

# Skagit County - Government Relations Report January 30, 2022

Friday, January 28 marked the 19<sup>th</sup> day of the 2022 Legislative Session. Committees are still holding hearings on new bills and moving bills out of committee. Bills are continuously being revised as they move through the legislative process. As of Friday, January 28, a total of 1,132 bills have been introduced in the House and 990 in the Senate. One week remains until the first legislative deadline, Thursday, February 3, when all policy bills must be voted out of their policy committee to remain under consideration. Bills approved by policy committees that have an impact on the state budgets will be referred to a second fiscal committee, which will evaluate the financial implications of the bill. Bills must move out of their respective fiscal committee by Monday, February 7 to remain under consideration. Given the proximity of these deadlines, it is highly likely that fiscal committees will be working the weekend of February 5.

#### Session Cutoff Calendar

February 3, 2022	Policy Committee Deadline		
February 7, 2022	Fiscal Committee Deadline		
February 15, 2022	Chamber-of-Origin Deadline		
February 24, 2022	Opposite Chamber Policy Committee Deadline		
February 28, 2022	Opposite Chamber Fiscal Committee Deadline		
March 4, 2022	Opposite Chamber Deadline		
March 10, 2022	Session adjourns - Sine Die		

## **Legislative Priorities**

Address Fish Passage Barriers – Culvert Design Funding Capital Budget Request

Skagit County is working with Rep. Debra Lekanoff (D- Bow) to request \$1 million in the 2022 capital budget for culvert design funding. This funding will allow Skagit County to bring a package of 11 culverts to full design, making the County more competitive to receive state and federal grant funding. Last week, GTHGA sent House Capital Budget staff and Rep. Lekanoff budget proviso language. Last week, we confirmed with Capital Budget staff that the proviso we submitted is sufficient for making the request. We have also confirmed that Rep. Lekanoff has received our proviso language. Meanwhile, County staff are collecting letters of support from partners. We do not have pertinent action items on this request until staff begins processing capital requests during the first week of February.

#### House Bill 1333 - .09 Sales Tax Credit for Economic Development

Skagit County supports <u>House Bill 1333</u>, sponsored by Rep. Steve Tharinger (D- Dungeness), renewing the .09 rural county sales tax credit program for economic development until 2054. The bill moved out of the House 93-3 and has been referred to the Senate Housing and Local Government committee. As reported last week, we spoke with Committee Chair Patty Kuderer (D- Bellevue) who indicated she was committed to scheduling a hearing for the bill. Late this week, the bill was scheduled to be heard next Tuesday, February 1, at 8:00 a.m. The coalition will be splitting up



testimony between the lobbyists from WEDA, the Ports Association, WSAC, and an individual County commissioner. Other supporters will be signing in. We are hoping to advance the bill out of the policy committee quickly, and .09 coalition members have been reaching out to members of the Housing and Local Government committee to secure their support.

At the request of Ways and Means Chair Sen. Christine Rolfes (D- Bainbridge Island), we are also working on a solution to make the total funding provided through the .09 program more obvious to legislators in the state budget. The group will be asking OFM to report yearly distributions from this account to the legislature.

#### Department of Ecology - Remedial Action Grant Cleanup Deadline Fix

Skagit County supports solutions to ensure the County receives the \$5.41 million grant awarded in the 2021-23 budget through the Department of Ecology's Remedial Action Grant Program for the Whitmarsh Landfill brownfield cleanup. The Ports have introduced legislation addressing this issue: <u>Senate Bill 5895</u>, sponsored by Sen. David Frockt (D- Seattle), which removes the permitting acquisition timeline for Remedial Action grant recipients. The bill has been scheduled for a hearing in the Senate Environment, Energy, and Technology Committee on Tuesday, February 1. The County has prepared talking points for Josh to testify in support of this bill at the hearing. The bill must move out of Committee by Thursday, February 3, and has been scheduled for executive session on Wednesday, February 2, accordingly.

