-half of one percent of the selling price with the proceeds of the tax being used for the development of affordable housing. Requires a city to collect the excise tax within its incorporated boundaries, and a county to collect the excise tax within its unincorporated areas, if they both exercise the authority provided in this act.
	Foundat. public health servs	H HC/Wellness	Robinson	Monitoring
	Concerning foundational public health services.			
<u>HB 1497</u> (SB 5732)				<i>Summary:</i> Addresses the governmental public health system which is comprised of the department of health, state board of health, local health jurisdictions, sovereign tribal nations, and Indian health programs. Requires funding for the governmental public health system to be restructured to support foundational public health services, and in restructuring, there must be efforts to reinforce current governmental public health system capacity and implement service delivery models allowing for system stabilization and transformation. Requires funding for foundational public health services to be appropriated to the office of financial management. Authorizes the office to only allocate funding to the department of health if the department, after consultation with federally recognized Indian tribes, a state association representing local health jurisdictions, and the state board of health, jointly certify to the office that they are in agreement on the distribution and uses of state foundational public health services funding across the public health system.
<u>HB 1546</u> (SB 5547)	Marbled murrelet strategy	H RDev, Ag&NR	Blake	Monitoring
	Concerning the proposed department of natural resources' marbled murrelet long-term conservation strategy.			
<u>HB 1653</u> (SB 5272)	Emergency comm. max tax rate	H Finance	Doglio	Monitoring
	Increasing the maximum tax rate for the voter-approved local sales and use tax for emergency communication systems and facilities.			
<u>HB 1662</u> (SB 5696)	Payments in lieu of prop tax	H RDev, Ag&NR	Dent	Monitoring
	Concerning payments in lieu of real property taxes.			
<u>HB 1733</u> (SB 5543)	Productive farmland	H RDev, Ag&NR	Gregerson	Monitoring
	Retaining productive farmland.			
<u>HB 1889</u> (SB 5136)	Water infrastructure program		Dye	Monitoring
	Establishing the water infrastructure program.			
<u>SSB 5047</u>	Veteran diversion/ITA	S Rules 2	O'Ban	Monitoring
	Concerning veteran diversion from involuntary commitment through increased coordination between the veterans administration and the health care authority.			

Behavioral health licensure S Rules 2 O'Ban Monitoring

Increasing behavioral health workforce participation by addressing certification and licensure requirements.

[SB 5053](#)

Summary: Addresses certification and licensure requirements to increase behavioral health workforce participation. Requires the department of health to conduct a sunrise review under chapter 18.120 RCW (criteria and regulation of health care professionals) to evaluate the need for creation of a bachelor's level behavioral health professional credential.

Behav. health reciprocity S Rules 2 O'Ban Monitoring

Increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses and certifications.

[SB 5054](#)

Summary: Requires the department of health to: (1) Establish a reciprocity program for applicants for licensure or certification as a chemical dependency professional, mental health counselor, social worker, or marriage and family therapist in the state; and (2) Explore options for adoption of an interstate compact supporting license portability for certain licensed professionals.

Behav. health peer services S Rules 2 O'Ban Monitoring

Increasing availability of peer services for persons with behavioral health disorders.

[SB 5055](#)

Summary: Requires the state health care authority to: (1) Administer a peer counselor certification program to support the delivery of peer support services in the state; (2) Incorporate education and training for substance use disorder peers in the program; (3) Include reimbursement for peer support services by substance use disorder peers in its behavioral health capitation rates; (4) Allow for federal matching funds, consistent with the directive in chapter 299, Laws of 2018; (5) Approve entities to perform specialized peer training for certification; and (6) Cooperate with the department of health to complete the required sunrise review. Requires the department of health to conduct a sunrise review under chapter 18.120 RCW (criteria and regulation of health professions) to evaluate the need for creation of an advanced peer support specialist credential to provide a license to perform peer support services in the areas of mental health, substance use disorders, and forensic behavioral health.

Ballots, prepaid postage S Ways & Means Nguyen Monitoring

Providing prepaid postage for all election ballots.

