



CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Lorrie McKay, Intergovernmental Relations Manager
Date: February 7, 2014
Subject: 2014 LEGISLATIVE UPDATE #2

RECOMMENDATION:

Council should receive its second update on the 2014 legislative session.

BACKGROUND DISCUSSION:

This is an update on the City's legislative interests as of February 7.

At the writing of this memo, the legislature had concluded its fourth week of the 2014 State Legislative Session. On February 7, the legislature also reached its first key cutoff of the session, being the "last day to read in committee reports in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees." During the first four weeks of session, the lawmakers introduced approximately 1,300 pieces of legislation. Of these bills, Waypoint Consulting Group identified over 115 as having potential impacts on the city. City staff have reviewed, analyzed and provided timely recommendations on 90 of these bills.

Status Summary of the City's 2014 legislative priorities (Attachment A)

Transportation Revenue: By all appearances, a statewide transportation revenue package seems highly unlikely this session. There is a proposed statewide transportation revenue package on the House side, which includes funding for the I-405 / NE 132nd Project. However, the Senate has not yet put forth a proposal of any kind. It is because of this lack of action in Olympia that has prompted King County to propose creating a Transportation Benefit District with the intention of asking the voters for funding support in a Special Election in April 2014.

Continued state financial assistance and other tools that further the development of the CKC: City staff completed a 2014 Community Project Application requesting \$200,000 in funding for the multimodal span project between the South Kirkland Park and Ride Garage and the Cross Kirkland Corridor. Representative Habib is sponsoring this request on behalf of the City.

Restoring funding to the Public Works Assistance Account: HB 2244 - Restoring resources to the capital budget is the legislative proposal that seeks to return the Public Works Assistance Account's revenue streams back to the account. Mayor Walen testified in support of this bill on January 30 before the House Committee on Capital Budget. HB 2244 was moved out of Committee on February 4 and has been referred to the House Appropriations Committee.

Restoring local liquor revenue sharing formulas: The legislative proposal most closely identified with this priority is SB 6361/HB 2314 - concerning incrementally increasing the distribution percentage of liquor revolving fund revenues under RCW 66.08.190 to cities and counties. These bills are in Senate Ways & Means and House Appropriations respectively.

Sharing marijuana revenue: HB 2144 - Concerning the establishment of a dedicated local jurisdiction marijuana fund and the distribution of a specified percentage of marijuana excise tax revenues to local jurisdictions. Councilmember Asher testified in support of this bill on January 30 before the House Committee on Government Accountability & Oversight. HB 2144 was moved out of Committee on February 5 and referred to the House Appropriations Committee. It was heard in House Appropriations on February 7. On the Senate side, Second Substitute 5887 is the proposal that we're tracking. SSSB 5887 has both revenue sharing components as well as provisions for reconciling medical and recreational marijuana regulations.

Harmonize medical marijuana regulations to reflect recreational marijuana regulations: As mentioned above, SSSB 5887 has both revenue sharing components as well as provisions for reconciling medical and recreational marijuana regulations, so we are working with this bill. Other proposals include: SHB 2149 - Concerning medical marijuana; SHB 2304/SB 6160 - Concerning marijuana processing and retail licenses; and SB 6178 - Aligning the medical marijuana system with the recreational marijuana system.

NOTE: Marijuana related bills. In the first four weeks of session, there were nearly 50 marijuana related bills introduced by lawmakers. City staff reviewed 25 of these bills along the way and worked with Association of Washington Cities staff in an effort to sort through and prioritize the proposals. At present, the seven marijuana related bills noted in the above two priority categories are the primary marijuana bills that the City is tracking closely.

Oppose legislation that proposes lending products or practices that adversely impact the middle class and the poor: HB 2670: Concerning licensure of persons providing debt settlement services - was the legislative proposal of most concern in this regard. While the bill was heard in the House Committee on Business & Financial Services, it appears that it has stalled and will not move forward. While staff and the City's consultants will continue to monitor, the Legislative Committee considers this a success in achieving this 2014 priority.

February 11 is the "last day to read in committee reports from House fiscal committees and Senate Ways & Means and Transportation committees in house of origin." Also, February 18 is the "last day to consider bills in house of origin."

COUNCIL LEGISLATIVE COMMITTEE:

The Council's Legislative Committee (Mayor Walen, Councilmember Asher and Councilmember Marchione) meets weekly on Friday's at 3:30pm.

