

December 5, 1997

state legislative program.pch

Introduced By:

Louise Miller

Substitute 12/5/97

Proposed No.:

97-701

MOTION NO. **10360**

A MOTION establishing the 1998 state legislative program
for King County.

WHEREAS, the metropolitan King County council and the King County executive
have worked through the joint King County Legislative Steering Committee to develop a
state legislative agenda and desire to bring their positions on issues facing the 1998
Washington state legislature to the attention of the Washington state legislature, and

WHEREAS, King County desires to work cooperatively with other local
governments and other organizations such as the Washington Association of County
Officials, the Suburban Cities Association, the Association of Washington Cities, the
Washington Transit Association, and the Washington State Association of Counties to
achieve its 1998 legislative goals, and

WHEREAS, counties have been recognized by the legislature as partners with the
state in the delivery of such critical services as transportation, criminal justice, public
health, community and human services, and water resources, and

WHEREAS, the King County council and the King County executive will continue
to review legislative developments for possible revisions of King County's 1998 state
legislative program;

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NOW, THEREFORE BE IT MOVED by the Council of King County:

The specific objectives set forth in the attachment to this motion are King County's highest priorities for passage during the 1998 session of the Washington state legislature.

PASSED by a vote of 11 to 2 this 8th day of December,
1997.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

John Hague
Chair

ATTEST:

Emmon
Clerk of the Council

Attachments: 1998 King County State Legislative Agenda, dated December 5, 1997

SECTION ONE

KING COUNTY PRIORITIES**TRANSPORTATION*****1) TRANSPORTATION FINANCING***

Background: King County operates and maintains a regional transportation system that includes over 2,568 miles of road, 516 bridges and the states largest transit system which carries over 81 million riders annually. In addition, King County continues to identify freight mobility as a priority recognizing the influential role that ports, export trade and warehousing activities play in our state and regional economy.

In recent years, the Central Puget Sound has experienced a marked increase in traffic congestion and there is concern that current funding levels will no longer be able to adequately address transportation system improvements necessary to preserve our economic vitality.

Recommendation: King County supports a balanced, multi-modal transportation financing package that includes funding for transit, freight mobility and state highway improvement projects.

2) MOTOR VEHICLE EXCISE TAX DISTRIBUTION FORMULAS

Background: The Motor Vehicle Excise Tax (MVET) is assessed against the depreciated value of motor vehicles and is generally regarded as one of the most effective taxes in the state because of its sensitivity to inflation. Among the programs of importance to counties that are funded by the account are transit, local criminal justice, public health and sales tax equalization. Because transportation is nearing a crisis point, increased consideration is being given to redirecting portions of the MVET fund.

Recommendation: Support preservation of existing and historic MVET distributions to transit, local criminal justice and public health. Advocate for transit, k-12 education and human services funding being held harmless in any MVET distribution adjustment.

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PUBLIC SAFETY

1) JUVENILE JUSTICE FUNDING

Background: In 1996, the legislature passed the "Becca Bill". This legislation imposed significant costs on King County's Department of Youth Services (DYS) for truancy and at-risk youth. This year DYS has had almost 1,300 bed days resulting from non-offender youth while receiving no mitigation costs to cover the expenses associated with these increased bed days and additional case management. In addition, the County DYS is also projecting a 1998 fiscal impact of \$630,720 resulting from costs associated with the 1997 Juvenile Justice Bill (SHB 3900).

Recommendation: King County supports legislation providing funding for alternatives to incarceration for children found in contempt of court as a result of truancy, CHINS or ARY. Additionally, the County advocates for funding of the Community Juvenile Accountability Program Grants Section of the Juvenile Justice Act of 1997.

INTEGRATED WATER RESOURCES

1) WATERSHED PLANNING

Background: Under current law, state funding is available for watershed planning, but not for plan implementation. King County has, or will soon complete most of its planning initiatives and is seeking adequate funding necessary for successful implementation. The 1997 - 1999 State biennium budget allocates \$5 million dollars for watershed planning with grants up to \$250,000 for Water Resource Inventory Area (WRIA) planning units based on need per detailed budget. Significantly greater funds are needed in the Snohomish River where regional planning is already underway funded by local government via interlocal agreement.

