



Legislative Report

Today is day 54 of the 60-day legislative session March 7, 2014-9

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.

2014 Legislature at A Glance

Length: 60 days; Session began on January 13 and ends on March 13.

Next Cutoff: March 7 - Last day to consider 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).

Information:

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

Next Week's Hearings

If you would like to testify at any of these, please call WPPA.

There are no public hearings of note next week.

A complete list of hearings can be found online at

Introduction

It is the last full week of this legislative session, and things remain on track for adjournment next Thursday. Today at five o'clock is the deadline for non-fiscal bills to pass out of the opposite chamber. This is a major cutoff deadline, and the floor calendars of both chambers are very full. Many bills will die on the floor calendar today – but we will not have the full story at press time.

For ports, it has been a mostly good week. The bill making needed reforms to the CERB program passed the Senate and heads to the House for concurrence. Several bills of concern appear to be stopped, and the budgets appear to mostly fund cleanup grants with no fund transfers.

The overall mood of the legislature is rather drab. There are no really big fights on much except teacher evaluations, and there are still dire warnings from some quarters about how we have not done anything to prepare for next year's education funding debate. The supplemental budget negotiations are moving and there do not appear to be any disagreements that cannot be resolved by early next week.

LEGISLATION PERTINENT TO PORTS

Aquatic Lands

On Water Dwellings. SB 6450 is on its way to the Governor for signature. In addition to floating homes, floating on-water residences that are permitted or legally established prior to July 1, 2014 must be considered as a conforming preferred use under local shoreline regulations under SB 6450. This means that local regulations may only impose reasonable conditions and mitigation that will not effectively preclude actions such as maintenance, repair, replacement, and remodeling of floating on-water residences. WPPA supported SB 6450.

Floating Houses. SB6185 failed to pass the Senate prior to the cutoff.

Session Cut-Off Dates

(tentative – subject to change)

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.”

- **February 7** - Last day to read in committee reports in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees.
- **February 11** - Last day to read in committee reports from House fiscal committees and Senate Ways & Means and Transportation committees in house of origin.
- **February 18** - Last day to consider bills in house of origin (5 p.m.).
- **February 28** - Last day to read in committee reports from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.
- **March 3** - Last day to read in opposite house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.
- **March 7** - Last day to consider 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 13** - Last day allowed for regular session under state constitution.

Advocacy

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This bill recognized floating homes as allowable in harbor areas.

Aviation

Airplane Excise Taxes. SB 5430, which directs the aircraft excise tax to the WSDOT Aviation Division, passed the Senate and headed to the House – where it was heard in the Finance Committee this morning. WPPA supports this bill, because although its direct impact is small, it leverages a large amount of federal FAA grant money for airports. Ports with airports should contact House members in support of this bill.

Boating/Marinas

Derelict Vessels. HB 2457 was amended on the floor of the Senate to address WPPA concerns and is headed to the House for concurrence. WPPA supports the bill in its current form.

Economic Development

CERB reform. The CERB reform bill, **SHB 1260** that passed the Senate on Tuesday is awaiting action in the House. **WPPA would like to encourage ports to contact their State Representatives and encourage them to vote to concur with the Senate amendments to SHB 1260.** The bill as it passed the Senate was amended to eliminate the threshold requirement for jobs created exceeding the county median wages. The Senate bill does require CERB to consider the wages of the jobs being created and how they compare to the median county wages in its criteria for prioritizing projects. We believe it is important to consider the wages of the jobs being created, but that CERB should have the flexibility to consider every project and make the determination on what projects are wise investments of the state’s money.

Tourism Promotion: SHB 2229 came to a vote in the Senate on Thursday, and passed the Senate 47 – 0. It is now headed to the Governor’s office for his signature. The measure requires the Tourism Alliance to work with state agencies and stakeholders to report back to the legislature with a recommended method of collection of funds from the various sectors that are required to participate, which include lodging, food service, attractions and entertainment, retail and transportation. The report also requires the alliance to identify and include other tourism sectors, businesses and governmental entities which are part of the tourism industry and that could provide additional funding for a state marketing program.

Maritime/Manufacturing Industries Study. The bill that would create a legislative task force to study how the state can better support its

Tracking, a section offering brief descriptions of proposed legislation and 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, Gerry O'Keefe, and James Thompson 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.

maritime and manufacturing sectors was amended in the Senate to add the creation of a stakeholder advisory committee to provide technical assistance to the task force. **E2SHB 2580** now has to go back to the House of Representatives where they will need to concur with the Senate amendment before the bill can head to the Governor for a signature.

