



# Legislative Report

The 105-day legislative session adjourned *sine die* on April 28<sup>th</sup>.  
May 3, 2013-16

The Legislative Report is a weekly report that is distributed each Friday 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 the Legislature's web site at [www.leg.wa.gov](http://www.leg.wa.gov).

## 2013 Legislature at A Glance

**Length:** 105 days; Session began on January 14 and adjourned on April 28.

**Special Session begins May 13**

### Information:

- For up-to-date legislative information, visit [www.leg.wa.gov](http://www.leg.wa.gov).
- To listen to a legislative hearing, visit [www.tvw.org](http://www.tvw.org).
- For both current and previous copies of the Legislative Report, visit [www.washingtonports.org](http://www.washingtonports.org)

## Special Session Cut-Off Dates

(tentative – subject to change)

- **June 11** - Last day allowed for special session.

## Advocacy

The Legislative Report is distributed each Friday 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. Each report concludes with Bill Tracking, a section offering brief descriptions of proposed legislation and

## Introduction

Last Sunday the Legislature adjourned Sine Die ... for now. Without agreement on an Operating or Capital Budget, a Special Session was inevitable. The Governor has called for this Special Session to begin **May 13<sup>th</sup>**. Under the law these are limited to thirty days.

The House and Senate remain far apart philosophically, with the Senate majority coalition pledging no new taxes and the House relying on about \$900 million per biennium in new taxes. One of these tax proposals – applying the Public Utility Tax to cargo hauls within Washington – is of significant concern to the cargo community.

Transportation revenue talks continue behind the scenes, but it is still not clear how much momentum they have. There remains strong support for investing in the major Gateway projects of Highways 509/167, but after that consensus diminishes.

As legislators return home, we urge you to communicate with them on these points:

- We need a state transportation revenue package that invests in freight mobility.
- We must fund economic development programs such as CERB in the Capital Budget. We support the House Capital Budget amount of \$ 16.5 Million.
- Fully fund cleanup grants under MTCA ("Remedial Action Grants) at \$67 million for the Department of Ecology.
- Oppose expanding the Public Utility Tax to in-state hauling of cargo by truck, rail, ship and barge.

noting where that legislation is currently located in the bill process. For easy access, the bills are directly linked to their posting on the Legislature's website.

WPPA representatives Eric Johnson, Ginger Eagle and Johan Hellman are following a wide-variety of issues throughout the session. If you have questions concerning legislative activities, please contact them at 360-943-0760 regarding any specific issues.

Several policy bills of note passed the legislature in its final week of the regular session. These are outlined below, and the Governor has until **May 21<sup>st</sup>** to take action on them.

## **LEGISLATION PERTINENT TO PORTS**

### **Boating/Marinas**

**Derelict Vessels:** HB 1245, which creates a study group that will meet through the legislative interim to look at marina policies regarding derelict vessels, was delivered to the governor on April 27 and is awaiting his signature.

**Boating Safety:** SB 5437 makes it a gross misdemeanor to operate a boat in a state of marijuana intoxication. The bill was also delivered to the governor on April 27 and is awaiting action.

### **Environment**

**MTCA:** One of the end-of-session issues that are still being discussed is SB 5296 – which makes a number of policy changes to the Model Toxics Control Act, including using a portion of the funding from the Hazardous Substances Tax to create a new “Environmental Stewardship Legacy Account”, or ELSA. This account is intended to be used for more cleanup and stormwater funding, but it is controversial with environmental advocates, and it has not been endorsed by the Department of Ecology. The bill is a priority for the Senate majority coalition, though it has not been reviewed yet by the House.

### **Governance**

**Port Elections:** Currently, if a petition for changing terms is presented to a commission, the question must be placed on the “next” election ballot. This resulted in a port being required to place just such a question on an election ballot in April when special elections are allowed for. Because there was nothing else on the ballot for that election, the port had to pick up the entire cost of the election. The legislation WPPA put forward this session changes the statute to have the question placed on the next “general” election ballot. This protects the port from having to pay the entire cost, plus it allows more education as general elections have voter guides to provide more information on ballot measures. SB 5411 passed both the Senate and

House unanimously and is awaiting action by Governor Inslee.