Recommendation: King County supports legislation to increase funding for local watershed programs and to allow plan implementation as an eligible activity for state funding and specifically advocates for a special State appropriation of \$500,000 to \$1 million dollars, for Snohomish River regional planning to continue current planning.

2) ENDANGERED SPECIES ACT AND WILD SALMONID POLICY

Background: The status of all Washington salmonid populations is currently under review by the National Marine Fisheries Service (NMFS) to determine if listings under the Endangered Species Act provisions are appropriate. Species listed under ESA are included under a regulatory framework that provides for their protection and conservation to effect population rebuilding. The State of Washington together with local governments and tribal representatives are currently working to develop a coordinated approach to restore and maintain healthy levels of salmon, steelhead and trout.

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Recommendation: Monitor efforts and recommendations of the Government Council on Natural Resources and the Legislative Task Force on Salmon Restoration to insure that state and federal funding is available to counties for salmon recovery efforts.

3) **SURFACE WATER MANAGEMENT FEE CLARIFICATION**

Background: Dwindling service area due to annexations and incorporation's leaves King county with decreasing surface water revenues, while the County's role as a regional provider increases. There is a need to establish an adequate funding source to provide for King County participation in regional watershed planning and project implementation, specifically with an eye to watershed planning developed through the Regional Needs Assessments (RNA), a process which involved King county and cities.

Recommendation: Request clarification of RCW 36.89 and 36.94 which authorizes the assessment of a special surface water management fee on residents.

HEALTH AND HUMAN SERVICES

1) **CHRONIC PUBLIC INEBRIATE INITIATIVE (CPI)**

Background: The Chronic Public Inebriates population (CPIs) divert law enforcement and medical care professionals' time and talents. The CPI population who are not on the street are often in jails or emergency rooms/ hospitals with their accompanying costs. In response to the social services, law enforcement and community's frustration with this issue, the Chronic Public Inebriates Work Group was formed to identify viable solutions.

Recommendation: Composed of a myriad of providers, law enforcement representatives, government officials, advocates and business interests, the work group has developed the following strategies. King County advocates for legislation that supports these strategies.

A) Restricted Liquor Zones

Current law does not allow local governments to establish restricted liquor zones to control the sale of fortified alcohol substances in certain urban areas in order to control and reduce "Chronic Public Inebriate" (CPI) population concentrations. King County supports legislation to permit local governments to establish restricted liquor zones.

B) Shared Treatment Information

Approximately 50% of mental health consumers also experience some level of substance abuse disorder or chemical dependency. Integrated services would help to promote improved treatment outcomes and generate system savings. The existence of statutory restrictions around confidentiality and sharing of information across system lines has greatly hampered King County's efforts to encourage system integration. King County supports amendments to RCW 71.05.390, RCW 70.96 and RCW 71.05 to permit mental health providers and drug and alcohol providers to share treatment information related to those clients diagnosed with both mental illness and substance abuse disorders.

C) Involuntary Commitment

King County supports legislation amending RCW 70.96A 140 the Involuntary Treatment Act replacing the reference to "physician" involvement with "designated chemical dependency specialist".

2) CHILD CARE

Background: WorkFirst and high employment rates are increasing the demand for child care statewide, especially child care for infants under the age of two. The start-up costs of child care programs and low rates of return on the investment mean that supply is not keeping pace with demand. It is estimated that statewide, 10,838 additional workers will leave welfare and nearly 9,500 additional families will need child care over the biennium. Currently, King County's vacancy rate for child care ranges from 3%-14%. DSHS reimburses subsidized child care at the 59th percentile, which is below the federal recommended 75th percentile reimbursement rate. The lower rates create access problems for WorkFirst families, especially in King County where child care rates are higher. And while WorkFirst exempts families with children under twelve months of age from WorkFirst activities, effective July 1999, this exemption will only cover families with a child under the age of three months.