[SB 5063](#)
(HB 1209)

Summary: Requires the state to reimburse counties for the cost of return postage on mail and absentee ballots for elections. Requires return envelopes for election ballots to include prepaid postage.

Election cost reimbursement S Ways & Means Hunt Monitoring

Concerning state reimbursement of election costs.

[SB 5073](#)
(HB 1291)

Summary: Addresses the obligation of a county or the state with regard to the reimbursement of certain election costs.

Public defense funding S Law & Justice Braun Monitoring

Increasing appropriated funding for public defense services.

[SB 5098](#)
(HB 1086)

Summary: Requires a county or city to: (1) Provide documentation that attorneys providing public defense services are in compliance with the state supreme court standards for indigent defense; and (2) Collect hours billed for nonpublic defense legal services in the previous calendar year from each

individual or organization that contracts to perform public defense services. Requires the office of public defense to: (1) Annually determine the cost of public defense services based on an average of the actual expenditures for the services reported by counties and cities for the previous two years; (2) Monitor trial level criminal public defense services to determine eligibility of counties and cities to receive state funds; and (3) Establish policies for the distribution of appropriated funds to eligible counties and cities. Requires counties and cities to annually provide information on the actual expenditures for public defense services to the office of public defense.

Water infrastructure program S Honeyford Monitoring
Ag/Water/Natura

Establishing the water infrastructure program.

[SB 5136](#)

Summary: Creates the water infrastructure program to fund certain projects. Requires the water infrastructure program to be administered as a competitive grant program to evaluate and rank projects proposed by sponsors. Requires the office of Columbia river to review proposed projects designed to increase the availability of water for out-of-stream beneficial uses. Requires the office of Chehalis basin to review proposed projects designed to reduce the risk of flooding, protect against damage that may be caused by flooding, and restore areas where flooding has occurred. Requires the fish passage barrier removal board to review proposed projects designed to improve fish passage. Requires the department of ecology to: (1) Review proposed projects designed to reduce stormwater pollution from existing development; (2) Establish advisory committees to ensure that the program is administered with due consideration for the views of individuals and organizations that have demonstrated their interest in water management in the state; and (3) Monitor progress in completing projects and achieving desired outcomes for projects funded under the program. Creates the water infrastructure program account, the water infrastructure program bond account, and the water infrastructure program taxable bond account.

[SSB 5163](#)
(SHB 1135)

Wrongful injury or death S Ways & Means Hasegawa Monitoring

Concerning actions for wrongful injury or death.

Summary: Modifies provisions relating to actions for wrongful injury or death.

[SB 5179](#)
(HB 1427)

County electrical equipment S Rules 2 Lias Monitoring

Concerning county electrical traffic control signals, illumination equipment, and other electrical equipment conveying an electrical current.

Summary: Addresses the conveyance of electrical current by county electrical traffic control signals, illumination equipment, and other electrical equipment.

[SB 5195](#)
(HB 1219)

Real estate taxes/housing S Rules 2 Kuderer Monitoring

Providing cities and counties authority to use real estate excise taxes to support affordable housing and homelessness projects.

Summary: Authorizes the use of real estate excise taxes, by cities and counties, to support affordable housing and homelessness projects.

[SB 5241](#)

Natural resources rulemaking S Short Monitoring
Ag/Water/Natura

Expanding the operable intent of RCW 34.05.271 and 34.05.272 to certain activities of natural resources agencies.

Summary: Requires the department of natural resources, before enacting a significant legislative rule, giving final approval to technical guidance documents, or finalizing habitat conservation plans, to

[SB 5357](#)
(HB 1493)

Authorizing cities and counties to impose additional taxes for affordable housing.

Summary: Authorizes counties and cities to impose an additional excise tax on the purchase and sale of real property in its jurisdiction at the rate of one-half of one percent of the selling price with the proceeds of the tax being used for the development of affordable housing. Requires a city to collect the excise tax within its incorporated boundaries, and a county to collect the excise tax within its unincorporated areas, if they both exercise the authority provided in this act.