## **Public Works & Labor**

**Alternative Public Works:** State statutes that allow for public entities to utilize alternative public works contracting methods were set to sunset June 30, 2013. The Capital Projects Advisory Review Board (CPARB), a group of stakeholders including ports, has been meeting for the past 14 months to craft reauthorization language and updates to the statute. SHB 1466 included an extension of the sunset to 2021 along with technical clean-ups to the statute. The House Capital Budget committee amended the proposal so it no longer represented the agreed to work of CPARB, and it passed the House 95 – 0. When the proposal went to the Senate the bill was amended back to language agreed to by all stakeholders, and passed 47 – 0. When it went back to the House for concurrence, it was finally passed 81 – 16 and it is now awaiting action by Governor Inslee.

## **Taxes**

As reported last week, the House passed SHB 2038, which increases taxes among a variety of activities. Among them is applying the Public Utility Tax to the in-state hauling of cargo by truck, train, ship or barge. (Note: it was not revealed until this week that the tax would also apply to cargo hauls over waters of the state, in addition to highways and railroads.) **This proposal is opposed by WPPA** as well as a coalition of labor and business interests. A link to a two-page issue brief can be found at:

[http://washingtonports.org/wp-content/uploads/2013/04/int\\_trade\\_updt\\_03.pdf](http://washingtonports.org/wp-content/uploads/2013/04/int_trade_updt_03.pdf)

The Senate has not taken any action on the House revenue measure, and the size of any eventual revenue package will depend upon final budget negotiations.

**Assessments of Publicly Owned Properties:** The County Assessors forwarded a proposal to eliminate the requirement to assess properties that are not required to pay property taxes, and also eliminates the rebate allowed for under the LET statute in cases where the LET is greater than the property tax that would be owed on the property. Passage of this measure will relieve those ports who have been contacted by the Department of Revenue to get assessments of their property done, in an effort for them to determine rebate amounts. With rebates no longer in statute, the assessments for that purpose become

unnecessary. SSB 5444 passed the Senate 47 – 2 and the House 91 – 6 and is now awaiting action by Governor Inslee.

## Transportation

The Legislature did pass a “current-law” Transportation Operating Budget in the final weekend of activity. This is the ‘bare-bones’ budget that spends existing transportation revenue funds. This money was spent mostly in expected ways on current projects. FMSIB received a small increase in funding to help staff the federal MAP-21 freight study, and also received \$28 million in funding for its current project list.

A new transportation revenue package remains part of the negotiations that will occur during the Special Session.

**Freight Mobility Strategic Investment Board:** SHB 1256 removing the requirement that the Freight Mobility Strategic Investment Board (FMSIB) submit its project portfolio to the Legislature as part of their budget request passed the legislature and was signed by the governor on May 1<sup>st</sup>. The legislation will go into effect July 27, 2013.

## BILL TRACKING REPORT

Bill	Title	Status	Date	Sponsor
<b>Aviation</b>				
<a href="#">EHB 1483</a>	Airport parking facilities	H Rules 3C	04/28/2013	<a href="#">Hunt</a>
<a href="#">HB 1710</a>	Commuter air carriers	H Rules 3C	04/28/2013	<a href="#">Springer</a>
<a href="#">SB 5627</a>	Commuter air carriers	C 56 L 13	04/23/2013	<a href="#">Eide</a>
<b>Boating &amp; Marinas</b>				
<a href="#">ESHB 1245</a>	Derelict & abandoned vessels	Del to Gov	04/27/2013	<a href="#">Hansen</a>
<a href="#">SSB 5437</a>	Boating safety	Del to Gov	04/27/2013	<a href="#">Padden</a>
<b>Budget</b>				
<a href="#">HB 1057</a>	Operating budget 2013-2015	H Approps	01/14/2013	<a href="#">Hunter</a>
<a href="#">HB 1058</a>	Operating sup budget 2013	H Approps	01/14/2013	<a href="#">Hunter</a>
<a href="#">SHB 1089</a>	Capital budget 2013-2015	H Rules 3C	04/28/2013	<a href="#">Dunshee</a>
<a href="#">SB 5033</a>	Operating sup budget 2013	S Ways & Means	01/15/2013	<a href="#">Hill</a>
<a href="#">ESSB 5034</a>	Operating budget 2013-2015	S Rules 3	04/28/2013	<a href="#">Hill</a>
<a href="#">SSB 5035</a>	Capital budget 2013-2015	S Rules 2	04/15/2013	<a href="#">Honeyford</a>
<a href="#">SSB 5036</a>	State gen. obligation bonds	S Rules 2	04/15/2013	<a href="#">Honeyford</a>
<b>Economic Development</b>				
<a href="#">HB 1303</a>	B & O tax credit for R & D	H Tech & Econ D	01/22/2013	<a href="#">Morris</a>
<a href="#">E2SHB 1306</a>	Local infrastr. financing	H Rules 3C	04/28/2013	<a href="#">Wylie</a>

