



# Legislative Report

The 60-day legislative session adjourned *sine die* on March 13<sup>th</sup>.  
March 14, 2014-10

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 13 and adjourned on March 14.

### 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)

## 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 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

## Introduction

The legislature adjourned *Sine Die* on time – the 60<sup>th</sup> day of the legislative session. The last two days were a wild ride for your Association, as the CERB-reform bill that we strongly supported ended up being one of the last bills passed in a go-home deal. The bill ended up with opposition from labor interests at the last minute, and your staff and key legislators were negotiating amendments late Wednesday night, with the bill passing in the final hour on Thursday evening. Details of the deal we struck are reported below. Thank you to all of you who contacted legislators this week on this measure.

Overall, it was an odd year – not that there is ever a normal one. In a very rare occurrence, there was no Supplemental Capital Budget. This means that the Capital Budget passed last June will have no adjustments or additions. While not a disaster, it is bad news for some ports who were hoping for increases in cleanup grants. There was also no transportation revenue package, but its demise was predicted weeks ago. No significant tax proposals were advanced, either.

Big picture issues that dominated the week included K-12 teacher evaluations, funding for homeless programs, and trying to merge medical marijuana laws with recreational marijuana laws.

For ports, the Governor signed the bill authorizing less-than-countywide ports in Spokane and Kittitas Counties. The legislature also finally passed the derelict vessel bill in an acceptable form, and in the end no permanent oil transport or tax legislation passed, though the budget funds a study of the issue.

## LEGISLATION PERTINENT TO PORTS

### Aviation

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.

**Airplane Excise Taxes. SB 5430**, which directs the aircraft excise fee to the WSDOT Aviation Division, ended up dying in the House Finance Committee. As reported last week, the bill passed the Senate and was heard in the House, but stayed in Committee without a vote. WPPA and aviation interests support this policy because it leverages additional grant funding from the FAA.

## **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**.

## **Boating/Marinas**

**Derelict Vessels. HB 2457** is on its way to the Governor for signature.

## **Budgets**

**Remedial Action Grants.** With the failure of the Capital Budget no additional funding for remedial action grants will be available to ports prior to the adoption of the state's 2015-2017 Capital Budget.

**Oil Transport.** Concluding that a separate policy bill would not be viable this session, the legislature inserted a provision in Ecology's budget setting aside \$300,000 of the state toxics control account for a study of oil shipment through the state. Ecology is charged with assessing public health and safety as well as environmental impacts, providing data and analysis of statewide risks, gaps, and identifying options for increasing public safety and improving spill prevention and response readiness. An update to the governor and the legislature is due December 1, 2014, and the final report is due March 1, 2015.

## **Economic Development**

**CERB Reform. SHB 1260**, the bill that included language to eliminate the median wage requirement for applying for CERB loans and grants, proved to be an "end game" bill this legislative session. On day 59 of

the 60 day session, the House refused to concur with the Senate's amendment that had returned the bill largely to its original agency request form by removing the median wage requirement in its entirety. WPPA staff and several legislators met Wednesday evening to negotiate compromise language that the House would accept. The compromise requires CERB to continue to dedicate 50% of their biennial budget to projects that meet the median wage requirement, but allows the other 50% to go to projects that do not meet the median wage. That striking amendment was adopted by the Senate late Thursday afternoon, 39 – 10, after heavy lobbying against the bill by the Building/Construction Trades Council. The labor group continued to fight hard in the House to convince the House Democrats to vote against the compromise, but it finally passed the House 53 – 44, just a couple hours before the gavel came down ending the session at 11:53 p.m.

**Maritime/Manufacturing Industries Study.** E2SHB 2580, creating a legislative task force on the economic resilience of maritime and manufacturing in Washington state, received approval by the House this week after a very minor amendment that had been added by the Senate. The bill is now awaiting action by the Governor. The task force will be made up entirely of legislators, but they will create a technical advisory group made up of public and private sector stakeholders to provide information to the task force members. The task force must create a work plan by December 1, 2014 and a report with final findings and recommendations by November 1, 2015

**Tourism Promotion.** SHB 2229, creating a process to develop an industry-funded tourism promotion program, passed the legislature last week. This week it was signed by the President of the Senate and Speaker of the House and it is now awaiting action by the Governor.

**Economic Development Budget Items.** The final supplemental operating budget failed to fund the additional FTE's for the CERB program requested by the Department of Commerce. The budget did, however, direct the department to add Sector Lead positions in the areas of tourism, agriculture, wood products, and other natural resource industries, and clean technology and renewable and non-renewable energy. It also directs the Department to evaluate the effectiveness of the Department's international trade service, including comparative data from other states and detail the possible advantages and disadvantages of contracting these services to a non-state entity.