Recommendation: Support legislation which compliments federal programs and advocates for the development of a Child Care Supply Expansion Initiative, funded by the state with local implementation and which contains the following components:

- encourages private sector initiatives and incentives.
- expansion of the supply of infant child care, targeting regions with the lowest vacancy rates;
- creates an enhanced infant rate that covers the full cost of care, and maintains the minimum twelve month exemption for families with children under twelve months of age;
- child care during non-standard work hours and child care for children with special needs; and

3) SKCDPH - BASIC HEALTH PLAN (BHP) SPONSORSHIP

Background: In the past three years, the Department of Public Health has sponsored 200 low- or no-income individuals in gaining access to health care by paying the \$10/month premium and assuring enrollment in the BHP. The sponsorship has both disease and health promotion benefits and is measurably cost avoidant. (Note: Harborview Medical Center sponsors 5,000 individuals and Yakima providers sponsor 4,000.) 1997 legislation raised the sponsorship figure to \$30/month and dis-allowed health care organizations as sponsoring entities. This action is at cross purposes with one of the originating reasons for establishing the BHP and results in the loss of health care benefits to thousands of low- or no-income families across the County.

Recommendation: Re-address Basic Health Plan sponsorship. Amend ESHB 2259 Section 210(3). Re-instate the ability of a health care or health related organization to financially sponsor individuals and families into enrollment in the Health Care Authority's Basic Health Plan at an affordable cost.

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4) EMERGENCY MEDICAL SERVICES

Background: RCWW 84.52.069 authorizes regular property tax for Emergency Medical Services (EMS) of up to \$.50 cents per \$1,000 of assessed value. Elements of the existing statute such as the "super majority" requirement and election validation requirements mandating a minimum turn out of 40% remain a concern.

Recommendation: King County seeks to work in partnership with the State Legislature in the development of a secure, permanent funding mechanism for Emergency Medical Services.

5) MENTALLY ILL OFFENDERS TASK FORCE

Background: Following the death of a retired fire captain in August 1997, a special task force was formed to review and address issues related to mentally ill offenders and commitment laws. The task force is developing a draft bill revising sections of RCW 71.05 (Involuntary Treatment Act) and RCW 10.77 (Criminally Insane Statute).

Recommendation: Support/monitor recommendations of the Mentally Ill Offenders Task Force.

EDUCATION

1) WASHINGTON STATE SKILLS CENTERS

Background: Students who attend skill centers in the state usually do so for 3 periods of the school day. The state funds 5 periods a day, or 900 hours of instruction for the school year. The skill centers collect .6 of the FTE funding. The sending school receives the remaining .4 FTE. This has created a disincentive for local schools to allow or encourage students to attend the skill center because of the financial loss and difficulty in establishing consistent staffing for their own programs. Additionally, current funding for Skills Center facilities and equipment is insufficient to keep programs in high-tech, equipment sensitive fields up to date. The current funding formulas were established at a time when technology and expectations for student success were not changing as rapidly as today.

Recommendation: Support legislation which provides for funding levels consistent with the real costs of keeping high-tech, equipment sensitive programs up to date and remove the current disincentive to school districts when sending their students to the Skills Center.

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GROWTH MANAGEMENT

1) ANNEXATIONS AND INCORPORATIONS

Background: While the Growth Management Act (GMA) encourages annexations and incorporation's, there remains a lack of clarity in current legislation regarding what the ideal parameters are for annexation and incorporation processes. King County supports the following initiatives in an effort to achieve the desired outcomes and intent of the original GMA legislation.

Recommendation: State law should provide for:

- An increase in the minimum voter turnout required to approve new city incorporation's;
- A modification of the criteria for distributing sales tax equalization funds to cities;

2) TRANSFER OF DRAINAGE FACILITIES AND PARKS

Background: Current law does not provide for the automatic transfer of drainage facilities and local park and recreation facilities and properties to cities. Funding to support responsibilities for maintenance, operation, and repair of drainage facilities in incorporated King County comes through the County's surface water management program. When cities incorporate or annex, the County no longer receives surface water revenues from the annexation/incorporation areas; the revenues are collected by cities under their surface water programs and should go in part to support drainage facilities. Similarly, the tax base which supports park and recreation services is reduced upon annexation and newly incorporated areas should assume responsibility for operating and funding local parks. Currently the cities are not required to give the County any advance notice of annexations or incorporation's that have been or will be finalized. Without prior notice the County is affected in many ways, as it handles administrative, technical and financial adjustments that are necessary after an annexation or incorporation has been given a specific date.