Environment

Oil Transport. **HB 2347** is dead. **SB 6524** is dead. **SB 6576** is dead. There remains some conversation about an oil transportation bill or, more likely, adding study related provisions to Ecology's budget. WPPA opposition to rule-making has been effective with all remaining discussions focusing on information gathering and reporting. It remains to be seen whether a last minute deal will allow any bill to clear the Senate.

State Maritime Heritage Area. **HB 2386** passed the House on a 57-40 vote. The bill declares the state's saltwater coast a state maritime heritage area. The intent of this legislation is to create the designation so that the state would be eligible for certain federal grant funds. WPPA supports the bill.

Water Quality Trading Program. **HB 2454** passed the House on a vote of 93 to 5. The Senate stripped the pilot language and required a study in its place. It is not scheduled for floor action and is likely to die today.

Invasive Species. The proposed law is targeted at recreational boats, and larger vessels are exempt from its provisions. **SB 6040** provides a suite of management tools for sites designated for emergency conditions, temporary rapid responses, and longer-term infested site management. It establishes a framework of inspections, check stations, and decontamination for portable aquatic conveyances potentially harboring invasive species. It also expands invasive species inspections to target a broad spectrum of aquatic conveyances, rather than primarily targeting watercraft. The bill reorganizes, amends, and expands on statutes providing for the prevention and integrated management of aquatic invasive species, and establishes a new schema for classifying invasive species. The bill is awaiting action on the House floor. WPPA is neutral on this legislation.

Governance

Budget Public Records Act Proviso. Before passing the budget out of the House, the proviso that included \$200,000 to collect data and mediate PRA issues between open government advocates and local governments was amended. As it left the House, the funding was cut to \$50,000 and

the language requiring data collection was removed. There is some talk of trying to restore the original funding and language during negotiations with the Senate.

Voting Rights Act. After two failed attempts to move the bill out of the Senate Rules Committee, **SHB 1413** appears to be dead. While the bill may not move further this session, the issue is certainly going to continue to be discussed throughout the interim.

Port District Creation. The bill allowing for less-than-county-wide port districts to be created in counties with no ports came out of the Senate Rules committee early this week, and passed the Senate Tuesday on a 48 – 1 vote. The bill has now been delivered to the Governor and is awaiting a signature.

PRA/OPMA Training. The bill requiring elected officials and records officers for local governments to receive training on the Public Records Act and the Open Public Meetings Act, **ESB 5964**, passed the House this week 66 – 31. It is on its way to the Governor's office for a signature. This law will require port commissioners and port records officers to receive training on PRA and OPMA within 90 days of taking office. Refresher trainings must take place every 4 years.

Posting Meeting Agendas on Websites. **SHB 2105** passed the full Senate on Wednesday, and is headed to the Governor for a signature. This measure will require ports and other public agencies that maintain their own websites and have more than 10 full time employees to post their meeting agendas on their websites at least 24 hours prior to the meeting. Changes can still be made to the agenda after it is posted, without penalty.

Public Works & Labor

Prevailing Wages. The bill to link collective bargaining agreements to prevailing wages appears, at the time of this publication, to be stalled on the Senate floor calendar. Originally, **HB 2527** would have required L&I to utilize the wages set in collective bargaining agreements in trades and occupations that have them as the prevailing wage. For those trades without agreements, the department would continue to use surveys to determine the prevailing wage rates. The Senate Commerce & Labor committee moved the bill out with a striking amendment that narrowed the scope to a handful of specific trades that would participate in a pilot project that would sunset in 4 years. The bill moved out of the Senate rules committee on Wednesday. Labor unions have been working to broaden the bill back out to include more trades, but the Senate has not yet brought the bill up for a vote. If it has not been

voted upon by 5 p.m today (Friday), the bill will die.

Taxes

Targeted Tax Increases. There was good news on the tax front this week – in the form of the absence of bad news. House and Senate Democrats are proposing a scaled down package of targeted tax increases (or ‘closing loopholes’ – depending on your perspective). This package did NOT include applying the Public Utility Tax (PUT) to the hauling of cargo through the state. That is good news for the trade sector, and a credit to our collective efforts to raise awareness of the ramifications of this idea.