<a href="#">2SHB 1693</a>	New businesses/tax relief	H Approps	03/01/2013	<a href="#">Habib</a>
<a href="#">SHB 1866</a>	Aerospace tech innovation	H Rules 3C	04/28/2013	<a href="#">Morris</a>
<a href="#">SB 5249</a>	Manufacturing B&O tax credit	S Ways & Means	02/20/2013	<a href="#">Chase</a>
<a href="#">SSB 5251</a>	B&O tax exemption for R&D	S Rules 2	03/01/2013	<a href="#">Chase</a>
<a href="#">SSB 5325</a>	Rural county/sales & use tax	S Ways & Means	02/21/2013	<a href="#">Rivers</a>
<a href="#">SSB 5679</a>	Agency rule review process	S Rules 3	04/28/2013	<a href="#">Brown</a>
<a href="#">SB 5765</a>	Business & govt streamlining	S Ways & Means	02/21/2013	<a href="#">Brown</a>
<a href="#">SB 5784</a>	Aerospace tech innovation	S Rules 3	04/28/2013	<a href="#">Holmquist Newbry</a>
<a href="#">SSJM 8007</a>	Harbor maintenance tax	S Rules 3	04/28/2013	<a href="#">Shin</a>

### Environment & Natural Resources

<a href="#">ESHB 1090</a>	Dock construction	H Rules 3C	04/28/2013	<a href="#">Shea</a>
<a href="#">ESB 5099</a>	Publicly owned vehicles/fuel	Del to Gov	04/27/2013	<a href="#">Rivers</a>
<a href="#">SSB 5201</a>	Hazardous waste site cleanup	S Ways & Means	02/14/2013	<a href="#">Ranker</a>
<a href="#">E2SSB 5296</a>	Model toxics control act	S Rules 3	04/28/2013	<a href="#">Ericksen</a>
<a href="#">ESB 5603</a>	Marine advisory councils	Del to Gov	04/23/2013	<a href="#">Hatfield</a>
<a href="#">SSB 5702</a>	Aquatic invasive species	Del to Gov	04/23/2013	<a href="#">Honeyford</a>

### Governance & Elections

<a href="#">2SHB 1195</a>	Primaries	H Passed FP	04/28/2013	<a href="#">Wylie</a>
<a href="#">SHB 1298</a>	Sunshine committee	H Rules 3C	04/28/2013	<a href="#">Springer</a>
<a href="#">SHB 1418</a>	Public records/hours	H Rules 3C	04/28/2013	<a href="#">Hunt</a>
<a href="#">SHB 1512</a>	Water/fire suppression	Del to Gov	04/23/2013	<a href="#">Takko</a>
<a href="#">E2SHB 1828</a>	Local govt fiscal conditions	H Rules 3C	04/28/2013	<a href="#">Springer</a>
<a href="#">SB 5411</a>	Port commissioner terms	Del to Gov	04/23/2013	<a href="#">Rolfes</a>

### Land Use

<a href="#">SHB 1016</a>	Water purveyor facilities	H Rules 3C	04/28/2013	<a href="#">Angel</a>
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### Public Works & Labor

<a href="#">SHB 1420</a>	Transp. improvement projects	Del to Gov	04/23/2013	<a href="#">Lias</a>
<a href="#">SHB 1466</a>	Alt public works contracting	Del to Gov	04/27/2013	<a href="#">Haigh</a>
<a href="#">HB 1768</a>	DOT/job order contracting	Del to Gov	04/27/2013	<a href="#">Moscoco</a>
<a href="#">SB 5349</a>	Alt public works contracting	S Rules 3	04/28/2013	<a href="#">Dammeier</a>
<a href="#">ESSB 5895</a>	Education funding	S Rules 3	04/28/2013	<a href="#">Hill</a>

