



Week 8 Report

March 2, 2024

The Legislative Report is distributed weekly throughout the legislative session. Each edition includes an update of legislative activities as well as a list of specific legislative meetings of interest to ports. Copies of bills can be found on this page of the Legislature's web site: [Bill Information](#).

INTRODUCTION

The countdown to Sine Die and the end of the 2024 Legislative Session is in sight! The Legislature spent much of this past week working long hours to ensure that bills cleared the last remaining hurdle, the "opposite chamber cutoff," when House bills must pass the Senate and vice versa. After a bill passes both chambers it either proceeds to the Governor to be signed into law or returns to the original chamber on the Concurrence Calendar, which means the bill was amended by the second chamber and must be reapproved in its new amended form.

Given the importance of these final procedural steps, we wanted to include a bit of a refresher on what the legislature will be doing over the next week:

Concurrence Calendar Process: To pass the Legislature, bills on the Concurrence Calendar require the reconciliation of differences between the versions passed by each chamber. The chamber of origin can either concur with the opposing chamber's amendments, ask them to "recede" from those amendments, or request a "conference" to discuss the different versions. In a conference, a limited group of legislators craft a compromise version of the bill. The House and Senate must reach an agreement on the final version of the bill prior to end of session, or the bill can risk failing to advance at this final stage.

Governor Signing Process: Once a bill is passed by the Legislature and delivered to the Governor, he

AT A GLANCE

Length: 60 days; Regular session began on January 8, 2024

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For current & previous copies of our report, visit our website at: washingtonports.org

SESSION CUT OFF DATES

The cut-off dates are designed to keep legislation moving. Any bill that fails to move past a cut-off deadline is usually considered "dead."

January 8, 2024: First Day of Session

January 31, 2024: Last day to read in committee reports (pass bills out of committee and read them into the record on the floor) in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees.

February 5, 2024: Last day to read in committee reports (pass bills out of committee and read them into the record on the floor) from House fiscal committees and Senate Ways & Means and Transportation committees in house of origin.

February 13, 2024: Last day to consider (pass) bills in house of origin (5 p.m.).

February 21, 2024: Last day to read in committee reports (pass bills out of committee and read them into the record on the floor) from

has 5 days (excluding Sundays) to act on the bill, or 20 days if adjournment is within 5 days. The clock starts once a bill is delivered which could be within days of passage or the House and Senate may strategically delay delivering the bill to the Governor by a few days. In Washington, the Governor has four options: 1) Sign the bill into law 2) Veto the entire bill 3) Partially Veto the bill by removing entire sections. He does not have line-item veto authority which means removing sentences or words. 4) Take no action, and after the time expires, the bill becomes law.

Final budget negotiations started this week and will continue over the weekend, and we will await the final proposals to see how WPPA priorities fared. Minimal changes were made to budgets in committees and on the floor.

This report includes information that's current through Friday evening. We anticipate budget updates to be released over the weekend, but they will not be reflected in this report.

Supplemental Budgets

Budget proposals continued to make their way through the process and budget leaders have begun to negotiate the differences between the budgets, a necessary step before a floor vote prior to adjourning on March 7th. We will have more information on the negotiated final budgets in next week's report.

[All proposed budgets and summaries can be found here](#)

opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.

February 26, 2024: Last day to read in opposite house committee reports (pass bills out of committee and read them into the record on the floor) from House fiscal committees and Senate Ways & Means and Transportation committees.

March 1, 2024: Last day to consider (pass) opposite house bills (5 p.m.) (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).*

March 7, 2024: Last day allowed for regular session under state constitution.

** After 5:00pm on the 54th day, only initiatives, alternatives to initiatives, budgets and matters necessary to implement budgets, matters that affect state revenue, messages pertaining to amendments, differences between the houses, and matters incident to the interim and closing of the session may be considered.*

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The Chart below highlights a few key items in the House and Senate Operating, Transportation, and Capital supplemental budgets. Items accompanied by asterisks are related to WPPA’s 2024 Legislative Agenda or priorities of our port members. **Bold Items** indicate items that were added via amendment as each budget advanced.