## **Environment**

**State Maritime Heritage Area.** The bill died in the Senate, a victim of a

crowded floor calendar at cutoff. WPPA supported this bill.

**Water Quality Trading Program. HB 2454** passed the legislature and is awaiting the Governor's signature. WPPA supported this bill.

**Invasive Species.** The bill passed the legislature and is awaiting the Governor's signature. WPPA had been neutral on this bill.

## **Governance**

**Public Records Act Budget Proviso.** The final supplemental budget eliminated the proviso that the House had included in earlier versions; it would have provided funding to collect data, study, and enter into mediation to find solutions to the problems of harassing records requests.

**Port District Creation.** The bill to allow for the creation of less-than-county-wide ports districts in counties with no ports was signed by the Governor on Thursday. The bill will go into effect June 11<sup>th</sup>.

**PRA/OPMA Training. ESB 5964** requiring elected officials and records officers to be receive training on the Public Records Act and the Open Public Meetings Act is currently awaiting action by the Governor. If signed by the Governor, it will go into effect on June 11.

**Posting Meeting Agendas on Websites. SHB 2105** requiring public agencies, including Ports, who maintain their own websites and employ more than 10 full time employees, to post their regular meeting agendas on their websites is awaiting action by the Governor. It will also go into effect June 11 if signed into law.

## **Public Works & Labor**

**Prevailing Wages. HB 2527** to link collective bargaining agreements to prevailing wages for public works projects died on the Senate floor calendar at the end of last week, when the Senate did not vote on the bill prior to the 5p cut-off.

**Certified Payrolls. SHB 2331** proposed to require public agencies, including ports, to collect certified payrolls prior to making progress payments on public works projects. It had only been kept alive because of a reference in the proposed House budget and it died because it was not acted upon prior to the legislature adjourning Thursday night.

## Transportation

**FMSIB Funding.** The supplemental Transportation Operating Budget (not to be confused with a new revenue package) passed the legislature and reduced administrative funding for staffing at FMSIB. Essentially, the budget brings FMSIB's staffing levels down to two, from the existing three. This is unfortunate, as there is an increased workload at the moment, but freight interests will need to work next year to bring funding levels back.

**Revenue.** As has been evident for months, no transportation revenue package was ever agreed to. Ironically, the hard choices of how much revenue to raise and what projects to fund were essentially settled. Side issues such as sales tax on projects, stormwater funding and prevailing wage reforms proved insurmountable. Some Senate transportation leaders have suggested a special session after the Fall elections, but we will see about that.

## BILL TRACKING REPORT

Bill	Title	Status	Date	Sponsor
<b>Boating &amp; Marinas</b>				
<a href="#">2SHB 2457</a>	Derelict & abandoned vessels	Del to Gov	03/13/2014	<a href="#">Hansen</a>
<b>Budget</b>				
<a href="#">SHB 2185</a>	Operating sup budget 2014	H Rules R	03/03/2014	<a href="#">Hunter</a>
<a href="#">SHB 2224</a>	Capital sup budget 2013-2015	H Rules C	03/13/2014	<a href="#">Dunshee</a>
<a href="#">SHB 2244</a>	Capital budget/ed resources	H Rules 3C	03/13/2014	<a href="#">Stanford</a>
<a href="#">HB 2252</a>	Bill & budget fiscal impacts	H Approps	01/15/2014	<a href="#">Sullivan</a>
<a href="#">HB 2356</a>	Flood hazard reduction/bonds	H Cap Budget	01/16/2014	<a href="#">DeBolt</a>
<a href="#">SHB 2357</a>	Flood hazard and storm water	H Rules C	02/18/2014	<a href="#">DeBolt</a>
<a href="#">ESHB 2762</a>	Trans sup budget 2013-2015	H Rules 3C	03/13/2014	<a href="#">Clibborn</a>
<a href="#">ESSB 6001</a>	Trans sup budget 2013-2015	Del to Gov	03/13/2014	<a href="#">Eide</a>
<a href="#">ESSB 6002</a>	Operating sup budget 2014	Del to Gov	03/13/2014	<a href="#">Hill</a>
<a href="#">ESSB 6020</a>	Capital sup budget 2013-2015	S Rules 3	03/13/2014	<a href="#">Honeyford</a>
<a href="#">SB 6120</a>	Public works assistance acct	S Ways & Means	01/15/2014	<a href="#">Hobbs</a>
<b>Economic Development</b>				
<a href="#">SHB 1260</a>	Public facilities' grants	Del to Gov	03/13/2014	<a href="#">Warnick</a>
<a href="#">SHB 2229</a>	State tourism marketing prog	Del to Gov	03/11/2014	<a href="#">Morris</a>
<a href="#">HB 2386</a>	Washington's shoreline	H Rules 3C	03/13/2014	<a href="#">Van De Wege</a>
<a href="#">E2SHB 2580</a>	Maritime industry, etc.	Del to Gov	03/13/2014	<a href="#">Tarleton</a>
<a href="#">HB 2685</a>	High-tech R&D tax prefs	H Finance	01/27/2014	<a href="#">Pettigrew</a>
<a href="#">SHB 2693</a>	Aerospace tax preferences	H Finance	02/05/2014	<a href="#">Orcutt</a>
<a href="#">HB 2769</a>	Server equipmnt/data centers	H Finance	02/05/2014	<a href="#">Springer</a>
<a href="#">SSB 5334</a>	Public facilities' grants	S Rules 3	03/13/2014	<a href="#">Hewitt</a>
<a href="#">SB 6045</a>	State agency permitting	S Rules 3	03/13/2014	<a href="#">Brown</a>
<a href="#">2SSB 6096</a>	Industrial/manuf. facilities	S Rules 3	03/13/2014	<a href="#">Pearson</a>
<a href="#">SSB 6267</a>	High-tech R&D tax incentives	S Rules 2	02/11/2014	<a href="#">Hill</a>
<a href="#">ESSB 6430</a>	High-tech R&D tax prefs	S Rules 3	03/13/2014	<a href="#">Liias</a>