The Council's Legislative Committee did not meet on January 31. However, it did meet on February 7 to discuss the status of the city's 2014 legislative priorities and other bills of interest to the City (Attachment B).

Week 3 (1/25 – 1/31)

The primary focus in week 3

1. Status of City's legislative priorities
2. Summary tracking list of the City's positions on bills analyzed by staff
3. Mayor sent letter requesting \$200,000 technical adjustment to 2013 Capital Budget request
4. AWC Legislative Cities Days conference – Jan. 29 & 30
5. Department review and analysis of 24 new bills introduced of interest to the City
6. Noting two dozen marijuana related bills introduced
7. County TBD Proposal (County TrEE hearing Feb. 4)

Week 4 (2/1 – 2/7)

The primary focus in week 4

1. Status of City’s legislative priorities
2. Summary tracking list of the City’s positions on bills analyzed by staff
3. Department review and analysis of 13 new bills of interest to the City
4. Completing the 2014 Community Project Application for the Supplemental Capital Budget
5. King County TBD Proposal (County TrEE hearing Feb. 4. County Council hearing Feb. 10)

AWC Legislative Cities Days conference – Jan. 29 & 30:

All seven of Kirkland City Councilmembers participated in both the AWC’s conference and the day of meeting with the City’s delegation members. In addition, Councilmember Asher, with AWC Staff, presented on the priority of Transportation Revenue to the entire AWC family on Wednesday the 29th. Mayor Walen moderated a panel of lawmakers and AWC policy staff discussing the many marijuana related bills under consideration as part of the AWC’s program agenda on the 30th.

On January 30, Mayor Walen testified before the House Capital Budget Committee in support of HB 2244 and in support of returning the Public Works Assistance Account’s revenue streams back to the account beginning next biennium, rather than waiting until July 2019. Councilmember Asher testified before the House on Government Accountability & Oversight Committee in support of HB 2144, encouraging legislators to share revenue with local jurisdictions and work in partnership in this new marijuana frontier. Councilmember Marchione testified before the Senate Committee on Financial Institutions and Housing & Insurance in support of (SB 6313), which would continue a \$40 recording fee on certain real estate documents. This fee revenue has helped produce a 29 percent decrease in homelessness, and a 74 percent decrease in unsheltered families. SB 6313 is a priority item for the Eastside Human Services Forum and it is on our Support Agenda.

HEARINGS AND CORRESPONDENCE:

Bill	Cmte	Dt/Time	City Rep.	SME
HB 2144: Dedicated local jurisdiction marijuana fund...	HGAO	1/30 10am	CM Asher	Dunlap/AWC
HB 2244: Restoring resources to the capital budget	HCB	1/30 1:30p	Mayor Walen	Dunlap/AWC
SB 6313: Surcharge for local homeless housing/assist	SFIHI	1/30 1:30p	CM Marchione	EHSF
SB 5520: Single city regional fire authority	SGO	1/30 10am	Chief Nalder	M. Sullivan

Cmte (Committee) Legend

- HGAO = House Committee on Government Accountability & Oversight
- HCB = House Committee on Capital Budget
- SFIHI = Senate Committee on Financial Institutions and Housing & Insurance
- SGO = Senate Committee on Government Operations

Correspondence

- January 25, 2014 Mayor’s correspondence requesting technical adjustment in the 2013 Capital Budget in the 2013-15 Supplemental Capital Budget.

BILL TRACKING:

Staff and Waypoint Consulting continue to monitor our priority bills, their amendments and are tracking other bills of interest to the City. Staff and the Council’s Legislative Committee continuously measure them against our 2014 legislative agenda. The City’s position on bills is tracked on the summary tracking list referenced and attached to this memorandum.

Matrices updated February 14, for both Kirkland’s legislative priorities and an updated bill position tracker will be emailed to Council in advance of the meeting on February 18.

