



CITY OF KIRKLAND
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MEMORANDUM

To: Kurt Triplett, City Manager
From: Lorrie McKay, Intergovernmental Relations Manager
Date: March 8, 2014
Subject: 2014 LEGISLATIVE UPDATE #4

RECOMMENDATION:

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

BACKGROUND DISCUSSION:

This is an update on the City's legislative interests as of March 8.

At the writing of this memo, the legislature had concluded its eighth week of the 2014 State Legislative Session, with March 7 being the last day to consider opposite house bills (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session). Thursday, March 13 is the last day of the regular 2014 session.

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

Statewide Transportation Revenue:

On March 3, the Senate introduced SB 6577: Concerning transportation revenue. As of the writing of this memo, the Senate version has not been heard in committee. The House version of this bill is House Bill 1954, which was passed in June 2013.

King County Transportation Revenue:

While King County has continued to advocate for a statewide revenue package, the Board of the King County Transportation Benefit District has moved to place a question on the April 22, 2014 special election ballot to ask voters to support funding for transportation (transit & local roads).

Continued state financial assistance and other tools that further the development of the CKC: There is no update on the 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. This request is included in the House version of the Capital Budget (HB 2224) but was not in the Senate version of the Capital Budget (ESSB 6020). The House amended 6020 and the amendment included this funding request. ESSB 6020 goes back to the Senate for concurrence. Budget negotiations continue at the writing of this memo.

Restoring funding to the Public Works Assistance Account: Legislative proposals associated with this priority "died."

Restoring local liquor revenue sharing formulas: The legislative proposals related to this priority "died." At the same, the Senate's version of the 2013-15 Supplemental Operating Budget (SSB 6002) proposes taking another \$98,828 in liquor revenue from the City of Kirkland. According to the Association of Washington Cities (AWC), the Senate's proposed cuts are related to a budget drafting error last session. When legislators passed the state's 2013 – 2015 biennial budget, they intended to redirect 50% of local liquor taxes to the state general fund. This would have left cities and counties with \$24.7 million in liquor tax distributions over the two year state budget. Unfortunately, the budget bill did not accurately account for the permanent diversion of local liquor taxes enacted in the 2012 legislative session and left local governments with just \$15.5 million in liquor tax distributions instead. AWC and Washington State Association of Counties (WSAC) worked with the State Treasurer's office and legislative staff to ensure cities and counties would receive the higher amount legislators intended. In September, budget leaders in both chambers signed this letter directing the State Treasurer to make the distributions based on the higher amount and stating that they plan to enact correcting legislation in the 2014 legislative session. Cities received this higher distribution in October 2013 and January 2014. The House's proposed supplemental includes the technical correction. The Senate-passed budget only makes the correction for state FY 2014 and makes additional cuts to local liquor taxes (\$6.7 million) for FY 2015. ESSB 6002 was debated in the House March 4 and amended, thus it goes back to the Senate for concurrence. Budget negotiations continue at the writing of this memo.

Sharing marijuana revenue: – SSSB 5887: Merging the medical marijuana system with the recreational marijuana system - The bill passed the Senate on Saturday March 8, but with no funding for local governments. City officials will reach out to House members to request an amendment to the bill providing local governments a portion of the marijuana tax revenue.

Harmonize medical marijuana regulations to reflect recreational marijuana regulations: – SSSB 5887: Merging the medical marijuana system with the recreational marijuana system. See above.

Oppose legislation that proposes lending products or practices that adversely impact the middle class and the poor: The proposed legislation associated with this priority "died" in committee, which the Council's Legislative Committee considers a success in achieving this priority.

Thursday, March 13 is the last day of the regular 2014 session.

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 met on March 7 to discuss the status of the city's 2014 legislative priorities and other bills of interest to the City (Attachment B).

Week 7 (2/22 – 2/28)

The primary focus in week 7

1. Status of City's legislative priorities
2. Summary tracking list of the City's positions on bills analyzed by staff
3. HB 2368; SHB 2414; ESBH 2246; ESSBH 2347; SB 6008; SHB 2331; and HB 1654

Week 8 (3/1 – 3/7)

The primary focus in week 8

1. Status of City's legislative priorities
2. Summary tracking list of the City's positions on bills analyzed by staff
3. HB 2368; ESBH 2246; SHB 2175; and HB 1892

HEARINGS AND CORRESPONDENCE:

Following the March 7 cutoff, no committee hearings are scheduled. Staff and consultants will monitor.