#### Other Items

#### Governor Request Riparian Habitat Bill - House Bill 1838

The prime sponsor, Rep. Debra Lekanoff (D- Bow) has indicated that Governor's request legislation to establish and protect riparian management zones, <u>House Bill 1838</u> and companion <u>Senate Bill 5727</u>, will no longer be considered this year. In lieu, Rep. Lekanoff will be advancing her legislation from last year, House Bill 1777, which establishes salmon recovery as a goal of the GMA and implements a standard of "net ecological gain." In the Senate, the Senate Agriculture, Water, Natural Resources, and Parks Committee will be hosting a work session on the Governor's salmon recovery package on Thursday, February 3, at 1:30 p.m.

#### Changes to the Long-Term Care Act Signed Into Law

On January 27, Governor Inslee signed two bills that make modifications to the Long-Term Care Act, a program to provide long-term care benefits to Washington workers, funded through a 0.58% payroll tax. As anticipated, both bills have moved quickly through the legislative process, receiving a public hearing, a vote out of Committee, and a full vote out of the Senate this week. While Republicans have continued to call for a full repeal of the program, many voted in favor of both bills.

- <u>House Bill 1732</u> delays the implementation from January 1, 2022, to July 1, 2023 (18 months). This bill also addresses near retirement age workers by allowing a person born before January 1, 1968, who has not met the duration requirements, including payment of the premium, to be eligible for the program at the percentage of years paid into the program. It also provides that any premiums collected from the employee prior to July 1, 2023, shall be refunded to the employee within 120 days of the collection of the premiums.
- <u>House Bill 1733</u> allows disabled veterans, spouses, or domestic partners of active-duty service members, nonimmigrant visa holders, and Washington workers who hold residence outside of



the state to seek exemption from the program. The bill stipulates that should the status qualifying a worker for the exemption change for any of the groups outside of disabled veterans, their exemption will be discontinued.

#### Clarifying Police Reform Proposals

The legislature continues to grapple with the best policies to address the unintended consequences from the passage of multiple police reform bills last session. With the first cutoff approaching, several bills are still in committee and may or may not advance this session. Below is the latest:

- <u>House Bill 1719</u>, sponsored by Rep. Dan Bronoske (D- Lakewood), clarifies that bean bags can be used as a de-escalation tactic. This past week the House voted unanimously to advance this bill.
- <u>House Bill 1735</u>, sponsored by Rep. Jesse Johnson (D- Federal Way), also passed out of the House by a vote of 90-5. The bill clarifies that deadly force may be used in the face of an immediate threat of serious injury against the officer or another individual, and that physical force would be allowed under limited circumstances to ensure the safety of officers when taking a person into custody for civil or forensic commitment (ITA). It eliminates the broad provision regarding enforcement of a court order and more narrowly authorizes physical force in specific circumstances. It also modifies the provision allowing a peace officer to use physical force to the extent necessary to take a minor into protective custody by removing references to specific statutes. Instead, an officer may do so when "authorized or directed by statute."
- Rep. Roger Goodman (D- Seattle) introduced House Bill 2037, in response to the request to • define "physical force." At the public hearing this week, 46 people were signed in to testify. Over 2,400 people signed in not testifying, with the overwhelming majority opposed. Those in support of House Bill 2037 stated the need for clear definitions of what "use of force" means. Supporters want to see a continuity across the state for training standards and give officers the tools they need to investigate crimes during Terry stops. Officers and city officials shared that police have been struggling with confusion about the new laws and this bill would provide clarity for what is allowed during investigatory stops and detentions. Many opponents of the bill are family members of victims of police killings and find it problematic to allow officers broad authority to use physical force to detain someone without reasonable suspicion. Opponents have shared concerns that this leads to misuse of deadly force when someone resists due to fear of law enforcement and pain caused by physical force. Police accountability advocates expressed that escalation from a Terry stop may lead to obstructing an investigation and resisting arrest which, under state law, allows an officer to use harsher physical force, including deadly force. There does seem to be some confusion with legislators and testifiers regarding felonies and misdemeanors, and what constitutes reasonable suspicion. The bill is scheduled for executive session this week, either Tuesday, February 1, or Thursday, February 3.
- <u>House Bill 1788</u>, sponsored by Eric Robertson (R- Sumner), had a public hearing in the House Public Safety Committee this week. The bill would restore the ability of law enforcement to engage in vehicular pursuits if there is reasonable suspicion that a person in the vehicle has committed, or is committing, a criminal offense. Legislation passed in 2021 limited vehicular pursuits to instances when an officer has probable cause that the person has committed, or is



committing: a violent offense, sex offense, or escape, or there is reasonable suspicion the person has committed, or is committing, a DUI, or is an imminent threat to the safety of others. The bill is scheduled to be voted out of the House Public Safety committee this week, either Tuesday, February 1, or Thursday, February 3.

