



Skagit County - Government Relations Report January 15, 2022

The Washington State Legislature convened the 2022 60-day session on Monday, January 10. Each biennium is comprised of a long session (105-days) and a short session (60-days) in which bills may be enacted into law. All bills that do not pass during the long session are automatically reintroduced for consideration during the short session. One of the primary tasks of legislators during a long session is to pass the state's biennial budgets: Operating, Capital and Transportation. During a short session, the legislature adopts supplemental budgets that are generally minor adjustments to the biennial budgets based on updated spending and revenue information.

Once again, legislators will meet in a mostly virtual format with the potential for a hybrid or in-person format in the future.

The first week of the legislative session was action packed as usual, with the [Governor's State of the State Address](#), public hearings on the [Governor's proposed budgets](#), and the Legislature taking early action to advance top priority issues such as clarifying police reforms and delaying the Long-Term Care Act.

As the majority in both the House and Senate, Democrats continue to control much of the legislative agenda. The current ratio in the Senate and House are as follows:

- Senate: Democrats hold the majority in the Senate (28 -20 -1) with one Democrat who caucuses with the Republicans
- House: Democrats hold the majority in the House (57-41)
- Governor/Executive Branch: Governor Jay Inslee (D)

Cutoff Deadlines

The legislative process has key deadlines that bills need to meet to remain under consideration. Bills currently under consideration by a committee will need to be approved by that committee by February 3. Below is an outline of the deadlines for this year's legislative process:

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

For details on how committee hearings will be conducted, click [here](#) to view the protocols for House Committees, and [here](#) for the protocols for the Senate Committees. [Click here](#) to view the full committee hearing schedule.



Legislative Priorities

Skagit County Morgue

Skagit County received \$137,000 in the capital budget for the construction of a new county morgue in the 2021 legislative session. However, construction bids have come in over previous estimates, resulting in a funding gap of about \$555,000. We are working with County staff to determine whether it is appropriate to make an additional funding request this session. Previous sponsors Sen. Keith Wagoner (R- Sedro-Woolley) and Rep. Dave Paul (D- Oak Harbor) have expressed willingness to consider a request.

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. We are submitting this request as a budget proviso that can be funded in either the capital or operating budget, providing the greatest flexibility in funding sources. Meanwhile, GTHGA has been working with County staff to complete materials for this request, including a one-pager, talking points, and draft letters of support for project partners. Last week, GTHGA sent draft budget proviso language to House Capital Budget staff and Rep. Lekanoff for feedback. We have not heard back.

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

Skagit County supports [House Bill 1333](#), sponsored by Rep. Steve Tharinger (D- Dungeness), renewing the .09 rural county sales tax credit program for economic development until 2054. Since the interim, GTHGA has been convening a group of advocates for the bill to discuss strategy. Including representatives from WSAC, AWC, Washington Economic Development Association (WEDA), the Washington Public Ports Association (WPPA), and lobbyists for individual counties, ports, and cities utilizing this program. As reported last week, GTHGA convened this advocacy group on Wednesday, January 12, to report out on recent conversations and discuss our strategy to advance this legislation. On Tuesday, the bill was moved to the floor calendar to advance out of the House. Rep. Tharinger let advocates know that the bill would be debated on the House Floor on Friday, January 14. At our .09 coalition meeting, advocates agreed to reach out to key House members in each caucus to notify them of the bill's advancement. The coalition also finalized materials to distribute to other advocates and legislators in our lobbying efforts. We will be meeting with the coalition weekly throughout session.

On Friday, the bill moved out of the House 93-3. The House adopted an amendment, advanced in 2021 by Sen. Mark Schoesler (R- Ritzville), allowing Garfield County to continue to utilize the program, providing a streamlined path for the bill through the Senate.

Next week, the group will begin outreach to key Senate Democrats, including Sen. Christine Rolfes (D- Bainbridge Island), Sen. Reuven Carlyle (D- Seattle), and Sen. Andy Billig (D- Spokane). We will also ensure our Senate Republican partners make a coordinated push, including Sen. Sharon Brown (R- Kennewick) and Sen. John Braun (R- Centralia). GTHGA has secured a meeting with Sen. Rolfes to discuss the program within the next week.