Recommendation: Amend RCW 36.89 so that surface water facilities and park and recreation facilities and properties constructed or operated and maintained by counties become the responsibility of cities upon an annexation or incorporation. Seek a change in notification requirements such that cities must provide 60 days prior notice to the appropriate counties regarding the city's intent to finalize an annexation or incorporation on a specific date.

3) GROWTH MANAGEMENT

Background: Growth Management implementation is working in King County as evidenced by the countywide benchmark program which shows initial success in focusing growth as required by the Act:

- In 1996, almost 92% of new residential units were built in urban-designated areas. More than 7,600 new units – two thirds of all new construction – occurred within city limits, with another 2,600 new units in unincorporated urban areas. These proportions are close to the targets specified in the County wide Planning Policies in 1994.

- Construction activity remained constant in rural areas, but increased 47% in Urban areas.
- King County's cities provide an average of 13.5 acres of city parks and open space per thousand city residents. Cities added over 175 acres to their park and open space land in 1995. Renton added over 100 acres of park and open space land in 1996.

Recommendation: King County supports the Growth Management Act and will oppose amendments that weaken the act.

ADMINISTRATION

1) REGIONAL JUSTICE CENTER LAW LIBRARY FUNDING

Background: Current funding for county law libraries comes primarily from civil filing fees in district and superior courts. State law does not provide additional revenue sources for counties such as King which have more than one superior court facility requiring the operation of two law libraries. For the past two years the current expense fund has provided partial funding to reduce the resulting deficit. At the request of the King County Law Library Board of Trustees the Prosecuting Attorney has drafted a bill to authorize the legislative authority of a county to establish a local option civil filing fee surcharge in these circumstances.

Recommendation: Support legislation to amend RCW 27.24.070 to authorize a county legislative authority in a county with more than one superior courthouse to establish a local option civil filing fee surcharge for county law library purposes.

SECTION 2

ASSOCIATION AGENDA ITEMS**WASHINGTON ASSOCIATION OF COUNTIES -- WSAC****1) FUNDING FOR INDIGENT DEPENDENCY ACTIONS**

Background: The Attorney General files dependency matters but counties bear the responsibility of indigent public defense in these cases. Counties have no input into the number of cases filed or other costs associated with these cases.

Recommendations: Advocate in favor of State funding for the public defense of indigents charged in dependency actions.

2) INCREASE 911 EXCISE TAX

Background: The state has established an additional 911 excise tax of \$.20 on all switched access lines, which is collected by the state to ensure adequate funding for the implementation and operation of a state-wide Enhanced 911 system. This tax is used to assist in the funding of Enhanced 911 in counties which do not have a sufficient tax base from their local tax. State legislation currently specifies that the state 911 excise tax will drop from \$.20 to \$.10 after December 31, 1998.

Recommendation: Support legislation which maintains the state 911 excise tax on all switched access lines at \$.20, beyond December 31, 1998.

3) SOLID WASTE MANAGEMENT CURBSIDE FEES

Background: King County now relies on the solid waste tipping fee's to support solid waste management programs. As the private sector increases its share of disposal tonnage, the resulting drop in revenue will affect the County's ability to deliver existing programs and maintain service levels. In addition, solid waste rate payers may have to pay higher rates to cover program and service costs or costs that would otherwise have to be picked up by taxpayers.

Currently, counties are not authorized to charge curbside fees for solid waste management services. The authority to levy such a fee would give counties the added flexibility to pay for solid waste management costs. A curbside fee would not be in addition to the rate, but would be designed to replace the portion not directly related to tonnage.

Recommendation: Advocate for the revision of RCW 36.58.045 to provide for a curbside fee for solid waste management services.

4) INTEGRATE SHORELINE MANAGEMENT ACT (SMA) AND THE GROWTH MANAGEMENT ACT (GMA)

Background: The SMA and GMA are currently distinct with different processes and procedures for permit review and appeals. Integration of the SMA and GMA would result in consistent process and procedures, encourage an integrated approach to land use and shoreline planning, and provide for greater local discretion in adopting amendments to shoreline regulations.

Recommendation: Integrate the Shoreline Management Act (SMA) and the Growth Management Act (GMA).