| <u><i>Budget</i></u> | <u><i>Senate</i></u> | <u><i>House</i></u> |
|--|---|---|
| Operating SB 5950/HB 2104 | \$71.7 billion (+900 million) | \$72 billion |
| Low Income Utility Bill Rebates | \$150 million | \$150 million |
| MTCA Operating Acct Transfer to the General fund (oppose)* | \$50 million | \$50 million |
| CCA Agriculture Exemp- tions – Reimbursements | \$30 million | \$30 million |
| Innovation Cluster Accel- erator Program | \$1.3 million | \$500,000 |
| Blue Wind Supply Chain* | \$250,000 Dept Commerce study | \$250,000 Dept Commerce study, \$375,000 coalition workshops |
| Offshore Wind (concerns) | \$338,000 Ecology-led plan- ning and engagement | \$338,000 Governor-led planning and engagement |
| Department of Commerce Grants for Federal Fund- ing Support* | \$9 million | \$12 million – Reduced to \$4.5 million |
| Seattle Jobs initiative- Entry Level Assistance | \$200,000 | X |
| Industrial Symbiosis Pro- gram* | \$2.5 million | \$1 million |
| Strategic Growth Area In- vestment | \$2.4 million, increased amount. | \$2.4 million, increased amount |
| Maritime Fuels Strategy* | \$250,000 | \$250,000 |
| Tourism Marketing Grants* | X | \$1 million |
| 6PPD Study | \$300,000 waste tire study. \$300,000 to remove tires with 6PPD from docks. | \$300,000 waste tire study |

| | | |
|---|---|-------------------------------|
| HB 1717, ADO Grants* | X | \$668,000 |
| SB 5931, Safer Products 6PPD | \$665,000 | \$665,000 |
| SB 6058, carbon market linkage | \$1.78 million | \$1.78 million |
| SB 5955 – Large Port Districts* | \$67,000 for implementation. \$1 million to create a Port District Equity Fund. | X |
| HB 2020, Military Dept Public Infrastructure Assistance* | X | \$250,000 |
| | | |
| Mitigate aviation-related pollution in King County | X | \$6 million |
| Chelan-Douglas regional sports complex outreach | \$250,000 | X |
| Prepare commercial thinning timber sales to restore spotted owl | \$10 million | \$10 million |
| GMA planning – task force examining port inclusion (concerns) | X | \$250,000 |
| Fusion energy innovation cluster accelerator | X | \$250,000 |
| Waters of the state admin orders at Ecology* | \$2.4 million | \$2.4 million |
| Embodied Carbon Study | X | \$250,000 |
| Snake River Dams invasive species study* | X | \$3.6 million |
| RCO Snake River Recreation Study* | X | \$1 million |
| Public Works Study | \$175,000 | X |
| Sea lion removal in tributaries of the Columbia River | \$1.5 million – amendment | X |
| Greenhouse gas emissions reduction sub elements. For reducing emissions or per capita vehicle miles traveled. | X | \$10 million - Striker |

| Transportation <u>SB 5947/HB 2134</u> | \$14.6 billion | \$14.3 billion |
|---|---|---|
| Port Supply Chain Competitiveness Infrastructure Funding* | \$2 million | X |
| MTCA Grants for Zero Emissions School Buses (concerns – MTCA) | \$15.7 million – MTCA Capital Account | \$15.7 million – MTCA Operating Account |
| Fish Barrier Removal | \$150 million | X |
| MHD-ZEV Incentive and School Bus Replacement* | \$61.3 million (reduction) | Additional \$15 million |
| MHD hydrogen refueling infrastructure* | \$20 million | X |
| Port Electrification Grant Program* | \$15 million (dedicated \$11.5M to Puyallup Tribe) | Maintained at \$26.5 million |
| Stormwater Retrofits and Improvements project | \$15 million | \$20.9 million |
| Puget Sound Gateway Project* | Senate amendment that does not use toll revenue. | Keeps current funding levels whole |
| Port of Longview Rail Project* | \$ 5 million | \$5 million |
| Port of Quincy Rail Project* | X | \$2 million |
| NWSA Shore-Power Project* | X | Additional \$14 million |
| Port of Anacortes Electrification Project* | X | Additional \$1.5 million |
| Port of Bremerton airport feasibility study | X | \$300,000 |
| Alternative Fuel Vehicle Charging Infrastructure | X | \$10 million |
| JTC study – ocean-going vessels (concerns) | X | \$477,000 |
| JTC Study – streamlining project permitting | \$375,000 | X |
| Ultra high speed rail | Senate striker adds \$25 million (reduction from \$50 million) | X- no funding |
| Electric boat grants | Senate striker \$5 million to tribes only | <u>Amendment</u>: \$5 million to tribes, \$5 million to non-tribal residents |