.09 Funds for Workforce Housing



Sen. Brad Hawkins (R- Chelan) introduced [Senate Bill 5868](#) on Friday. The bill makes affordable workforce housing an allowable use for .09 funds and has strong bi-partisan sponsorship. We are working with the .09 coalition to decide the appropriate strategy on this proposal. While we anticipate support from counties on this concept, expansion of the program could lose other coalition partners and hinder the progress of House Bill 1333 in the Senate.

Other Items

Clarifying Police Reform Proposals

The House Public Safety Committee held public hearings on three bills further refining police reform bills enacted during the 2021 legislative session. Below is a synopsis of what occurred at each hearing:

- [House Bill 1719](#), sponsored by Rep. Dan Bronoske (D- Lakewood), clarifies that bean bags can be used as a de-escalation tactic. Nearly unanimous support was expressed for allowing the use of a 'military' weapon (i.e., rifle of .50 caliber or higher) with the capacity to shoot non-penetrating impact rounds such as bean bags, or rubber munition. Committee members indicated that this provision was unintentionally missed by all when the bill was discussed and passed in 2021. The Public Safety Committee is scheduled to vote on this bill January 20.
- [House Bill 1735](#), sponsored by Rep. Jesse Johnson (D- Federal Way), 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, taking a minor into protective custody, and executing and enforcing court orders. At the public hearing, law enforcement, community members, non-profit leaders, and more expressed general support for the bill while identifying several areas for minor improvement, such as how broadly court orders are defined. The ACLU warned that the bill as drafted may be too broad. The House Public Safety Committee indicated it will work on amendments to the bill and is scheduled to vote on those amendments on January 20.
- [House Bill 1726](#), sponsored by Rep. Roger Goodman (D- Kirkland), allows an officer to use physical force when there is reasonable suspicion that the person has committed, or is committing a violent offense including: 1st, 2nd, 3rd, and 4th degree assault, 1st, 2nd, 3rd, and 4th degree assault of a child, or domestic violence. Over two dozen people signed in to testify on this bill, however, due to time constraints, not everyone was able to testify. The overwhelming majority signed in opposed to the bill. Law enforcement opposed the bill, stating that two different standards will cause confusion and a desire for reasonable suspicion to be restored for all crimes, and indicated that a statewide definition of physical force is needed. Community members, ACLU, disability rights advocates, and the Coalition for Police Accountability opposed the bill, articulating several scenarios where deadly use of police force was used where there was reasonable suspicion for a non-violent crime. Before the Committee makes a final decision regarding support or opposition, they would like to see what the Washington State Attorney General's office policy regarding de-escalation and use of force standard. The policy may not be available before the end of session, as it is due by July 1, 2022. The Committee is not scheduled to take further action on the bill at this time.



Additional police reform issues were also heard this week:

- The House Civil Rights and Judiciary Committee held a public hearing on [House Bill 1202](#), sponsored by Rep. My-Linh Thai (D- Bellevue), which creates a civil cause of action for persons injured by a law enforcement officer. The Association of Washington Cities (AWC) and Washington State Association of Counties (WSAC) opposed this proposal because of the increased liability cities would incur if it were law. Additionally, the Washington City Insurance Authority indicated the bill would increase insurance costs for cities and counties. Thirteen supporters argued that financial compensation is one mechanism for accountability and breaks down the barriers that victims, their families, and the community face when trying to change the culture of policing. The House Civil Rights and Judiciary Committee is not scheduled to take further action on the bill at this time.
- [House Bill 1507](#), sponsored by Rep. Debra Entenman (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.

House Bill 1981 – Omnibus Planning Legislation

This week, Rep. Gerry Pollet (D- Seattle), introduced a massive local government planning proposal, [House Bill 1981](#). Due to the size and breadth of topics addressed, the bill is unlikely to advance in a short session. However, it is an attempt to increase density in urban areas while also addressing many of the concerns local governments have raised about costs for planning, infrastructure, etc. Mostly notably, the bill removes the 1% property tax cap, creates a new funding stream for local planning and increases local taxing authority. Unlike other “missing middle” proposals circulated this legislative session, the legislation applies to both cities and counties. A summary of bill highlights are below:

Jurisdictions with over 25,000 residents:

1. Within ¼ mile walking distance of frequent transit service
 - Any lot of 4,000 SF or more must allow duplexes, triplexes, cottage apartments, three townhomes, attached and detached accessory dwelling units
 - Any lot of 5,000 SF or more must allow fourplexes, or four townhomes

As an alternative, the jurisdiction shall provide a net density of at least 33 residential units per acre relying on a mix of housing types.