5) AMEND THE DEFINITION OF "SHORT DIVISION" IN RCW 58.17.020(6)

Background: Counties are required to limit short subdivisions to four or fewer lots. Cities or towns are allowed to increase the number of lots regulated as a short subdivision to nine. Counties should have the same discretion to increase the number to nine.

Recommendation: Amend the definition of "short division" under RCW 58.17.020(6) to allow counties to increase the number of lots or parcels regulated as a short subdivision to a maximum of nine.

<p>WASHINGTON STATE TRANSPORTATION ASSOCIATION -- WSTA</p>

1) STATE PUBLIC DISCLOSURE ACT EXCEPTION

Background: The County possess information on individuals who hold passes and fare media, participate in ridesharing activities, use transportation services and file complaints against transit operators. Some information is necessarily disclosed by the County to persons seeking ridematch. Pass use information may need to be disclosed to entities which contribute to group purchases of fare media. Participation in transportation programs and complaints about service would likely be discouraged if such information were to be generally available to members of the public. It is proposed that the Public Records Disclosure Act be amended to exempt from mandatory disclosure certain transportation-related information.

Recommendation: Advocate for an exemption from the State Public Disclosure Act to protect our customer's privacy. Some progress was made last year through passage of the Commute Trip Reduction reform legislation, but more is needed. Add new section to RCW 42.17 in support of this initiative.

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COALITION FOR CLEAN WATER

1) *CENTENNIAL CLEAN WATER FUND*

Background: This biennium, almost two-thirds of the Centennial Clean Water Fund is earmarked by the legislature for special projects or special interests, leaving little for competitive grants that have traditionally been critical sources of money for stormwater, groundwater, water quality, and lake management

Recommendation: Support amendments to RCW 70.146 permitting prioritization of projects to be determined at the local level. Support continued funding of the extended grant payment to King County's water quality division.

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MONITOR/INFORMATION/EDUCATION

HOUSING

1) INCREASE FOR STATE HOUSING TRUST FUND

Background: An increase in the Housing Trust Fund is necessary to mitigate the impact of both federal cuts in housing and to ensure the success of Welfare Reform. Vacancy rates are already at an all time low, making it difficult for people to access affordable rental housing. In addition, over the next five years housing costs are expected to skyrocket in King County and throughout Washington State, diminishing available affordable housing particularly for low-wage workers and people with fixed incomes.

Recommendation: Support legislative approval of an increase in the 1997-1998 State Housing Trust Fund appropriation in order to meet the growing need for State Housing Trust Fund dollars. The State Housing Trust Fund is currently funded at \$54.7 million in the 1997-1999 biennium.

2) DEDICATED LOW INCOME HOUSING SOURCE TO REPLACE REET

Background: A new dedicated funding source for low income housing is needed to replace the portion of the Real Estate Excise Tax (REET) which is no longer available for low income housing. In November 1995, the Growth Management Planning Council (GMPC) adopted a Housing Finance Action Plan to create new funding sources for housing, including a recommendation for a State-authorized local revenue source. In 1996, the GMPC appointed the Housing Finance Implementation Committee to help create these new funding sources, including a dedicated local revenue source for housing via a fee on document recording or some other method.

Recommendation: Support legislative authorization for a local revenue source that would provide dedicated local funding for low-income housing development.

3) TRANSITIONAL HOUSING AND LONG-TERM CARE FOR ADOLESCENTS

Background: King County's emergency shelter system is being used to house youth who need long-term housing. In 1996, 30% of the youth sheltered were wards of the State and another 10% were placed in the shelter by DSHS without being wards. This distorts the original intent of the emergency shelter system, which is to offer short-term shelter to youth who are returning home or are temporarily homeless.

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Recommendation: Support increased funding for transitional housing and long-term group care for adolescents. Seek clarification of the State's responsibility for youth who are out-of-parent control, especially regarding the State's obligation to protect a youth from harm by himself or others.

4) MINOR POSSESSION OF TOBACCO

Background: The King County Board of Health opposes tobacco use and tobacco sales and/or promotion. The Board of Health is dedicated to the elimination of tobacco/smoking and specifically encourages the raising of issues around tobacco use by minors.

Recommendation: While King county supports legislation that restricts the availability of tobacco to minors, it does not support the diversion of tobacco education dollars toward the enforcement of tobacco restriction efforts.

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