<a href="#">SSB 6452</a>	Maintenance repair operators	S Rules 2	02/07/2014	<a href="#">Eide</a>
<a href="#">SSB 6515</a>	State job creation	S Rules 3	03/13/2014	<a href="#">Brown</a>
<a href="#">E2SSB 6518</a>	Innovate Washington	Del to Gov	03/13/2014	<a href="#">Chase</a>
<a href="#">SSB 6545</a>	Aerospace tax preferences	S Rules 2	03/13/2014	<a href="#">Braun</a>
<a href="#">ESB 6550</a>	Server equipmnt/data centers	S Rules 3	03/13/2014	<a href="#">Holmquist Newbry</a>
<a href="#">SCR 8409</a>	High skills high wages plan	S Filed Sec/St	03/12/2014	<a href="#">Bailey</a>

### Environment & Natural Resources

<a href="#">E2SHB 2347</a>	Oil transportation safety	H Rules 3C	03/13/2014	<a href="#">Farrell</a>
<a href="#">HB 2386</a>	Washington's shoreline	H Rules 3C	03/13/2014	<a href="#">Van De Wege</a>
<a href="#">HB 2438</a>	Environmental statutes	H Rules 3C	03/13/2014	<a href="#">Takko</a>
<a href="#">ESHB 2439</a>	Environmental statutes/DOE	H Rules 3C	03/13/2014	<a href="#">Takko</a>
<a href="#">HB 2440</a>	Oil or oils, definition of	H Rules 3C	03/13/2014	<a href="#">Fitzgibbon</a>
<a href="#">SHB 2454</a>	Water quality trading progrm	Del to Gov	03/12/2014	<a href="#">Blake</a>
<a href="#">2SHB 2458</a>	Invasive species	H Rules C	02/18/2014	<a href="#">MacEwen</a>
<a href="#">E2SHB 2569</a>	Diesel emissions pollution	Del to Gov	03/13/2014	<a href="#">Hargrove</a>
<a href="#">SB 6045</a>	State agency permitting	S Rules 3	03/13/2014	<a href="#">Brown</a>
<a href="#">SB 6381</a>	Watershed councils/Puget Sd.	S Ways & Means	02/07/2014	<a href="#">Ranker</a>
<a href="#">ESSB 6450</a>	On-water dwellings	Del to Gov	03/10/2014	<a href="#">Pedersen</a>
<a href="#">SSB 6516</a>	Task force/water supply, etc	S Rules 3	03/13/2014	<a href="#">Honeyford</a>
<a href="#">E2SSB 6524</a>	Hazardous materials	S Rules X	02/25/2014	<a href="#">Ericksen</a>
<a href="#">SSB 6567</a>	Oil spill taxes	S Rules 2	03/13/2014	<a href="#">Tom</a>
<a href="#">SB 6576</a>	Oil spills	S Energy, Enviro	02/27/2014	<a href="#">McCoy</a>

### Governance & Elections

<a href="#">SHB 1413</a>	Voting rights act of 2013	H Rules 3C	03/13/2014	<a href="#">Moscoso</a>
<a href="#">SHB 2105</a>	Govt agency meeting agendas	Del to Gov	03/11/2014	<a href="#">Hawkins</a>
<a href="#">SHB 2121</a>	Public records and meetings	H Rules 3C	03/13/2014	<a href="#">Pollet</a>
<a href="#">HB 2547</a>	Port district creation	Gov signed	03/13/2014	<a href="#">Ormsby</a>
<a href="#">SHB 2593</a>	Local gov treasury practices	H Rules 3C	03/13/2014	<a href="#">Stonier</a>
<a href="#">ESB 5964</a>	Public records and meetings	Del to Gov	03/12/2014	<a href="#">Fain</a>
<a href="#">SB 6059</a>	Scanning public records	S Rules 3	03/13/2014	