[SB 5369](#)

Owner compensation/wells S
Ag/Water/Natur Wagoner Monitoring

Promoting just compensation for certain property owners who are prevented from using permit-exempt wells.

Summary: Specifies that Washington courts should order just compensation to be made to a property owner who has been prohibited from using or constructing a permit-exempt well by the application of a state or local law, rule, order, ordinance, opinion, or other similar directive.

[SB 5380](#)
(HB 1331)

Opioid use disorder S Health & Long Cleveland Monitoring

Concerning opioid use disorder treatment, prevention, and related services.

Summary: Declares that opioid use disorder is a public health crisis. Requires state agencies to: (1) Increase access to evidence-based opioid use disorder treatment services; (2) Promote coordination of services within the substance use disorder treatment and recovery support system; (3) Strengthen partnerships between opioid use disorder treatment providers and their allied community partners; (4) Expand the use of the state prescription drug monitoring program; and (5) Support comprehensive school and community-based substance use prevention services. Requires agencies that administer state purchased health care programs to: (1) Coordinate activities to implement this act and the state interagency opioid working plan; (2) Explore opportunities to address the opioid epidemic; and (3) Provide status updates as directed by the joint legislative executive committee on health care oversight to promote legislative and executive coordination.

[SSB 5423](#)
(HB 1324)

Rural development, zones S Ways & Means Palumbo Monitoring

Creating the Washington rural development and opportunity zone act.

[SB 5432](#)
(HB 1393)

Behavioral health, integrate S Behavioral Heal Dhingra Monitoring

Concerning fully implementing behavioral health integration for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations; and making technical corrections related to the behavioral health system.

Summary: Changes the name of the community mental health services act to the community behavioral health services act. Addresses the implementation of behavioral health integration for January 1, 2020; clarifying the roles and responsibilities among the state health care authority, the department of social and health services, and the department of health; and the roles and responsibilities of behavioral health administrative services organizations and medicaid managed care organizations.

[SB 5458](#)
(HB 1418)

Building trades apprentices S Labor & Commer Hobbs Monitoring

Expanding access to building trades apprenticeships.

Summary: Requires the Marysville school district to collaborate with Everett Community College,

Arlington school district, other local school districts, local labor unions, and local industry groups to develop the regional apprenticeship pathways program. Requires the program to: (1) Establish an education-based apprenticeship preparation program that prepares individuals for registered apprenticeships in the building trades; and (2) Provide dual credit for participants by meeting high school graduation requirements and providing opportunities for credit leading to a college credential.

SB 5467 (HB 1443)	Tax preferences/mass timber	S Ag/Water/Natura	Liias	Monitoring
Extending the tax preferences in RCW 82.04.260(12).				
<i>Summary:</i> Extends business and occupation tax preferences for mass timber products.				
SB 5500 (HB 1481)	Election costs & postage	S State Govt/Tri	Hunt	Monitoring
Concerning state reimbursement of election costs and payment of prepaid postage return costs.				
<i>Summary:</i> Provides prepaid postage for all election ballots, state reimbursement of election costs, and state payment and reimbursement of prepaid postage costs.				
SB 5543 (HB 1733)	Productive farmland	S Ag/Water/Natur	Takko	Monitoring
Retaining productive farmland.				
SB 5547 (HB 1546)	Marbled murrelet strategy	S Ag/Water/Natur	Van De Wege	Monitoring
Concerning the proposed department of natural resources' marbled murrelet long-term conservation strategy.				
SB 5646 (HB 1406)	Affordable housing/sales tax	S Housing Stabil	Kuderer	Monitoring
Encouraging investments in affordable and supportive housing.				
SB 5696 (HB 1662)	Payments in lieu of prop tax	S Ag/Water/Natura	Warnick	Monitoring
Concerning payments in lieu of real property taxes.				
SB 5732 (HB 1497)	Foundat. public health servs	S Health & Long	Van De Wege	Monitoring
Concerning foundational public health services.				