

the Courthouse Journal

W A C O U N T I E S . O R G

March 13, 2009

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Washington Association of County Officials
Washington State Association of Counties

Update on WACO Legislative Package

by James McMahan, WACO Staff

Each year, the WACO membership produces a 'WACO Legislative Package' comprised of the highest priority legislation among each of the seven WACO affiliates. WACO staff prioritizes their time and attention during the legislative session advocating the contents of the WACO Legislative Package to the Legislature.

As of Thursday, March 12, the WACO Legislative Package stands as follows:

SERVICE TO THE PUBLIC

- **Implement annual revaluation of real property in all counties of Washington by 2014.** **HB 1056** died in the House Finance Committee. **SB 5099** is now **SB 5368**. **SB 5368** is scheduled for a hearing in the House Finance Committee on March 17 at 1:30 PM.
- **Improve ballot title information.** **HB 1057** died in the House State Government Committee and **SB 5098** died in the Senate Government Operations Committee.

SAVINGS IN GOVERNMENT

- **Reduce the number of spring special elections from four to two.** **SB 5016** died on the Senate floor. **HB 1018** is scheduled for a hearing in the Senate Government Operations & Elections Committee on March 16 at 10:00 AM.
- **Remove language requiring Auditors to send a ballot request form or official ballot to inactive voters prior to each election.** **HB 1019** died in the House Rules Committee. **SB 5017** is scheduled for a hearing in the House State Government & Tribal Affairs Committee on March 19 at 8:00 AM.

Counties Have Education Stimulus Package

Five lucky students will receive their own \$3,000 "stimulus package" from the Washington Counties Scholarship Fund early in May.

The awards are available to students who will be enrolled full-time in the 2009/10 school year in a baccalaureate degree, associate degree, or vocational/technical certification program. Eligible students include dependent children of county employees. Use the application attached to this Journal or go to <http://wacounties.org/waco/>.

Applications must be postmarked no later than April 1!

Job announcements & links to County Employment pages at:

<http://wacounties.org/>

the Courthouse Journal

Published weekly (during Legislative Session) and Bi-weekly (other than Session) by the

Washington Association of County Officials

(WACO) wacounties.org/waco

and the Washington State Association of Counties

(WSAC) wacounties.org/wsac

We welcome your suggestions and contributions. The weekly / bi-weekly deadline is noon Wednesdays. Direct inquiries and correspondence to - *The Courthouse Journal*, 206 Tenth Av SE, Olympia, WA 98501

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Tonia Sugarman, County Training Institute (CTI) and L&I Retro Project Manager

- Apply the restriction against unfunded mandates to local governments to non-constitutionally mandated court rules. **SB 5240** died in the Senate Judiciary Committee.
- Expand the court authority to enjoin harassing public records requests. **HB 1316** died in the House State Government Committee.
- Urge members of the Washington State Congressional Delegation and the United States Congress to pass **HR 5698**, the Restoring the Partnership for County Health Care Costs Act of 2008. **HJR 4000** passed the House and has been referred to the Senate Health & Long-Term Care Committee. The Senate Health & Long-Term Care Committee is scheduled to re-refer the bill to the Senate Human Services & Corrections Committee, where it will await a hearing.