| Capital HB 2089/SB 5949 | \$1.277 billion total appro- priated | \$1.274 billion total appropriated |
|---|--|--|
| Green Jobs and Infrastruc- ture Grants* | \$24 million | \$51.5 million |
| Clean Energy Community Grants* | \$50 million | \$50 million |
| Broadband Pre- development Technical Support* | \$1 million (capital budget) | \$2.5 million (operating budget) |
| State Funding for the Fed- eral BEAD Program: | X | Additional \$11.4 million |
| Port of Hoodspport Dock* | \$40,000 | \$41,000 |
| Port of Skagit Granary Ex- pansion* | X | \$125,000 |
| Port of Quincy Business & Event Center* | X | \$3.1 million |
| PFAS Cleanup Sites – MTCA funded* (concerns) | \$2 million Eastside Fire and Rescue Pilot. \$2.2 million Hannah Heights | \$2 million MTCA Eastside Fire and Rescue Pilot |
| Mitigation for schools in communities near SEA Airport* | \$500,000 School District Indoor Air Quality & Ener- gy Efficiency | X |
| Wildfire Restoration Grants | \$2.5 million | X |
| Maritime 253, Puget Sound Skills Center* | \$4 million | X |
| SB 6243 clean technology B&O tax exemption* | \$8 million | X |
| Anaerobic digester devel- opment | Amendment: \$22 million in dairy farm grants for cost-shares regarding anerobic digesters | X |

Initiatives

As previously reported, a conservative interest group named [Let's Go Washington](#) collected signatures on six high profile "Initiatives to the Legislature." The six measures were brought forward in Olympia by the current chair of the State Republican Party, Rep. Jim Walsh (R-Aberdeen).

Last week, house and senate democratic leaders [announced](#) that public hearings would not be held on [I-2117](#) (repeal of the Climate Commitment Act), [I-2109](#) (repeal of the capital gains tax) and [I-2124](#) (opt-out of Washington's long-term care retirement program). Instead, those proposals will go directly to the November ballot.

This week, public hearings were held on [I-2113](#) (allowing police pursuits), [I-2111](#) (prohibiting state income tax) and [I-2081](#) (parental notification). The measures generated significant public interest and had long lists of people on both sides signed in to provide testimony. Recent coverage can be found here:

[Police vehicle pursuits initiative gets hearing in Legislature • Washington State Standard](#)

[WA lawmakers hear debate on parental rights initiative • Washington State Standard](#)

[Initiative to prohibit income taxes in Washington has its day in Olympia • Washington State Standard](#)

Aviation

SEA Airport Legislation

[SB 5955](#) would establish a Port District Equity Fund to support some of SEA Airport's noise mitigation work. The bill, which was introduced by Senator Keiser (D-33rd LD, Des Moines), passed the Senate on February 13th by a vote of 49-0 and made it through the House on the final cutoff day with an 83-13 vote. With no changes adopted in the House, the bill does not need concurrence and will now be delivered to the Governor for his signature.

Broadband

CERB Rural Broadband Program

[HB 1982](#), sponsored by Rep. Waters (R-17th LD, Stevenson), would codify the Community Economic Revitalization Board's (CERB) Rural Broadband Program, and make it a permanent part of the board's funding program. The bill passed the Senate 48-1 on March 1st. It will now be delivered to the Governor for his signature.

Economic Development

Tax Increment Financing

[HB 2354](#), sponsored by Rep. Street (D-37th LD, Seattle), would make technical changes to the tax increment financing law. The bill passed the Senate unanimously on March 1st. It will now be sent back to the House for concurrence on adopted amendments.

Promoting Economic Development Through Federal Funding

The Match Act ([HB 1870](#)), sponsored by Rep. Barnard (R-8th LD, Pasco), would direct Washington State Department of Commerce to provide local governments, including port districts, technical assistance aimed at securing additional federal funding for local government projects. The bill passed the Senate unanimously on March 1st. It will now be sent back to the House for concurrence on adopted amendments.

ADO Innovation Grants

[HB 1717](#), introduced by Rep. Rule (D-42nd LD, Blaine), would have created an Innovation Grant program for Associate Development Organizations, which would provide important new competitive funding for economic development organizations. The bill failed to receive a Senate floor vote prior to the cutoff deadline. It is now considered unlikely to advance further this session.