Transportation

FMSIB. The House supplemental transportation budget passed the House this week, and continues to fund one less staff person than the current budget. The Senate budget funds FMSIB at its current levels. Ports with freight interests should contact legislators with the message that FMSIB staffing matters and we support the higher Senate funding levels.

Revenue Package . Prospects for an overall new transportation revenue package appear to be alive in the House as the House Transportation Budget awaits action on the House floor calendar. Hopes have been high that the philosophical differences on the issue could be bridged, and until as late as last week the key players were still saying that it could happen. However, that talk has stopped, and no one is expecting a breakthrough on a major tax package at this point.

BILL TRACKING REPORT

Bill	Title	Status	Date	Sponsor
Boating & Marinas				
2SHB 2457	Derelict & abandoned vessels	S 2nd Reading	03/04/2014	Hansen
Budget				
SHB 2185	Operating sup budget 2014	H Rules R	03/03/2014	Hunter
SHB 2224	Capital sup budget 2013-2015	H Rules R	02/28/2014	Dunshee
SHB 2244	Capital budget/ed resources	S Ways & Means	02/20/2014	Stanford
HB 2252	Bill & budget fiscal impacts	H Approps	01/15/2014	Sullivan
HB 2356	Flood hazard reduction/bonds	H Cap Budget	01/16/2014	DeBolt
SHB 2357	Flood hazard and storm water	H Rules C	02/18/2014	DeBolt
ESHB 2762	Trans sup budget 2013-2015	S Transportation	03/06/2014	Clibborn
ESSB 6001	Trans sup budget 2013-2015	H 2nd Reading	03/05/2014	Eide
ESSB 6002	Operating sup budget 2014	H Passed 3rd	03/04/2014	Hill

ESSB 6020	Capital sup budget 2013-2015	H Passed 3rd	03/04/2014	Honeyford
SB 6120	Public works assistance acct	S Ways & Means	01/15/2014	Hobbs

Economic Development

SHB 1260	Public facilities' grants	S Passed 3rd	03/04/2014	Warnick
SHB 2229	State tourism marketing prog	S Passed 3rd	03/06/2014	Morris
HB 2386	Washington's shoreline	S 2nd Reading	03/04/2014	Van De Wege
E2SHB 2580	Maritime industry, etc.	S Passed 3rd	03/04/2014	Tarleton
HB 2685	High-tech R&D tax prefs	H Finance	01/27/2014	Pettigrew
SHB 2693	Aerospace tax preferences	H Finance	02/05/2014	Orcutt
HB 2769	Server equipmnt/data centers	H Finance	02/05/2014	Springer
SSB 5334	Public facilities' grants	H Tech & Econ De	02/20/2014	Hewitt
SB 6045	State agency permitting	H Approps	02/26/2014	Brown
2SSB 6096	Industrial/manuf. facilities	H Finance	02/26/2014	Pearson
SSB 6267	High-tech R&D tax incentives	S Rules 2	02/11/2014	Hill
SSB 6430	High-tech R&D tax prefs	S 2nd Reading	02/27/2014	Liias
SSB 6452	Maintenance repair operators	S Rules 2	02/07/2014	Eide
SSB 6515	State job creation	H Finance	03/05/2014	Brown
E2SSB 6518	Innovate Washington	H Approps	03/05/2014	Chase
SB 6545	Aerospace tax preferences	S Ways & Means	02/04/2014	Braun
ESB 6550	Server equipmnt/data centers	H Finance	03/04/2014	Holmquist Newbry
SCR 8409	High skills high wages plan	H Adopted 3rd	03/05/2014	Bailey