- <u>House Bill 1507</u>, sponsored by Rep. Debra Entenmann (D- Covington), builds on legislation enacted during the 2021 legislative session to establish an Office of Independent Investigations for instances of police use of force that result in serious bodily injury or death. House Bill 1507 would establish independent prosecutorial authority within the Attorney General's Office that would apply concurrently to local prosecutorial authority. The Washington Association of Prosecuting Attorneys testified against the bill, indicating that they believe constitutional issues remain with the proposal. The bill was scheduled to be voted out of committee last week but no action was taken. It is scheduled for executive action again on Tuesday, February 1, or Thursday, February 3.
- Senate Bill 5919, sponsored by Sen. Kevin Van de Wege (D- Sequim), allows an officer to • engage in a vehicular pursuit if there is reasonable suspicion (rather than probable cause) that a person in the vehicle has committed or is committing a violent offense or sex offense, an escape, a DUI, a crime against a person, or another criminal offense where the public safety risks of failing to apprehend or identify the person are considered greater than the safety risks of the vehicular pursuit under the circumstances. The bill also includes a statewide definition of physical force that seems to align with the Criminal Justice Training Commission definition, and allows force in some additional scenarios not contemplated in last year's legislation preventing a person from fleeing a lawful detention by a peace officer; carrying out a warrant or other court order directing an officer to take a person into custody; ensuring the safety of an officers or others when encountering a person reasonably suspected of possessing firearms or other dangerous weapons, or when conducting a search of other lawful activity that reasonable creates a high risk of danger to the officer or another person. It states that de-escalation tactics and less lethal alternatives should be used when safe and feasible rather than possible, and that a proportional amount of physical force be used to overcome resistance, rather than the least amount of force. The bill is scheduled for a public hearing on Tuesday, February 1, and for executive action on Thursday, February 3.

GTHGA is monitoring the following priority items on your behalf. We will provide updates on these items as legislative action occurs. We will continue to be in contact with you on legislative action relevant to these items.

- Senate Bill 5122 Juvenile Detention
- Defend Shared Revenue and Preserve Funding for Critical County Programs
- Invest in the Washington State Housing Trust Fund

In addition to these items, GTHGA will be monitoring policy proposals included on Skagit County's 2022 Policy Document. We will report relevant legislative action on these items as it occurs and will remain in communication with the County on possibilities for Commissioner or staff involvement.



#### Opcoming Ever

#### Finance (House) - Virtual - 1/31 @ 10:00am

<u>HB 1643</u> - Exec Session - Exempting a sale or transfer of real property for affordable housing to a nonprofit entity, housing authority, public corporation, county, or municipal corporation from the real estate excise tax.

#### Environment & Energy (House) - Virtual - 2/1 @ 8:00am

<u>HB 1799</u> - Exec Session - Concerning organic materials management.

<u>HB 2066</u> - Public Hearing - Concerning exemptions for infill development under the state environmental policy act.

#### Housing & Local Government (Senate) - Virtual - 2/1 @ 8:00am

<u>E2SHB 1099</u> - Public Hearing - Improving the state's climate response through updates to the state's comprehensive planning framework.

<u>ESHB 1333</u> - Public Hearing - Providing an extension to the local sales and use tax for public facilities in rural counties. (Support)

#### Local Government (House) - Virtual - 2/1 @ 10:00am

<u>HB 1996</u> - Exec Session - Concerning stormwater control facilities and county jurisdiction. (Oppose)

#### Environment, Energy & Technology (Senate) - Virtual - 2/1 @ 10:30am

<u>SB 5895</u> - Public Hearing - Concerning timing restrictions for remedial action grants to local government. (Support)

#### Agriculture, Water, Natural Resources & Parks (Senate) - Virtual - 2/1 @ 1:30pm

<u>SB 5936</u> - Public Hearing - Providing short-term disaster recovery financial assistance to agricultural producers.