2. Within ½ mile walking distance of frequent transit service for jurisdictions with over 25,000 residents
 - Any lot 4,500 SF or more must allow duplexes, two townhomes, attached and detached ADUs

As an alternative, the jurisdiction shall provide a net density of at least 20 residential units per acre with mixed housing types.

Jurisdictions with over 10,000 residents:



1. Within ¼ mile walking distance of frequent transit service
 - Any lot of 5,000 SF or more shall allow two residential units in addition to one attached or detached ADU

As an alternative, the jurisdiction shall provide a net density of at least 16 residential units per acre with mixed housing types.

In all these scenarios above, the jurisdiction may apply all applicable regulations, including regulations for health, safety, setbacks, utility access, climate change goals, open space, limits on impermeable surface areas, sunlight, or significant trees and tree canopy. In calculating net densities, critical areas and open spaces protected from development are excluded.

During plan updates, infrastructure capacity review should include, but not be limited to, sewage, septic systems, stormwater, school capacity, drinking and domestic water, public safety services, plans to meet transportation needs of residents not within ½ mile of transit, electricity, open space, and tree canopy. \$25 million is allocated for the Department of Commerce to provide grants to cities and counties for planning costs related to housing, climate change and salmon recovery this biennium. The program is funded through a graduated real estate excise tax. The rate structure is based upon the sale prices of properties as follows:

- \$500k-\$1.5M = 0.0003
- \$1.5M-\$3M = 0.0008
- Greater than \$3M = 0.0011

The bill also includes a local REET authority up to a total of .0025 to be used exclusively for comprehensive planning, updating ordinances and development regulations, processing of building permits, or for incentives for affordable housing through waiver of permit fees. It also lifts the 1% property tax cap by redefining inflation and dedicates any growth to planning, infrastructure and climate resiliency. All restrictive covenants and homeowners' associations may not prohibit a jurisdiction from following the requirements within this proposal. House Bill 1981 is scheduled for a public hearing on Tuesday, January 18 at 10 a.m. **WSAC is looking for feedback on this proposal from individual counties.**

House Bill 1845 - Body Camera Funding

Bi-partisan legislation establishing a body camera grant program within the Washington Association of Sheriffs and Police Chiefs has been scheduled for a hearing on January 20, in the House Appropriations Committee. [House Bill 1845](#), sponsored by Rep. Gina Mosbrucker (R- Goldendale), establishes the program, which may be used for capital costs, ongoing maintenance and storage costs, costs associated with storage and public records requests, and hiring personnel to operate cameras. The proposal does not specify at what level the program would be funded, which will need to be included in the operating budget

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.



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

Upcoming Events

Local Government (House) - Virtual - 1/18 @ 10:00am

ESHB 1232 - Public Hearing - Planning for affordable housing under the growth management act.

HB 1981 - Public Hearing - Concerning local government planning.

Environment, Energy & Technology (Senate) - Virtual - 1/18 @ 10:30am

SB 5697 - Public Hearing - Renewing Washington's recycling system and reducing waste.

Finance (House) - Virtual - 1/18 @ 1:30pm

HB 1025 - Public Hearing - Concerning local parks funding options. (Support – on our policy document)

Environment, Energy & Technology (Senate) - Virtual - 1/19 @ 8:00am

SB 5590 - Public Hearing - Eliminating the 2022 expiration date of the marine resources advisory council.

Local Government (House) - Virtual - 1/19 @ 10:00am

HB 1978 - Public Hearing - Concerning shoreline master program review schedules.

Rural Development, Agriculture & Natural Resources (House) - Virtual - 1/19 @ 10:00am

HB 1838 - Public Hearing - Protecting, restoring, and maintaining habitat for salmon recovery.

Housing & Local Government (Senate) - Virtual - 1/19 @ 10:30am

SB 5868 - Public Hearing - Expanding the use of the rural counties public facilities sales and use tax to include affordable workforce housing.

Environment & Energy (House) - Virtual - 1/20 @ 1:30pm



HB 1799 - Public Hearing - Concerning organic materials management.

Ways & Means (Senate) - Virtual - 1/20 @ 4:00pm

SSB 5380 - Public Hearing - Concerning the approval of building permits.