BETTER GOVERNMENT

- Safeguard the Local Government Archives Records Account and repeal the authority granted in the State Capital Budget to transfer funds from the Account for support of the Washington State Heritage Center. **HB 1374** passed the House Rules and is awaiting a hearing in the Senate Ways & Means Committee.
- Support the recommendations of the Washington Association of Sheriffs and Police Chiefs (WASPC) to develop possible legislation and policies that will most effectively increase the amount of funding provided to law enforcement for boating safety activities, emphasize the activities related to law enforcement; and increase the overall efficiency of the Boating Safety Program (BSP). **HB 1418** is now **HB 2237**. **HB 2237** died in the House General Government Appropriations Committee. **SB 5691** has passed the Senate and will soon be referred to a committee in the House.
- Amend several statutes that were not revised with the passage of **SB 5732**, Chapter 105, 2007 Laws, which allows county treasurers to receipt property taxes paid before February 15, updates an archaic statute for the use of a "stamp" and amend statutes allowing for refunds of taxes. **HB 1208** passed the House and is awaiting a hearing in the Senate Government Operations & Elections Committee.
- Amend miscellaneous county clerk fees in order to make them consistent with the fee schedule passed by the Legislature in 2005: amend the language in the statute from "paper" to "document" to reflect court business which is transacted electronically; and, clarify statutory authority. **SB 5013** is scheduled for a hearing in the House Judiciary Committee on March 16 at 1:30 PM.
- Limit the responsibility of county clerks in certain actions and appropriately place it with the parties to the action by amending certain statutes: 1) direct the petitioner in an action to dissolve a public utility district to give notice of hearings; and 2) require the state, rather than the clerk, to publish notice of dependencies. **HB 1003** died in the House Judiciary Committee.

Legislative Committee Schedules and Agendas:

<http://www.leg.wa.gov/wsladm/calendar.cfm>

Bill Information: www.leg.wa.gov

REMINDER: WACO Legislative Committee

by James McMahan, WACO Staff

The WACO Legislative Committee meets every week during the legislative session. Unless otherwise announced, the Committee meets by conference call at 9:00 AM each Tuesday. All WACO members are welcome and invited to participate. The Committee reviews recently introduced and active legislation related to any affiliate and considers requests for WACO to take a position or take action on legislation. The Committee also reviews the WACO Legislative Package and provides guidance to the WACO staff in that effort. Each WACO affiliate, time permitting, has an opportunity to review legislative action from their perspective.

The WACO Legislative Committee conference call dial in number is 1 (866) 393-8073. The PIN is *8093393*. Please announce yourself when you arrive on the call.

Cut-Off Dates

by James McMahan, WACO Staff

Cut-off dates are very important dates for those who live in the legislative world. Cut-off dates are administrative deadlines that the Legislature imposes on itself to control the number of bills that flow through the legislative process.

There are seven cut-off dates in each legislative session. To be "alive" today, bills must have passed their chamber of origin (House bills must have passed the House, and Senate bills must have passed the Senate).

The following lists the remaining cut-off dates for the 2009 legislative session:

Monday, March 30: Bills must pass from policy committees in the opposite chamber (House bills must pass the Senate policy committee(s), and Senate bills must pass the House Policy Committees);

Monday, April 6: Bills must pass from fiscal committees in the opposite chamber (House bills must pass the Senate, Transportation, and/or Ways & Means Committee(s), and Senate bills must pass the House Finance, Transportation, Appropriations and/or Ways & Means Committee(s);

Friday, April 17: Bills must pass the opposite chamber (House bills must pass the Senate, and Senate bills must pass the House).

The 2009 Legislative Session ends on Sunday, April 26.

Bill Count

by James McMahan, WACO Staff

As of Thursday, March 12, there have been 2,514 bills introduced in the 60 days the 2009 Legislature has been in session. Of those, 1,349 are House bills and 1,165 are Senate bills.

House members are introducing bills at a rate of more than 13 bills per Representative (there are 98 members in the House of Representatives). Senators are introducing bills at a rate of more than 23 bills per Senator (there are only 49 Senators in the Senate).

Of the 2,514 bills introduced this session, 11 have passed the Legislature.

NACo WIR Conference Coming to Chelan County in May, 2011

NACo's Western Interstate Region Board of Directors has selected Chelan County to host the 2011 WIR Annual Conference in Wenatchee, Washington, in May 2011.

NACo's Western Interstate Region Conference generally focuses on public lands and other issues critical to the western region of the United States. It provides county officials with the opportunity to hear speakers, discuss legislation, and network with other officials to exchange information on those issues.