- Attachments: A. Status of City’s 2014 legislative priorities (February 7)
 B. Summary tracking list of the City’s positions on bills analyzed by staff (February 7)

2014 Legislative Priorities and Status – City of Kirkland

Updated: February 7, 2014

Attachment A

	Legislative Priority	Bill #	Prime Sponsor	Status
1	State & local transportation revenue	HB 1954	Rep. Clibborn Sen. King	6/29/13 – Returned to House Rules No proposal offered yet from the Senate.
2	\$5M for the next phase of the I-405 / NE 132nd Interchange ramp design		Rep. Moscoso	Project & \$5M is included in House package HB 1954
3	Continued state financial assistance and other tools that further the development of the CKC	HB 2224	Rep. Dunshee	2/6 – City's Community Projected Application submitted by Rep. Habib \$200,000 to amount awarded in 2013-15 Capital Budget
4	Restoration of funding to the Public Works Assistance Account that was swept in 2013	HB 2244 SB 6120	Rep. Stanford Sen. Hobbs	2/5 – Exec Action taken in Capital Budget and Referred to Appropriations 1/15 – Referred to Ways & Means
5	Restoration of local liquor revenue sharing formulas to adequately fund public safety & other local impacts of liquor consumption	HB 2067 HB 2314 SB 6361	Rep. Tharinger Rep. Tharinger Sen. Angel	1/13 – Retained in Appropriations 1/15 – Referred to Appropriations 1/22 – Referred to Ways & Means
6	Support sharing marijuana revenue to address public safety needs and other local impacts	SHB 2144 SHB 2198 HB 2409 SB 5887	Rep. Condotta Rep. Carlyle Rep. Carlyle Sen. Rivers	2/7 – Heard Substitute in Appropriations 2/7 – Heard Substitute in Appropriations 2/4 – Passed to Rules for 2 nd Reading 2/7 – Referred to Ways and Means
7	Harmonize medical marijuana regulations to reflect recreational marijuana regulations	SHB 2149 SHB 2304 / SB 6160 SB 6178	Rep. Cody Rep. Moscoso Sen. Conway Sen. Kohl-Welles	2/7 – Heard Substitute in Appropriations 2/5 – Substitute Passed to Rules for 2 nd reading 2/7 – Exec Action taken in Commerce & Labor 2/7 – Exec Action taken in Commerce & Labor
8	Oppose legislation that proposes lending products or practices that adversely impact the middle class and the poor	HB 1657 HB 2142 HB 2670 SB 5312	Rep. Stanford Rep. Kirby Rep. Kirby Sen. Hobbs	1/13 – Retained in Business & Financial Services 1/13 – Referred to Business & Financial Services 1/28 – Heard in Business & Financial Services. 1/13 – Retained in Senate Rules

Bill	Title	Position	Status
Support			
SHB 1126	Concerning state fire service mobilization.	Support	1/28- Referred to Appropriations
HB 1579	Concerning paint stewardship.	Support	2/6 -Exec acion in Environment and SC GGIT
HB 1654	Regional fire protection service authority within the boundaries of a single city	Support	1/20 - Placed on 3rd reading by Rules
HB 2105	Promoting transparency by requiring public agencies post their agendas online in advance of meetings	Support	1/30 - Placed on 2nd reading by Rules
HB 2121	Training pub officials & employees re: public records, records mngmnt, & open public mtgs	Support	1/27 - Passed to Rules for 2nd reading
HB 2128	Creating a public disclosure exemption for GPS data that shows the residence of an employee or agent of a criminal justice agency.	Support	1/15 – Heard in Gov Ops and Elections
HB 2144	Establishment of a dedicated local jurisdiction marijuana fund & the distribution of a specified % marijuana excise tax revenues to locals	Support	2/7 – Hearing in Appropriations. 2/5 Exec'd from Gov Acctnbly & Ovrst
HB 2149	Concerning medical marijuana.	Support - pending clarification of effect on local gov auth to regulate	2/7- Hearing at 1:30 Appropriations
HB 2150	Encouraging rec. access to private property.	support	1/23 - Referred to Rules 2 Review
HB 2185	Making 2014 supplemental operating appropriations	Support (or Neutral)	1/13 – Referred to Appropriations
HB 2192	Promoting economic development through enhancing transparency and predictability of state agency permitting and review processes.	Support	2/5 – Referred to Appropriations. 2/4 Exec Action taken Gov Ops and Elections
HB 2206	Concerning the possession or use of alcohol, cannabis products, and controlled substances in sentencing provisions.	Support / Neutral	1/21 – Heard in Public Safety
HB 2214	Concerning the training of code enforcement officials.	Support	2/10 - Hearing at 10 in Appropriations
HB 2219	Concerning golf cart zones established by cities or counties.	Support?	1/27 - Passed to Rules for 2nd reading
HB 2224	2013-2015 supplemental capital budget.	Support	1/21 - Heard in Capital Budget
HB 2234	Addressing vesting under comprehensive plans or development regulations determined to be invalid by the growth management hearings board.	Support	1/29 – Heard in Local Gov
HB 2244	Restoring resources to the capital budget.	Support	2/5 - Referred to Appropriations. 2/4 - Exec Action taken in Capital Budget
HB 2246	Regarding financing for stewardship of mercury-containing lights.	Support	2/4 - Passed to Rules for 2nd reading
HB 2296	Addressing duplicate signatures on petitions in cities, towns, and code cities.	Support	1/30 - Placed on 2nd reading by Rules
HB 2303	Encouraging safe & responsible sales of marijuana by authorizing the use of minors in compliance checks	Support	1/23 – Heard Gov Acctnbly & Ovrst
HB 2304	Concerning marijuana processing and retail licenses.	Support	2/5 - Passed to Rules for 2nd Reading
HB 2312	Involving communities in enviro decision making.	Support	2/5 - Referred to Appropriations. 2/5 Exec from Environment
HB 2314	Incrementally increasing the distribution percentage of liquor revolving fund revenues under RCW 66.08.190 to cities and counties.	Support	1/15 - Referred to Appropriations
HB 2349	Concerning community redevelopment financing in apportionment districts.	Support / Neutral	1/23 - Heard in Finance
HB 2368	Concerning a surcharge for local homeless housing and assistance.	Support	1/31- Referred to Appropriations
HB 2382	Improving the methods for evaluation of the local infrastructure financing tool program.	Support	1/28 - Heard in Technology & Econ Dev
HB 2403	Exempting portions of certain records containing GIS data for sewer mains, water mains, and manholes from public disclosure.	Support	1/28 – Heard Gov Ops and Elections
HB 2409	Delaying the use of existing tax preferences by the marijuana industry to ensure a regulated and safe transition to the controlled and legal marijuana market in Washington.	Support	2/4 - Passed to Rules for 2nd reading