#### Capital Budget (House) - Virtual - 2/1 @ 1:30pm

<u>SHB 1673</u> - Public Hearing - Concerning broadband infrastructure loans and grants made by the public works board.



<u>HB 1740</u> - Public Hearing - Concerning the authority of the community economic revitalization board.

#### Environment, Energy & Technology (Senate) - Virtual - 2/2 @ 8:00am

<u>SB 5895</u> - Exec Session - Concerning timing restrictions for remedial action grants to local government. (Support)

#### Health Care & Wellness (House) - Virtual - 2/2 @ 8:00am

<u>HB 1866</u> - Exec Session - Assisting persons receiving community support services through medical assistance programs to receive supportive housing. (Concerns)

#### Transportation (House) - Virtual - 2/3 @ 1:30pm

<u>HB 2026</u> - Public Hearing - Implementing a per mile charge on vehicles.

### **Bill Summaries**

Outlined below are relevant bills GTHGA is tracking for the County. Bills that are in the "lobbying" category are those that GTHGA is taking action to either advance or stall; bills that are marked as "monitoring" are those that GTHGA is keeping track of but not actively lobbying.

Lobbying <u>Bill Detail</u>	<u>s</u>	<u>Status</u>	Sponsor	<b>Position</b>	
SHB	Local parks funding options	H Rules R	Wicks	Support	
<u>1025</u> (SB 5006)	Concerning local parks funding options.				
<u>ESHB</u> <u>1333</u>	<b>Rural public facilities/tax</b> Providing an extension to the loc counties.	0	0	Support ural	
<u>HB 1838</u>	Salmon habitat	H RDev, Ag&NR	Lekanoff	Oppose	
(SB 5727)	Protecting, restoring, and maintaining habitat for salmon recovery.				
<u>HB 1965</u>	Support and services levies Providing additional support and developmental disabilities or me	services for veterans'	Chapman assistance and for p	Support ersons with	



Stormwater facilities/county	H Local Govt	MacEwen	Oppose	
Concerning stormwater control facilities and county jurisdiction.				
Local parks funding options	S Ways & Means	Van De Wege	Support	
Concerning local parks funding c	ptions.			
Salmon habitat Protecting, restoring, and mainta	S Ag/Water/Natura ining habitat for salmo	Rolfes n recovery.	Oppose	
Stormwater facilities/county	S Housing & Local	Honeyford	Oppose	
Concerning stormwater control facilities and county jurisdiction.				
•	,		Support	
	Concerning stormwater control fa Local parks funding options Concerning local parks funding of Salmon habitat Protecting, restoring, and mainta Stormwater facilities/county Concerning stormwater control fa Remedial action grants	Concerning stormwater control facilities and county jurisLocal parks funding optionsS Ways & MeansConcerning local parks funding options.S Ag/Water/NaturaSalmon habitatS Ag/Water/NaturaProtecting, restoring, and maintaining habitat for salmonStormwater facilities/countyS Housing & LocalConcerning stormwater control facilities and county jurisRemedial action grantsS Environment, En	Concerning stormwater control facilities and county jurisdiction.   Local parks funding options S Ways & Means Van De Wege   Concerning local parks funding options. S Ag/Water/Natura Rolfes   Salmon habitat S Ag/Water/Natura Rolfes   Protecting, restoring, and maintaining habitat for salmon recovery. S Housing & Local Honeyford   Concerning stormwater control facilities and county jurisdiction. S Housing & Local Honeyford	

#### Monitoring **Bill Details** Status **Sponsor** Position **Public meetings/emergencies** H Rules 3C Pollet **ESHB** 1056 Concerning open public meeting notice requirements and declared emergencies. Comprehensive planning S Housing & Local Duerr E2SHB Improving the state's climate response through updates to the state's comprehensive 1099 planning framework. H Passed 3rd Lekanoff Neutral Comp. planning/salmon E2SHB Promoting salmon recovery through revisions to the state's comprehensive planning 1117 framework. H Rules 3C Bateman 2SHB Housing supply 1157 Increasing housing supply through the growth management act and housing density (SSB tax incentives for local governments. 5390)