Nonresident Vessel Permit Lengths

[HB 1906](#), sponsored by Rep. Chapman (D-24th LD, Port Angeles), would have increased the allowable nonresident vessel length from 200 feet in length to 300 feet in length. WPPA worked with our coalition partners to successfully get the bill passed out of the Transportation Committee earlier this week. WPPA and others raised concerns about amendments adopted in committee but ultimately remained supportive of the bill and sought its passage in the final week. Unfortunately, the bill did not move out of Senate Rules Committee before the opposite chamber cutoff and is not expected to advance further this session.

.09 Funding – Expanded Use for Affordable Workforce Housing

[HB 1987](#), sponsored by Rep. Low (R-39th LD, Marysville), would expand the eligible uses of .09 funds to include land acquisition for affordable workforce housing. WPPA maintains that .09 funds are an ineffective tool to address affordable workforce housing because it does not raise enough funding to improve the stock of affordable workforce housing. On February 27th, the bill passed the Senate unanimously. It will now be delivered to the Governor for his signature.

Renewing Washington's Engagement in International Affairs

[HB 2000](#), sponsored by Rep. Mena (D-29th LD, Tacoma), would broaden the state's existing international trade programs overseen by the Office of International Relations and Protocols. The bill passed the Senate unanimously on February 29th. It will now be sent back to the House for concurrence on adopted floor amendments.

Energy

Appeals Process for Environmental and Land Use Matters

[HB 2039](#), introduced by Rep. Fitzgibbon (D-34th LD, West Seattle), is part of a multi-year effort to improve the energy siting process in Washington state by providing greater certainty in the appeals process. The bill passed the Senate 44-5 on February 27th. A number of amendments were adopted on the floor of the Senate to address some concerns that arose in committee. One of the [amendments](#) allows for a timeline extension of 60 days in the appeals consolidation process. It will now be sent back to the House for concurrence on the adopted floor amendments.

PSE Phasing Out of Natural Gas

[HB 1589](#), sponsored by Rep. Doglio (D-22nd LD, Olympia), is a bill brought forward by Puget Sound Energy that would make several statutory amendments intended to support their transition away from natural gas as an energy source. The bill has generated robust debate since it was brought forward in the 2023 Legislative Session. WPPA has monitored the legislation but has not engaged. The current bill primarily provides a regulatory framework and would allow PSE to consolidate planning requirements for both gas and electric operations into a single integrated system plan (ISP), by [July 1, 2025](#). On February 29th, the bill was up for a vote in the Senate and after a lengthy debate, a rare procedural challenge was raised by Senate Floor Leader Shelly Short (R-7th LD, Addy). Lt. Governor Heck made a ruling in favor of the challenge. The bill as drafted “adopts statutes by reference” which is in violation of the Senate Rules and State Constitution. This led to a pause in the Senate’s consideration of the measure until the following day. After amendments were made to address the subject of the procedural challenge, it was the final bill considered by the Senate before its 5pm cutoff and was passed by a vote of 27-22.

Climate Commitment Act – Linkage with California & Quebec

[SB 6058](#), introduced by Sen. Nguyen (D-34th LD, White Center), would allow the Department of Ecology to pursue linking the state’s carbon market with California and Québec. This bill’s support is divided along party lines, as lawmakers decide how to approach Initiative 2117 which would repeal the states Cap & Trade Program. After numerous proposed amendments by republicans and a lengthy debate, the House approved the bill 57-39 on February 29th. It will now be sent back to the Senate for concurrence on some minor adopted amendments.

Environmental & Natural Resources

Model Toxics Control Act (MTCA)

When the State Legislature adopted the 2023-25 biennial operating budget last April, they included a transfer of \$50 million from the MTCA operating account to the state’s general fund for fiscal year 2025. WPPA and a coalition of organizations had requested restoration of the \$50 million in the General Fund for environmental programs and putting the \$50 million back in the MTCA operating account to be used for its intended purpose. Both the House and Senate supplemental operating budget proposals included the funding sweep.

Safer Products for WA – 6PPD

[SB 5931](#), introduced by Sen. Salomon (D-32nd LD, Shoreline), would identify the chemical 6PPD as a priority chemical and expedite the Safer Products rulemaking process at the Department of Ecology. The bill passed the House 85-11 on February 29th. It will now be sent back to the Senate for concurrence on adopted floor amendments. Funding to support this bill is included in both the House and Senate Supplemental Budget proposals.