BILL TRACKING:

Staff and Waypoint Consulting continue to monitor bills associated with the City's priorities and other bills of interest to the City. The City's position on bills is tracked on the summary tracking list referenced and attached to this memorandum. Staff and the Council's Legislative Committee are focused and prepared to lobby on behalf of the City's priorities and interests through the final week of the 2014 session.

The following bills are associated with the City's 2014 Support Agenda and are ones that the City has been tracking and lobbying in support of:

ESHB 2368: Concerning a surcharge for local homeless housing and assistance.

ESHB 2368 is a priority bill of the Eastside Human Services Forum. This bill would continue – rather than reduce – the \$40 recording fee on certain real estate documents. While the bill passed the House 62 yeas to 36 nays, it stalled on the Senate side in committee. Rumors on Saturday suggest that House and Senate leadership are in agreement that this issue is a priority, that it is not subject to the March 7 cutoff and they will continue to work on this legislation before Sine Die.

ESHB 2246: Regarding financing for stewardship of mercury-containing lights.

ESHB 2246 is a priority bill of the Environmental Priorities Coalition. The bill requires all producers of mercury-containing lights sold in the state must participate in a stewardship program operated by a stewardship organization. ESHB 2246 was passed by both chambers and is on its way to the Governor's desk.

ESHB 2414: Concerning water conservation appliances.

ESHB 2414 was a priority bill of the Cascade Water Alliance. 2414 "died."

ESHB 1654: Establishing a regional fire protection service authority within the boundaries of a single city.

ESHB 1654 was a priority bill of the Washington Fire Chief's Association and is also supported by the Washington Council of Firefighters. 1654 "died." Staff will evaluate whether to recommend making this bill a Kirkland priority for the 2015 session.

The following legislative proposals run contrary to the City's general principles of legislation that promotes the City Council's goals and protect the City's ability to provide basic municipal services to its citizens. The City is tracking and will consider lobbying in opposition where necessary:

SHB 2175: Removing barriers to economic development in the telecommunications industry.

The bill mandates local governments to allow a telecomm applicant to file a consolidated application and receive a single permit for small cell networks, involving multiple individual small cell facilities, in a single geographical area. As written, the bill would apply this new policy to a "single geographical area" meaning across jurisdictional boundaries. This will greatly reduce, or dilute neighborhood involvement and comment. SHB 2175 was brought to the attention of city staff late in the game, after it passed the House with 96 yeas and 2 excused, and after it had been heard in the Senate Committee on Energy, and Environment & Telecommunications. Cities and communities were not consulted about these changes, nor were the changes even the subject of the original bill. Working with the cities of Bellevue, Seattle, Tacoma, and Renton, Kirkland endeavored to address concerns through the remaining process on the Senate side. The bill was amended on the Senate floor March 6, but not to the satisfaction of City staff. SHB 2175 now goes back to the House for concurrence. Staff and the City's consultants will continue to

work with House members to make them aware of city concerns in hopes of addressing those concerns.

ESSB 6008: Modifying water-sewer district provisions.

The City opposes ESSB 6008, which would add a new section to RCW 35.13A governing the assumption of utility districts by cities. ESSB 6008 "died."

SHB 2428: Authorizations of proposals for emergency medical care and service levies.

While the City supported the underlying principle of SHB 2428 (to make it easier to continue an EMS levy by specifying that any levy being continued - at a lower rate than initially voted in - would require just 50% +1, not a 60% vote) there was a proposed change that was unacceptable. SHB 2428 "died."

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

Attachments: A. Status of City's 2014 legislative priorities (March 8)
B. Summary tracking list of the City's positions on bills analyzed by staff (March 8)