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

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Position
HB 1025 (SB 5006)	Local parks funding options	Concerning local parks funding options.	H Finance	Wicks	Support
ESHB 1333	Rural public facilities/tax	Providing an extension to the local sales and use tax for public facilities in rural counties.	H Passed 3rd	Tharinger	Support
SB 5006 (HB 1025)	Local parks funding options	Concerning local parks funding options.	S Ways & Means	Van De Wege	Support
ESSB 5122	Juvenile court jurisdiction	Concerning the jurisdiction of juvenile court.	S Rules 3	Darneille	

Monitoring

Bill #	Abbrev. Title	Short Description	Status	Sponsor	Position
ESHB 1056	Public meetings/emergencies	Concerning open public meeting notice requirements and declared emergencies.	H Rules 3C	Pollet	
E2SHB 1099	Comprehensive planning	Improving the state's climate response through updates to the state's comprehensive planning framework.	H Rules 3C	Duerr	
HB 1110	Local boards of health	Concerning the composition of local boards of health.	H HC/Wellness	Riccelli	
E2SHB 1117	Comp. planning/salmon	Promoting salmon recovery through revisions to the state's comprehensive planning framework.	H Rules 3C	Lekanoff	Neutral
2SHB 1157	Housing supply	Increasing housing supply through the growth management act and	H Rules 3C	Bateman	



(SSB 5390)		housing density tax incentives for local governments.			
HB 1201 (SSB 5149)	Found. public health funding	Funding foundational public health services.	H Finance	Riccelli	
2SHB 1202	Police misconduct/civil rem.	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.	H Civil R & Judi	Thai	
ESHB 1232	GMA/affordable housing plans	Planning for affordable housing under the growth management act.	H Local Govt	Barkis	
ESHB 1241	Growth management act plans	Planning under the growth management act.	H Exec Action	Duerr	
SHB 1298 (SB 5221)	Accessory dwelling units	Concerning regulation of accessory dwelling units located outside of urban growth areas.	H Local Govt	Vick	
HB 1308	Apprenticeship utilization	Expanding apprenticeship utilization requirements.	H Cap Budget	Riccelli	
HB 1337	Accessory dwelling units	Concerning accessory dwelling units.	H Local Govt	Gregerson	
HB 1362	Property tax revenue growth	Modifying the annual regular property tax revenue growth limit.	H Finance	Duerr	
HB 1407	Fees of county officers	Concerning fees of county officers.	H Civil R & Judi	Volz	
2SHB 1412	Legal financial obligations	Concerning legal financial obligations.	H Exec Action	Simmons	
HB 1414	Marijuana licensing/zoning	Aligning marijuana licensing decisions by the liquor and cannabis board with local zoning ordinances.	H Commerce & Gam	Goehner	
HB 1440	Small wireless facilities	Bringing innovation and investment to Washington's economy by streamlining the requirements for deployment of small wireless facilities.	H Comm & Econ De	Boehnke	
SHB 1494	Antidisplacement/prop. tax	Providing housing safety, security, and protection for Washington families by creating the	H Approps	Harris-Talley	



		antidisplacement property tax exemption.			
HB 1565	PERS/TRS 1 benefit increase	Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.	H Approps	Johnson	
HB 1660 (SB 5648)	Accessory dwelling units	Concerning accessory dwelling units.	H Local Govt	Shewmake	
HB 1663	Landfill methane emissions	Reducing methane emissions from landfills.	H Env & Energy	Duerr	
HB 1673 (SB 5580)	Public works board/broadband	Concerning broadband infrastructure loans and grants made by the public works board.	H Exec Action	Ryu	
HB 1702	Broadband connectivity	Accelerating broadband connectivity for Washington.	H Finance	Boehnke	
HB 1722 (SB 5775)	Broadband deployment	Concerning the acceleration of broadband deployment.	H Local Govt	Boehnke	
SHB 1732	Long-term care/delay	Delaying the implementation of the long-term services and supports trust program by 18 months.	H Rules R	Sullivan	
SHB 1733	Long-term care/exemptions	Establishing voluntary exemptions to the long-term services and supports trust program for certain populations.	H Rules R	Paul	
HB 1740 (SB 5586)	Broadband loans & grants	Concerning the authority of the community economic revitalization board.	H Cap Budget	Taylor	
HB 1774 (SB 5722)	Greenhouse gases/buildings	Reducing greenhouse gas emissions in buildings.	H Env & Energy	Hackney	
HB 1799 (SB 5731)	Organic materials management	Concerning organic materials management.	H Env & Energy	Fitzgibbon	
HB 1838 (SB 5727)	Salmon habitat	Protecting, restoring, and maintaining habitat for salmon recovery.	H RDev, Ag&NR	Lekanoff	
HB 1948	Failing water systems	Concerning failing water system receivership and rehabilitation.	H Local Govt	Steele	
HB 1978	Shoreline master programs	Concerning shoreline master program review schedules.	H Local Govt	Duerr	
HB 1981	Local government planning	Concerning local government planning.	H Local Govt	Pollet	