HB 2411	Creating a tax stamp system for the sale of recreational marijuana.	Support	1/23 – Heard in Gov Acctbly & Ovrst
Support			
HB 2414	Concerning water conservation appliances	Support	2/5 - Passed to Rules for 2nd reading
HB 2506	Making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony.	Support	2/4 - Heard in Public Safety
HB 2510	Authorizing municipalities to prohibit the operation of commercial marijuana production, processing, and retail facilities within their jurisdictional boundaries.	Support	1/20 - Referred to Gov. Accountability & Oversight
HB 2515	Concerning the treatment of population enumeration data, including exempting it from public inspection and copying.	Support	2/3 – Passed to Rules for 2nd reading
HB 2539	Simplifying the taxation of amusement, recreation, and physical fitness services.	Support	2/6 - Exec action taken in Finance
HB 2599	Modifying requirements for pedestrians walking along roadways.	Support	1/22 - Referred to Transportation
HB 2677	Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants.	Support with conditions	2/5 - Passed to Rules for 2nd reading
HB 2732	Concerning the distribution of marijuana tax revenues for local law enforcement officers.	Support	1/29 - Referred to Gov Accountability & Oversight
Neutral			
HB 2178	Concerning unmanned aircraft.		1/30 - Placed on 2nd reading by Rules
HB 2179	Regarding government surveillance conducted with extraordinary sensing devices.		2/6 - Exec action taken in Subcommittee on General Gov & Info Tech
HB 2180	Enacting the digital world privacy act.	Neutral	1/16 - Heard in Tech & Econ Dev
Oppose			
HB 1287	Subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe.	Oppose	2/5 - Passed to Rules for 2nd reading
HB 2151	Concerning recreational trails.	Oppose	2/6 - Passed to Rules for 2nd reading
HB 2168	minimum room area and floor area square footage requirements for single-family residential areas.	Oppose	1/31 – Passed to Rules for 2nd Reading
HB 2198	Providing tax relief to qualifying patients for purchases of marijuana for medical use.	Oppose?	2/7 - Hearing in Appropriations
HB 2233	Concerning the medical use of cannabis.	Oppose	1/14 - Referred to Health Care & Wellness
HB 2311	Addressing notice requirements for land use applications and decisions.	Oppose	1/20 – Heard in Local Gov
HB 2322	Prohibiting local governments from taking actions preventing or impeding the creation or operation of commercial mj businesses licensed by LCB	Oppose	1/30 – Heard in Gov Acctbly & Ovrst
HB 2428	Concerning authorizations of proposals for emergency medical care and service levies.	Oppose (unless Sec. 1. (6) is deleted)	1/28 - Heard in Finance
HB 2498	Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants.	Oppose	1/20 - Referred to Local Gov
HB 2499	Permitting school siting outside of urban growth areas.	Oppose	1/30 - Heard in Local Gov
HB 2509	Authorizing municipalities to prohibit the possession of marijuana and marijuana-based products within their jurisdictional boundaries.	Oppose	1/20 - Referred to Gov Accountability & Oversight
HB 2606	Restricting the use of automated license plate recognition systems.	Oppose	1/22 - Referred to Public Safety
HB 2670	Concerning licensure of persons providing debt settlement services.	Oppose	1/28 - Heard in Business & Financial Services