The 2011 WIR Conference proposal was prepared last fall by Chelan County, the Wenatchee Valley Visitors Bureau, and WSAC. Chelan County Commissioner Ron Walter, and member of the WIR Board of Directors, addressed the WIR Board of Directors about bringing the WIR Annual Conference to Chelan County and Wenatchee. He noted the great conference venue, the great recreation opportunities, excellent May weather and the abundance of educational tour opportunities in agriculture, forest, water, public lands and other issues important to Western Counties.

The 2009 WIR Annual Conference is May 20-22 in Pendleton, Oregon. For more information and registration please visit: http://www.naco.org/Template.cfm?Section=WIR_New&Template=/TaggedPage/TaggedPageDisplay.cfm&TPLID=86&ContentID=21414

WACO and WSAC Members attend Annual NACo Legislative Conference

Nearly 30 WSAC and WACO members joined other County Elected Officials from around the United States at the National Association of Counties' (NACo) Annual Legislative Conference in Washington D.C.

Washington State members participated in Steering Committee Meetings, met with members of the Washington State Delegation, met with members of the new administration and discussed pressing issues facing Washington State's 39 counties. NACo's theme, Restore the Partnership, continues to stress the importance of re-establishing a strong federal-county partnership in delivering services to our nation's communities.

Several of the new Administration's leaders spoke on a number of the goals for the new administration. Here are a few highlights:

Valerie Jarrett, White House Senior Advisor to the President for Intergovernmental Relations

Jarrett is serving in a key intergovernmental position at the White House, which NACo officials hope to build a close working relationship with on behalf of counties. During the Opening General Session on Monday, March 9, she related her longstanding ties to NACo legislative affairs staff and her enthusiasm for her new job working with local governments. "I feel like I'm home again."

Chief White House Correspondent Chuck Todd, NBC News

At the opening general session March 9, Chuck Todd passed along his observations about the new political climate in Washington. He said it is easy to do President Barack Obama's job when times are good, but the real test comes in handling moments of crisis. In his first 50 days in office, Obama has tackled several major issues, prompting some to ask if the new administration is trying to do too much. "The political reality says that 70 percent of a president's political accomplishments happen in the first year," said Todd. "I would say it's in the first nine months. For the rest of their four or eight years they are in reactive mode. During the first nine months, you get to push what you want." He said Rahm Emmanuel, White House Chief of Staff, had the right strategy in focusing on several issues at once, instead of just one. He brought up Hillary Clinton's attempt at health care reform as an example of how an issue can be shot down if opponents have time to unite and rail against it. By presenting three or four issues at once, he said it is tougher for opponents to nail a single issue down and defeat it.

Secretary Shaun Donovan, U.S. Department of Housing and Urban Development

Donovan promised HUD would be a new partner with counties. "You have my commitment to a new HUD as a new partner." He urged counties to be sure that the new money in the stimulus package is spent quickly and wisely. In the long-term, we must not only look at home ownership, but must also make rental housing a real viable alternative. To help build sustainable communities we must be working looking longer term. Secretary Donovan also lauded the work of

King County Executive Ron Sims who he looked forward to working with upon his confirmation as Deputy Undersecretary for HUD. Donovan spoke during Tuesday's General Session on March 10.

Secretary Ken Salazar, U.S. Department of Interior

Announced full funding for Payment in Lieu of Taxes (PILT), a decision that would not have happened without the help of NACo. "One of the big achievements in the early days of the Obama administration is that he has signed a bill that says Payment in Lieu of Taxes is not subject to appropriation," said Salazar. "You will get full payment at least until the year 2012." The Department of the Interior has been pigeonholed for far too long as the department of the West, or the department that can only pass out leases for oil, gas and coal production, he said. He said that while all of this is important, the department is for all of America. He outlined five priorities the department will focus on under the Obama Administration: energy, global warming, youth involvement in conservation corps, Native American communities, and water issues. Salazar spoke during Tuesday's General Session on March 10. Mason County Commissioner and WSAC President, **Lynda Ring Erickson**, who also serves as Vice Chair of the NACo Public Lands Steering Committee participated in a brief private meeting with Secretary Salazar.