### Land Use

<a href="#">ESB 6194</a>	Voluntary planning under GMA	S Rules 3	03/13/2014	<a href="#">Dansel</a>
--------------------------	------------------------------	-----------	------------	------------------------

### Public Works & Labor

<a href="#">SHB 1254</a>	Prevailing wage filings	Del to Gov	03/12/2014	<a href="#">Manweller</a>
<a href="#">HB 2208</a>	Heavy civil construction	Del to Gov	03/11/2014	<a href="#">Haigh</a>
<a href="#">SHB 2331</a>	Public works payroll records	H Rules 3C	03/13/2014	<a href="#">Sells</a>
<a href="#">HB 2527</a>	Prevailing rate of wage	H Rules 3C	03/13/2014	<a href="#">Ormsby</a>
<a href="#">HB 2555</a>	Design-build contracts	Gov signed	03/13/2014	<a href="#">Dunshee</a>
<a href="#">SSB 6110</a>	Retainage bonds/pub conctrcts	S Rules 3	03/13/2014	<a href="#">Ericksen</a>

### Tax

<a href="#">HB 2110</a>	Uniform B&O tax rate	H Finance	01/13/2014	<a href="#">Haler</a>
<a href="#">SHB 2201</a>	State tax preferences	H Rules 3C	03/13/2014	<a href="#">Carlyle</a>
<a href="#">HB 2203</a>	Commercial aircraft tx prefs	H Tech & Econ D	01/13/2014	<a href="#">Orcutt</a>
<a href="#">HB 2469</a>	Hazardous substance tax exem	H Finance	01/17/2014	<a href="#">Lytton</a>
<a href="#">HJR 4215</a>	Local public wrks/tx revenue	H Cap Budget	01/17/2014	<a href="#">Warnick</a>
<a href="#">SB 6230</a>	Voter-approved tax	S Ways & Means	01/17/2014	<a href="#">McAuliffe</a>
<a href="#">SSB 6259</a>	Log transportation/tax	S Rules 3	03/13/2014	<a href="#">Hargrove</a>
<a href="#">SSB 6452</a>	Maintenance repair operators	S Rules 2	02/07/2014	<a href="#">Eide</a>
<a href="#">SSB 6567</a>	Oil spill taxes	S Rules 2	03/13/2014	<a href="#">Tom</a>
<a href="#">SJR 8213</a>	2/3 vote for tax increases	S Failed 3rd	02/05/2014	<a href="#">Roach</a>

### Transportation

<a href="#">HB 2225</a>	Milwaukee Road corridor	Del to Gov	03/11/2014	<a href="#">Manweller</a>
<a href="#">HB 2740</a>	Vehicle loads permit fees	H Trans	01/29/2014	<a href="#">Moeller</a>
<a href="#">ESHB 2762</a>	Trans sup budget 2013-2015	H Rules 3C	03/13/2014	<a href="#">Clibborn</a>
<a href="#">HB 2781</a>	Cascade rail corridor	H Trans	02/07/2014	<a href="#">Moscoso</a>
<a href="#">SB 6051</a>	DOT projects	S Transportation	01/15/2014	<a href="#">O'Ban</a>
<a href="#">SB 6099</a>	DOT activities/funding	S Transportation	01/15/2014	<a href="#">King</a>
<a href="#">SSB 6102</a>	Connecting Washington acct	S Rules 2	03/13/2014	<a href="#">King</a>
<a href="#">SB 6156</a>	Transp. corridor projects	S Transportation	01/16/2014	<a href="#">King</a>

<a href="#">SB 6224</a>	Transp. project delivery	S Transportation	01/17/2014	<a href="#">King</a>
<a href="#">ESSB 6440</a>	Natural gas/fuel taxes	Del to Gov	03/13/2014	<a href="#">King</a>
<a href="#">SB 6473</a>	Railroad crews	S Transportation	01/28/2014	<a href="#">Angel</a>
<a href="#">SB 6577</a>	Transportation revenue	S Transportation	03/03/2014	<a href="#">King</a>
<a href="#">SB 6578</a>	Additive trans. funding	S Transportation	03/03/2014	<a href="#">King</a>
<a href="#">SB 6579</a>	Transportation funding bonds	S Transportation	03/03/2014	<a href="#">King</a>
<a href="#">SJM 8015</a>	Tank rail car safety	S Rules 3	03/13/2014	<a href="#">O'Ban</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.