Bill	Title	Position	Status
Support			
SB 5424	Concerning paint stewardship.	Support	1/13 - Retained in Ways & Means
SB 5520	Regional fire protection service authority within the boundaries of a single city	Support	2/5 - Passed to Rules for 2nd reading
SB 5741	Allowing the use of lodging taxes for financing workforce housing and tourism promotion activities or facilities.	Support	2/5 - Passed to Rules for 2nd reading
SB 5887	Concerning the medical use of cannabis.	Support	2/7 - Referred to Ways & Means
SB 5955	Establishing WA publicly owned trust to create a financing infrastructure to implement I-502 compliant with the US AG's guidance letter of 8/29/13, thereby providing resources for public infrastructure & other public purposes.	Support	1/16 - Heard in Financial Institutions and Housing & Insurance
SB 5964	Training pub officials & employees re: public records, records mngmnt, & open public mtgs	Support	2/7 - Passed to Rules for 2nd reading
SB 5971	Concerning the continuity of government and operations in the event of an emergency, disaster, or attack.	Support	2/4 - Referred to Ways & Means
SB 6001	Making 2013-2015 supplemental transportation appropriations.	Support (or neutral)	1/13 - Referred to Transportation
SB 6002	Making 2014 supplemental operating appropriations.	Support (or Neutral)	1/15 - Heard in Ways & Means
SB 6006	Concerning the treatment of population enumeration data, including exempting it from public inspection and copying.	Support	1/31 - Passed to Rules
SB 6018	Concerning the training of code enforcement officials.	Support	2/4 - Referred to Ways & Means
SB 6020	2013-2015 supplemental capital budget.	Support	1/14 - Referred to Ways & Means
SB 6158	Encouraging safe and responsible sales of marijuana by authorizing the use of minors in compliance checks and addressing identification and manufacturing.	Support	2/7 - Exec action taken Commerce & Labor
SB 6177	Regarding financing for stewardship of mercury-containing lights.	Support	2/7 - Passed to Rules for 2nd reading
SSB 6178	Aligning the medical marijuana system with the recreational marijuana system.	Support all but Section 2	2/7 - Exec action on 1st Substitute Commerce & Labor
SB 6227	Enhancing public safety by reducing distracted driving incidents caused by the use of personal wireless communications devices.	Support	2/6 - Passed to Rules for 2nd reading
SB 6313	Concerning a surcharge for local homeless housing and assistance.	Support	2/6 - Referred to Ways & Means
SB 6361	Incrementally increasing the distribution percentage of liquor revolving fund revenues under RCW 66.08.190 to cities and counties.	Support	1/22 - Referred to Ways & Means

Support			
SB 6489	Concerning parking impact mitigation from regional transit authority facility construction.	Support	2/6 - Exec action taken in Transportation
SB 6504	Modifying requirements for pedestrians walking along roadways.	Support	1/30 - Referred to Transportation
SB 6505	Delaying the use of existing tax preferences by the marijuana industry to ensure a regulated and safe transition to the controlled and legal marijuana market in Washington.	Neutral or Support	1/30 - Referred to Ways & Means
Neutral			
SB 6487	Concerning the local sales and use tax that is credited against the state sales and use tax for cities to offset municipal service costs to newly annexed areas.	Neutral(?)	
Oppose			
SB 5993	Concerning a sales tax exemption provided to state and local government on purchases made with debt proceeds.	Oppose (or Neutral)	1/13 – Referred to Ways & Means
SB 5995	Local government selection of the appropriate sewer systems as part of growth management.	Oppose	2/7 – Passed to Rules for 2nd reading
SB 6221	Permitting school siting outside of urban growth areas.	Oppose	1/17 - Referred to Gov Ops