Environment & Natural Resources

E2SHB 2347	Oil transportation safety	S Energy, Enviro	02/19/2014	Farrell
HB 2386	Washington's shoreline	S 2nd Reading	03/04/2014	Van De Wege
HB 2438	Environmental statutes	S Energy, Environ	02/19/2014	Takko
ESHB 2439	Environmental statutes/DOE	S 2nd Reading	03/06/2014	Takko
HB 2440	Oil or oils, definition of	S 2nd Reading	03/06/2014	Fitzgibbon
SHB 2454	Water quality trading progrm	S 2nd Reading	03/05/2014	Blake
2SHB 2458	Invasive species	H Rules C	02/18/2014	MacEwen
E2SHB 2569	Diesel emissions pollution	S Passed 3rd	03/06/2014	Hargrove
SB 6045	State agency permitting	H Approps	02/26/2014	Brown
SB 6381	Watershed councils/Puget Sd.	S Ways & Means	02/07/2014	Ranker
ESSB 6450	On-water dwellings	S Pres Signed	03/06/2014	Pedersen
SSB 6516	Task force/water supply, etc	H Cap Budget	02/19/2014	Honeyford
E2SSB 6524	Hazardous materials	S Rules X	02/25/2014	Ericksen
SB 6567	Oil spill taxes	S Ways & Means	02/17/2014	Tom
SB 6576	Oil spills	S Energy, Enviro	02/27/2014	McCoy

Governance & Elections

SHB 1413	Voting rights act of 2013	S Rules 2	03/06/2014	Moscoso
SHB 2105	Govt agency meeting agendas	S Passed 3rd	03/05/2014	Hawkins
SHB 2121	Public records and meetings	S Govt Ops	02/14/2014	Pollet
HB 2547	Port district creation	S Pres Signed	03/05/2014	Ormsby
SHB 2593	Local gov treasury practices	S Govt Ops	02/14/2014	Stonier
ESB 5964	Public records and meetings	H 2nd Reading	03/05/2014	Fain
SB 6059	Scanning public records	H Rules R	02/26/2014	Brown

Land Use

ESB 6194	Voluntary planning under GMA	H Local Govt	02/27/2014	Dansel
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Public Works & Labor

SHB 1254	Prevailing wage filings	S 2nd Reading	03/05/2014	Manweller
HB 2208	Heavy civil construction	S Passed 3rd	03/05/2014	Haigh
SHB 2331	Public works payroll records	S Commerce and L	02/17/2014	Sells
HB 2527	Prevailing rate of wage	S 2nd Reading	03/05/2014	Ormsby
HB 2555	Alternative contracting	S Passed 3rd	02/26/2014	Dunshee
SSB 6110	Retainage bonds/pub contrcts	H 2nd Reading	03/05/2014	Ericksen

Tax

HB 2110	Uniform B&O tax rate	H Finance	01/13/2014	Haler
SHB 2201	State tax preferences	S Ways & Means	02/20/2014	Carlyle
HB 2203	Commercial aircraft tx prefs	H Tech & Econ D	01/13/2014	Orcutt
HB 2469	Hazardous substance tax exem	H Finance	01/17/2014	Lytton
HJR 4215	Local public wrks/tx revenue	H Cap Budget	01/17/2014	Warnick
SB 6230	Voter-approved tax	S Ways & Means	01/17/2014	McAuliffe
SSB 6259	Log transportation/tax	H Finance	03/04/2014	Hargrove

SSB 6452	Maintenance repair operators	S Rules 2	02/07/2014	Eide
SB 6567	Oil spill taxes	S Ways & Means	02/17/2014	Tom
SJR 8213	2/3 vote for tax increases	S Failed 3rd	02/05/2014	Roach

Transportation

HB 2225	Milwaukee Road corridor	S Passed 3rd	03/06/2014	Manweller
HB 2740	Vehicle loads permit fees	H Trans	01/29/2014	Moeller
ESHB 2762	Trans sup budget 2013-2015	S Transportation	03/06/2014	Clibborn
HB 2781	Cascade rail corridor	H Trans	02/07/2014	Moscoco
SB 6051	DOT projects	S Transportation	01/15/2014	O'Ban
SB 6099	DOT activities/funding	S Transportation	01/15/2014	King
SSB 6102	Connecting Washington acct	S 2nd Reading	02/13/2014	King
SB 6156	Transp. corridor projects	S Transportation	01/16/2014	King
SB 6224	Transp. project delivery	S Transportation	01/17/2014	King
ESSB 6440	Natural gas/fuel taxes	H Finance	03/05/2014	King
SB 6473	Railroad crews	S Transportation	01/28/2014	Angel
SB 6577	Transportation revenue	S Transportation	03/03/2014	King
SB 6578	Additive trans. funding	S Transportation	03/03/2014	King
SB 6579	Transportation funding bonds	S Transportation	03/03/2014	King
SJM 8015	Tank rail car safety	H Rules R	02/26/2014	O'Ban

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. 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 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.

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.