Secretary Janet Napolitano, U.S. Department of Homeland Security

Napolitano spoke to county officials during the members' luncheon March 11 about the U.S. Department of Homeland Security and its goals for the next year. She touched on three issues the department will be focusing on: FEMA, grants and the economy/budgetary issues. "FEMA is not the first responders to a crisis. Counties are," said Napolitano. "We have to get people out of that mindset." Using the example of the Kentucky ice storm this past winter, Napolitano said that with the help of counties and close integration, the governmental perception of FEMA can move forward in a positive light. With budgetary concerns and the economy, Napolitano stated that people know how bad off the current state of the economy is but that working together is the only way to avoid major budgetary issues and limit the number of constraints. "My job as secretary is to keep things moving forward and to work closely with counties. That is our mission and that is our job," said Napolitano.

Secretary Steven Chu, U.S. Department of Energy

The American Recovery and Reinvestment Act includes \$3 billion to promote state and local initiatives through the U.S. Department of Energy's (DOE) Energy Efficiency and Conservation Block Grant program, Energy Secretary Steven Chu told a General Session audience on March 10. To receive funding, counties with more than 200,000 residents can apply for certain grants directly to DOE. Smaller counties will be eligible to receive funding through their states, and all counties can vie for \$400 million in competitive funds directly from DOE, he added. For more information, visit www.doe.org/recovery. The money will support home energy audits, weatherization programs and energy-efficiency retrofits — such as making traffic lights and street lights more energy efficient. "It's going to be a new day in Washington for the Department of Energy," Chu said, "and we want to be a ready and willing, customer-friendly partner." He said President Obama has set a goal of doubling the federal investment in the sciences. Chu said his agency also is broadly reorganizing its procedures for granting direct loans, loan guarantees and funding.

Here are current WSAC, WACO and other Washington State County officials on NACo Steering Committees and Boards:

Leo Bowman

Commissioner
Benton County, WA
Vice Chair, Transportation Steering Committee
Member, NACo Board of Directors

Ron Walter

Commissioner, Chair
Chelan County, WA
Member, Public Lands Steering Committee
Member, WIR Board of Directors

Michael C. Chapman (Mike)

Commissioner
Clallam County, WA
Member, Justice and Public Safety Steering Committee

Doug Lasher
County Treasurer
Clark County, WA
Member, Finance and Intergovernmental Affairs Steering Committee

Jim Colvin
Mental Health Administrator
Douglas County, WA
Member, Health Steering Committee

Mary Hunt
Commissioner
Douglas County, WA
Subcommittee Vice Chair, Agriculture and Rural Affairs Steering Committee
Member, NACo Board of Directors

Fred Bowen
County Administrator
Franklin County, WA
Member, Transportation Steering Committee

Robert E. Koch (Bob)
Commissioner
Franklin County, WA
Member, Agriculture and Rural Affairs Steering Committee

Rick Miller
Commissioner
Franklin County, WA
Member, Justice and Public Safety Steering Committee

John Austin
Commissioner
Jefferson County, WA
Member, Public Lands Steering Committee

Kathy Lambert
Councilmember
King County, WA
Member, Justice and Public Safety Steering Committee

Julia Patterson
Councilmember
King County, WA
Member, Public Lands Steering Committee

Joshua Brown (Josh)
Commissioner
Kitsap County, WA
Member, Transportation Steering Committee

Phyllis Mann
Director, Emergency Management
Kitsap County, WA
Member, Justice and Public Safety Steering Committee

Ross Gallagher
Commissioner
Mason County, WA
Member, Finance and Intergovernmental Affairs Steering Committee

Lynda Ring Erickson (Linda)
Commissioner, President
Mason County, WA
Vice Chair, Public Lands Steering Committee

Don R. Hover (Bud)
Commissioner
Okanogan County, WA
Member, Public Lands Steering Committee

Kenneth A. Dahlstedt (Ken)
Commissioner, Chairman
Skagit County, WA
Subcommittee Chair, Agriculture and Rural Affairs Steering Committee

Ron Wesen
Commissioner
Skagit County, WA
Member, Environment, Energy and Land Use Steering Committee