<u>2SHB</u> <u>1202</u>	Addressing meaningful civil remedies for persons injured as a result of police misconduct, including by allowing for an award of attorney fees in addition to damages and injunctive and declaratory relief.			
<u>ESHB</u> 1232	<b>GMA/affordable housing plans</b> Planning for affordable housing une	H Local Govt der the growth manag	Barkis ement act.	
<u>2SHB</u> 1241	<b>Growth management act plans</b> Planning under the growth manage	H Approps ement act.	Duerr	
<u>HB 1362</u>	<b>Property tax revenue growth</b> Modifying the annual regular prope	H Finance rty tax revenue growt	Duerr h limit.	
<u>3SHB</u> <u>1412</u>	Legal financial obligations Concerning legal financial obligatio	H Approps ns.	Simmons	
<u>SHB</u> 1494	Antidisplacement/prop. tax Providing housing safety, security, the antidisplacement property tax e	and protection for Wa	Harris-Talley Ishington families by creating	
<u>HB 1643</u> (SB 5642)	Affordable housing/REET Exempting a sale or transfer of rea entity, housing authority, public cor real estate excise tax.			
<u>SHB</u> <u>1660</u> (SB 5648)	Accessory dwelling units Concerning accessory dwelling uni	H Rules R ts.	Shewmake	
<u>SHB</u> 1663	Landfill methane emissions Reducing methane emissions from	H Approps landfills.	Duerr	
<u>SHB</u> 1673	Public works board/broadband	H Cap Budget	Ryu	
(SSB 5580)	Concerning broadband infrastructure loans and grants made by the public works board.			
<u>HB 1722</u> (SB	Broadband deployment	H Local Govt	Boehnke	
(3B 5775)	Concerning the acceleration of broadband deployment.			



<u>SHB</u>	Long-term care/delay	Del to Gov	Sullivan		
1732	Delaying the implementation of the long-term services and supports trust program by 18 months.				
ESHB	Long-term care/exemptions	Del to Gov	Paul		
<u>1733</u>	Establishing voluntary exemption program for certain populations.	s to the long-term serv	vices and supports trust		
HB 1740	Broadband loans & grants	H Cap Budget	Taylor		
(SB 5586)	Concerning the authority of the community economic revitalization board.				
<u>HB 1774</u>	Greenhouse gases/buildings	H Env & Energy	Hackney		
(SB 5722)	Reducing greenhouse gas emissions in buildings.				
<u>HB 1799</u>	Organic materials managemen	t H Env & Energy	Fitzgibbon		
(SB 5731)	Concerning organic materials management.				
	Supportive housing	H HC/Wellness	Chopp Concern		
<u>HB 1866</u>	Assisting persons receiving community support services through medical assistance programs to receive supportive housing.				
HB 1948	Failing water systems	H Local Govt	Steele		
	Concerning failing water system receivership and rehabilitation.				
HB 1978	Shoreline master programs	H Passed 3rd	Duerr		
	Concerning shoreline master program review schedules.				
HB 1981	Local government planning	H Local Govt	Pollet		
	Concerning local government planning.				
HB 2003	Recycling system & waste	H Env & Energy	Donaghy		
(SB 5697) Renewing Washington's recycling system and re			waste.		
HB 2026	Vehicle per mile charge	H Transportation	Wicks		
	Implementing a per mile charge o	on vehicles.			