Governance

Public Comments – Technical Changes

[HB 1105](#), introduced by Rep. Kloba (D-1st LD, Kirkland), would require a public agency that solicits public comment to include the last date by which such public comment may be submitted. This bill passed the Senate on February 28th. It will now be sent back to the House for concurrence on adopted amendments.

Even-Numbered Year Elections

[HB 1932](#), sponsored by Rep. Gregerson (D-33rd LD, SeaTac), would permit cities, towns, and some limited purpose governments to hold their elections in even-numbered years. The bill did not advance out of the Senate Ways & Means Committee prior to the deadline. It is now unlikely to advance further this session.

Including Ports/Others into the Intrastate Mutual Aid System

[HB 1978](#) would make port districts and other special purpose districts eligible partners of the Intrastate Mutual Aid System. This bill is agency request legislation for the State Military Department and was introduced by Rep. Rule (D-42nd LD, Blaine). The bill passed the Senate unanimously on February 27th. It will now be sent to the Governor for his signature.

State Public Infrastructure Assistance Program

[HB 2020](#) which would establish a public infrastructure assistance program was introduced by Rep. Timmons (D-42nd LD, Bellingham). The bill passed the Senate unanimously on February 29th. It will now be sent to the Governor for his signature.

Labor & Workforce

Crane Safety

[HB 2022](#), sponsored by Rep. Reed (D-36th LD, Seattle), aims to increase the safety of the installation and removal of construction cranes. The bill passed the Senate unanimously on February 23rd. It will now be sent back to the House for concurrence on adopted floor amendments.

Public Works – Prompter Pay

[SB 6040](#), sponsored by Sen. Valdez (D-46th LD, Seattle), aims to encourage the adoption of policies and procedures that support paying subcontractors sooner after completion of work to remove barriers that encumber small, women, minority and veteran owned businesses. It was voted out of the House Capital Budget Committee on February 26th and was amended to require the Capital Projects Advisory Review Board to study the issue and provide recommendations. The bill passed the House unanimously on March 1st. It will now be sent back to the Senate for concurrence on amendments.

Unemployment Benefits for Striking Workers

[HB 1893](#), sponsored by Rep. Doglio (D-22nd LD, Olympia), would have allowed employees to access unemployment insurance benefits when the employee is on strike or has been locked out following a strike against the employer. The bill failed to receive a Senate floor vote prior to the cutoff deadline. It is now considered unlikely to advance further this session.

Transportation

Port Supply Chain Competitive Infrastructure Program

[SB 6302](#) establishes the Port Competitiveness Infrastructure Program. The bill is sponsored by Sen. Lias (D-21st LD, Edmonds) and Sen. King (R-14th LD, Yakima) and would establish a grant and loan program designed to fund port or port-adjacent projects that specifically address bottlenecks and barriers to an efficiently operating supply chain. These projects are often challenging to fund through existing programs but impede Washington’s competitiveness and our trade-driven economy. This program is designed to be flexible by enabling infrastructure investments in the many diverse needs that ports have, including in-water, dredging, high-wide-heavy corridor compliance and much more. The bill was scheduled for executive session on February 26th in the House Transportation Committee, but no action was taken. Funding of \$2 million to support this bill was also included in the Senate Transportation Supplemental Budget proposal. WPPA will continue to advocate for the program’s inclusion in the final budget negotiations.

Shortline Freight Rail Modernization

[HB 1371](#), sponsored by Rep. Barkis (R-2nd LD, Olympia), would have provided a Sales and Use Tax exemption for most port districts making investments in rail infrastructure. The bill passed the House and was referred to the Senate. It was scheduled for a vote in Senate Ways & Means on February 22nd, but no action was taken. It now appears unlikely to advance further this session.

Tourism

WPPA continues to support two bills that make modest changes to the state's tourism marketing authority and its governing statute.

[SB 6080](#): This bill removes the requirement that the Legislature take action to deposit funds into the tourism account, which with this change would happen automatically. The bill passed the House unanimously on March 1st and now will be delivered to the Governor for his signature.

[HB 2137](#): This bill allows specific properties to be carved out of a Tourism Promotion Area. It passed the Senate unanimously on February 27th and now will be delivered to the Governor for his signature.