2014 Legislative Priorities and Status – City of Kirkland

Updated: March 8, 2014

Attachment A

	Legislative Priority	Bill #	Prime Sponsor	Status
1	State & local transportation revenue	HB 1954 SB 6577	Rep. Clibborn Sen. King	6/29/13 – Returned to House Rules 3/3 – Referred to Senate Transportation
2	\$5M for the next phase of the I-405 / NE 132nd Interchange ramp design <i>Rep. Moscoso's 2013 amendment in House version</i>	HB 1954 SB 6578	Rep. Clibborn Sen. King	Project & \$5M is included in House package HB 1954 3/3 – Referred to Senate Transportation
3	Continued state financial assistance and other tools that further the development of the CKC <i>Rep. Habib - \$200,000 included in 2013-15 Capital Budget</i>	HB 2224 ESSB 6020	Rep. Dunshee Sen. Honeyford	2/28 – Passed to Rules for 2 nd reading 2/28 – Passed Senate; 31 yeas, 18 nays 3/4 – Amended and Passed by House; 92 yeas, 4 nays
4	Restoration of funding to the Public Works Assistance Account that was swept in 2013	HB 2244 SB 6546	Rep. Stanford Sen. Rivers	2/18 – Passed House; 87 yeas, 11 nays 2/20 – Referred to Senate Ways & Means 2/4 – 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	SB 5887	Sen. Rivers	3/8 – Passed Senate; 34 yeas, 15 nays (considered NTIB)
7	Harmonize medical marijuana regulations to reflect recreational marijuana regulations	SHB 2149 SB 5887	Rep. Cody Sen. Rivers	2/17 – Passed House; 67 yeas, 29 nays 2/28 – Referred to Ways & Means 3/8 – Passed Senate; 34 yeas, 15 nays (considered NTIB)
8	Oppose legislation that proposes lending products or practices that adversely impact the middle class and the poor	HB 2670	Rep. Kirby	1/28 – Heard in Business & Financial Services.

Bill	Title	Position	Status
Support			
HB 2105	Promoting transparency by requiring public agencies post their agendas online in advance of meetings	Support	2/12 - PASSED 85yeas; 13nays 3/5 - PASSED 41yeas, 6nays, 1abs, 1xcsd
HB 2192	Promoting economic development through enhancing transparency and predictability of state agency permitting and review processes.	Support	2/14 - PASSED 96yeas; 2excscd 3/5 - PASSED 48yeas; 0nays; 0abs; 0 xcscd
HB 2224	2013-2015 supplemental capital budget.	Support	1/28 - Passed to Rules for 2nd reading
HB 2246	Regarding financing for stewardship of mercury-containing lights.	Support	2/13 - PASSED 56yeas; 41nays; & 1xcscd 3/7 - PASSED 31yeas; 18nays
HB 2296	Addressing duplicate signatures on petitions in cities, towns, and code cities.	Support	2/12 - PASSED 98yeas 3/4 - PASSED 49yeas
HB 2368	Concerning a surcharge for local homeless housing and assistance.	Support	2/13 - PASSED 62yeas; 36nays 2/25 - Heard in Finan Inst. and Housing & Ins
HB 2515	Concerning the treatment of population enumeration data, including exempting it from public inspection and copying.	Support	2/14 - PASSED 96yeas; 2excscd 2/26 - PASSED 49yeas
Neutral			
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	2/14 - PASSED 63yeas; 34nay; 1excscd 3/7 - - PASSED 37yeas; 12nays
HB 2151	Concerning recreational trails.	Oppose	2/12 - PASSED 97yeas; 1nay 3/7 - - PASSED 48yeas; 1abs
SHB 2175	Removing barriers to economic development in the telecommunications industry.	Oppose	2/14 - PASSED 96yeas; 2xcscd 3/6 - PASSED 34yeas; 15nays

Bill	Title	Position	Status
Support			
SB 5875	Relating to human services	Support with Concerns	3/10 - Hearing & Exec in Ways & Means
SB 5887	Concerning the medical use of cannabis.	Support	3/8 - PASSED Sen: 34yeas; 15nays
SB 5964	Training pub officials & employees re: public records, records mngmnt, & open public mtgs	Support	2/7 - PASSED Sen: 45yeas; 2nays; 2xcsd 3/7 - PASSED: 66yeas; 31nays; 1xcsd
SB 6001	Making 2013-2015 supplemental transportation appropriations.	Support (or neutral)	3/4 - PASSED Sen: 44yeas; 5nays 3/5 - Placed on 2nd reading House Rules
SB 6002	Making 2014 supplemental operating appropriations.	Support (or Neutral)	2/27 - PASSED Sen: 41yeas; 8nays 3/4 - PASSED: 53yeas; 44nays; 1xcsd
SB 6020	2013-2015 supplemental capital budget.	Support	2/28 - PASSED: 31yeas; 18nays 3/4 - PASSED: 92yeas; 4nays; 0abs; 2xsd
SB 6430	Extending tax preferences for high-technology research and development.	Support	2/27 - Placed on 2nd reading by Rules
Neutral			
Oppose			