### Transportation

<a href="#">SHB 1256</a>	Freight mobility invest. brd	Del to Gov	04/23/2013	<a href="#">Fey</a>
<a href="#">HB 1447</a>	Heavy haul corridors	Del to Gov	04/23/2013	<a href="#">Fey</a>
<a href="#">ESHB 1620</a>	Railroad employees/vehicles	H Rules 3C	04/28/2013	<a href="#">Stanford</a>
<a href="#">HB 1644</a>	Transportation planning	Del to Gov	04/23/2013	<a href="#">Fey</a>
<a href="#">ESHB 1864</a>	Trans budget 2011-13/2013-15	H Rules 3C	04/28/2013	<a href="#">Clibborn</a>
<a href="#">SHB 1953</a>	Local option transp. revenue	H Rules C	03/13/2013	<a href="#">Lias</a>
<a href="#">SHB 1954</a>	Transportation revenue	H Rules R	04/27/2013	<a href="#">Clibborn</a>
<a href="#">SHB 1955</a>	Additive trans. funding	H Rules R	04/27/2013	<a href="#">Clibborn</a>
<a href="#">SHB 1956</a>	Bonds for trans. funding	H Rules R	04/24/2013	<a href="#">Clibborn</a>
<a href="#">SHB 1959</a>	Local transportation revenue	H Rules C	03/13/2013	<a href="#">Farrell</a>
<a href="#">SSB 5239</a>	Freight mobility invest. brd	S Rules 3	04/28/2013	<a href="#">Eide</a>
<a href="#">SB 5335</a>	Heavy haul corridors	S Rules 3	04/28/2013	<a href="#">Dammeier</a>
<a href="#">SSB 5773</a>	Local option transp. revenue	S Rules X	04/05/2013	<a href="#">Harper</a>
<a href="#">SB 5805</a>	Projects/econ devel & trans	S Rules X	03/26/2013	<a href="#">Hobbs</a>

### Office Locations of Statewide Officials

**Governor's Office:** Gov. Jay Inslee's office is located on the second floor of the Capitol (or Legislative) Building.

**Lieutenant Governor's Office:** Lt. Gov. Brad Owen's office is located on the second floor of the Capitol (or Legislative) Building.

**Auditor's Office:** State Auditor Troy Kelley's office is located in the Sunset Life Building, 3200 Capitol Blvd. S., Olympia.

**Secretary of State's Office:** Secretary of State Kim Wyman's office is located on the second floor of the Capitol (or Legislative) Building.

**State Treasurer:** State Treasurer Jim McIntire's office is located on the second floor of the Capitol or Legislative Building.

**Insurance Commissioner:** Insurance Commissioner Mike Kreidler's office is located in the Insurance 5000 Building, 5000 Capitol Blvd., Olympia.

### **How to Find your Legislator and Contact Them:**

- **Senate:** <http://www.leg.wa.gov/Senate>
- **House:** <http://www.leg.wa.gov/House>

### **How to Access a Bill:**

- <http://apps.leg.wa.gov/billinfo/>

Here you can enter the bill number you are looking for or even search for it by entering a subject keyword. You can save the bill, print the bill or just check its status and track it as it progresses through the Legislature.

### **How to Watch or Listen to a Hearing:**

- TVW – cable television <http://www.tvw.org/tvguide>
- TVW - webcast – <http://www.tvw.org/media/liveevents.cfm>
- In Person - Floor Calendar - <http://www.leg.wa.gov/legislature/calendar/>

## **INTERNET**

[www.leg.wa.gov](http://www.leg.wa.gov). Here you will find contact information for each legislator and their staff; legislative leadership; committees and their staff and current agendas; floor calendars; the most up-to-date bill information and much more.

[www.tvw.org](http://www.tvw.org) provides coverage of floor debates, committee hearings and other public policy events. Also included is a weekly news comment program. Coverage is available through REAL Networks or Windows Media both in real time or as archived. Follow the site's instructions for access.

## **TELEVISION**

TVW is a cable network the Legislature created to cover activities of both houses with live programming and delayed telecasts of each day's events. The week's programming can be found on their website, [www.tvw.org](http://www.tvw.org).

The Washington Public Ports Association staff in Olympia is also here to assist you in getting information and we're happy to walk you through any of the above. Please feel free to call us 360-943-0760 if you have any questions.