<u>HB 2037</u>	<b>Peace officers/use of force</b> Modifying the standard for use of for	,	Goodman
<u>HB 2049</u>	Housing permitting Encouraging construction of affordal streamlining the permitting process.	H Local Govt ble housing by elimina	Barkis ating redundancies and
<u>HB 2066</u>	Infill development Concerning exemptions for infill dev	H Env & Energy elopment under the st	Barkis tate environmental policy act.
<u>HB 2093</u> (SB 5921)	<b>County timber tax distrib.</b> Increasing county timber tax distribution and collection costs.	H Approps tions by reducing the	Abbarno charge for administrative
<u>SB 5042</u>	<b>GMA actions effective date</b> Concerning the effective date of cert act.	-	Salomon ler the growth management
<u>ESSB</u> <u>5122</u>	Juvenile court jurisdiction Concerning the jurisdiction of juvenil	•	Darneille
<u>2ESSB</u> 5275	Intense rural dev. areas Enhancing opportunity in limited are	S Passed 3rd as of more intense ru	Short ral development.
<u>SSB</u> 5380	Building permit approval Concerning the approval of building	S Rules 2 permits.	Fortunato
<u>SSB</u>	Housing supply	S Ways & Means	Liias
<u>5390</u> (2SHB 1157)	Increasing housing supply through the growth management act and housing density tax incentives for local governments.		
<u>SB 5514</u>	County legislative meetings Increasing the frequency of county le	S Passed 3rd egislative meetings at	Dozier alternate locations.
<u>SB 5517</u>	Cannabis/employment Concerning employment of individua	S Labor, Comm & als who lawfully consu	Keiser me cannabis.



<u>SSB</u>	Public works board/broadband S Rules 2 Wellman		
<u>5580</u> (SHB 1673)	Concerning broadband infrastructure loans and grants made by the public works board.		
<u>SB 5586</u>	Broadband loans & grants S Business, Finan Frockt		
(HB 1740)	Concerning the authority of the community economic revitalization board.		
<u>SSB</u>	Marine resources ad. council S Rules 2 Wagoner		
<u>5590</u>	Eliminating the 2022 expiration date of the marine resources advisory council.		
<u>SSB</u>	Urban growth area boundaries S Rules 2 Short		
<u>5593</u>	Concerning urban growth area boundaries.		
<u>SSB</u>	Voting rights S Ways & Means Saldana		
<u>5597</u>	Concerning the Washington voting rights act.		
<u>SB 5611</u>	<b>Long-term care/veterans</b> S Health & Long T Mullet Providing an exemption to long-term care insurance for retired veterans and retirement eligible veterans.		
SB 5642	Affordable housing/REET S Housing & Local Mullet		
(HB 1643)	Exempting a sale or transfer of real property for affordable housing to a nonprofit entity, housing authority, public corporation, county, or municipal corporation from the real estate excise tax.		
<u>SB 5648</u>	Accessory dwelling units S Housing & Loca Liias		
(SHB 1660)	Concerning accessory dwelling units.		
	State v. Blake procedures S Ways & Means Dhingra		
<u>SSB</u> <u>5663</u>	Establishing streamlined procedures for compliance with the State v. Blake decision in order to improve criminal justice system coordination, create efficiencies, and reduce costs.		
<u>SB 5697</u>	Recycling system & waste S Environment, En Das		
(HB 2003)	Renewing Washington's recycling system and reducing waste.		



<u>SB 5722</u> (HB 1774)	Reducing greenhouse gas emissions in buildings.			
<u>SB 5727</u>	Salmon habitat	S Ag/Water/Natura	Rolfes	
(HB 1838)	Protecting, restoring, and maintaining habitat for salmon recovery.			
<u>SB 5731</u>	Organic materials management	S Environment, E	Das	
(HB 1799)	Concerning organic materials management.			
<u>SB 5775</u>	Broadband deployment	S Environment, E	Wellman	
(HB 1722)	Concerning the acceleration of broadband deployment.			
<u>SB 5868</u>	<b>Public fac. tax/housing</b> Expanding the use of the rural cour affordable workforce housing.	S Rules 2 nties public facilities sa	Hawkins Concerns ales and use tax to include	
<u>SB 5885</u>	Marine shoreline habitat Concerning marine shoreline habita	S Ag/Water/Natura at.	Salomon	
<u>SB 5921</u>	County timber tax distrib.	S Ways & Means	Braun	
(HB 2093)	Increasing county timber tax distributions by reducing the charge for administrative and collection costs.			
<u>SB 5936</u>	Agricultural disaster assist	S Ag/Water/Natur	Sefzik	
(HB 2051)	Providing short-term disaster recovery financial assistance to agricultural producers.			
	Flood recovery assistance	S State Govt & E	Sefzik	
<u>SB 5937</u>	Providing financial assistance to aid impacted communities in the recovery from floods occurring November 2021 through January 2022.			