SB 5042	GMA actions effective date	Concerning the effective date of certain actions taken under the growth management act.	S Rules 2	Salomon	
SSB 5149 (HB 1201)	Found. public health funding	Funding foundational public health services.	S Ways & Means	Robinson	
SB 5221 (SHB 1298)	Accessory dwelling units	Concerning regulation of accessory dwelling units located outside of urban growth areas.	S Housing & Local	Gildon	
ESSB 5275	Intense rural dev. areas	Enhancing opportunity in limited areas of more intense rural development.	S 3rd Reading	Short	
SSB 5380	Building permit approval	Concerning the approval of building permits.	S Ways & Means	Fortunato	
SSB 5390 (2SHB 1157)	Housing supply	Increasing housing supply through the growth management act and housing density tax incentives for local governments.	S Ways & Means	Liias	
SB 5463 (HB 1579)	Residential prop valuation	Exempting a portion of the valuation of residential property from property taxation.	S Ways & Means	Wilson	
SB 5471	Controlled subst. possession	Concerning knowing possession of a controlled substance.	S Law & Justice	Padden	
SB 5514	County legislative meetings	Increasing the frequency of county legislative meetings at alternate locations.	S Rules 2	Dozier	
SB 5580 (HB 1673)	Public works board/broadband	Concerning broadband infrastructure loans and grants made by the public works board.	S Environment, E	Wellman	
SB 5585	Domestic wastewater fees	Setting domestic wastewater discharge fees.	S Environment, En	Rolfes	
SB 5586 (HB 1740)	Broadband loans & grants	Concerning the authority of the community economic revitalization board.	S Business, Finan	Frocht	
SB 5590	Marine resources ad. council	Eliminating the 2022 expiration date of the marine resources advisory council.	S Environment, En	Wagoner	
SB 5593	Urban growth area boundaries	Concerning urban growth area boundaries.	S Housing & Local	Short	



<u>SB 5597</u>	Voting rights	Concerning the Washington voting rights act.	S State Govt & E	Salda?a	
<u>SB 5611</u>	Long-term care/veterans	Providing an exemption to long-term care insurance for retired veterans and retirement eligible veterans.	S Health & Long T	Mullet	
<u>SB 5621</u>	Water & sewage/inter gov.	Concerning intergovernmental tax charges and conflict resolution regarding water and sewage facilities.	S Housing & Local	Padden	
<u>SB 5648</u> (HB 1660)	Accessory dwelling units	Concerning accessory dwelling units.	S Housing & Local	Liias	
<u>SB 5663</u>	State v. Blake procedures	Establishing streamlined procedures for compliance with the State v. Blake decision in order to improve criminal justice system coordination, create efficiencies, and reduce costs.	S Law & Justice	Dhingra	
<u>SB 5665</u>	Salmon habitat	Protecting, restoring, and maintaining habitat for salmon recovery.	S Ag/Water/Natura	Rolfes	
<u>SB 5697</u>	Recycling system & waste	Renewing Washington's recycling system and reducing waste.	S Environment, En	Das	
<u>SB 5722</u> (HB 1774)	Greenhouse gases/buildings	Reducing greenhouse gas emissions in buildings.	S Environment, En	Nguyen	
<u>SB 5727</u> (HB 1838)	Salmon habitat	Protecting, restoring, and maintaining habitat for salmon recovery.	S Ag/Water/Natura	Rolfes	
<u>SB 5731</u> (HB 1799)	Organic materials management	Concerning organic materials management.	S Environment, En	Das	
<u>SB 5742</u> (HB 1996)	Stormwater facilities/county	Concerning stormwater control facilities and county jurisdiction.	S Housing & Local	Honeyford	
<u>SB 5775</u> (HB 1722)	Broadband deployment	Concerning the acceleration of broadband deployment.	S Environment, E	Wellman	



<u>SB 5868</u>	Public fac. tax/housing	Expanding the use of the rural counties public facilities sales and use tax to include affordable workforce housing.	S Housing & Loca	Hawkins	
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