Paul J. Pearce
Commissioner, Chairman
Skamania County, WA
Member, Public Lands Steering Committee

Mike Cooper

Councilmember
Snohomish County, WA
Member, Public Lands Steering Committee

John Koster

Councilmember
Snohomish County, WA
Member, Agriculture and Rural Affairs Steering Committee
Member, NACo Board of Directors
Member, WIR Board of Directors

Kirke Sievers

Treasurer
Snohomish County, WA
Member, Finance and Intergovernmental Affairs Steering Committee

Dave Somers

Councilmember, Chair
Snohomish County, WA
Subcommittee Vice Chair, Environment, Energy and Land Use Steering Committee

Merrill J. Ott

Commissioner, Vice President
Stevens County, WA
Member, Public Lands Steering Committee

Dewey Desler

Deputy County Administrator
Whatcom County, WA
Member, Health Steering Committee

Seth Fleetwood

Councilmember
Whatcom County, WA
Member, Environment, Energy and Land Use Steering Committee

Pete Kremen

County Executive
Whatcom County, WA
Member, Agriculture and Rural Affairs Steering Committee

Steven Hill (Steve)

Community Services, Senior Director
Yakima County, WA
Member, Health Steering Committee

Budget, Finance and Taxes

The Seventh Inning Stretch Will Bills

by Robert Carlton, WACO Staff

So where are the bills at? We've reached the point in session where another cut-off date has been met. Bills had to be voted out of the house of origin, or they were dead for this session.

So, now's the time to stand up, stretch and go for a hot dog while they play music over the speakers and the lines at the restroom are long. The teams in play are still trying to stay loose, limber and alert for the final three innings.

SSB 5368, Annual Revaluation Bill, is alive and prepared with some minor wording changes to make it more palatable to all the parties and stakeholders. Strong support for this measure appeared in the Senate, and we hope for a like showing in the House. It has been a long and winding road for this concept that has stretched over four years from concept to actual bill language. This bill is scheduled for a House hearing in House Finance Tuesday, March 17 at 1:30 P.M.

SSB 5424, Interest Rate Reductions for Current Use Removals, also passed out of the Senate with an even stronger show of support of a 48-0 vote. When the Current Use Statutes were adopted in the very late 60's, generally interest rates during that period were very high, and so it was felt that 12% per annum was probably in the ballpark for removals. Fast forward almost 40 years, and things have changed dramatically on the interest rate side, but we have done nothing in the Current Use Statutes to update them. **SSB 5424** corrects that deficiency. There was always concern from landowners when they signed up and realized that upon a removal from Current Use they would face 12% annual interest. What

many did not realize was that was **compounded interest**, which at the seventh year amounted to 84% interest. This bill corrects that, lowers the rate, and makes it simple interest.

EHB 1815 enhances the ability to apply for Current Use status for the 5-20 acre parcels. This bill would allow an application for Current Use status to be submitted and approved, as long as the property in question *“has standing crops with an expectation of harvest within seven years”* or in the case of a longer term, *“has a standing crop of short rotation hardwoods with an expectation of harvest within fifteen years”*; and *“a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year.”* What some may not realize is that this will actually make it more difficult for some owners to apply. People who have to appraise these properties for Current Use would rather have maintained the income requirement, but in the case of short rotation hardwoods, this was simply not practical.

On the shorter term up to seven years, Assessors would have been much more comfortable if the specific crops had been named, such as Christmas Trees, Asparagus, grapes or fruit trees. The apparent trade off is that now every acre that is to be applied for must have the growing crop established, viable and in place. In the past, Assessors could utilize some latitude and work with the landowner who was trying to bring acres into production on a phase in basis. This now appears to preclude that. This bill passed 95-0 in the House.

SHB 1733, Equine Uses applicable for Current Use, also passed the House 95-0. This bill attempts to clarify that *“Any land that is used primarily for equestrian related activities for which a charge is made, including, but not limited to, stabling, training, riding, clinics, schooling, shows, or grazing for feed and that otherwise meet the requirements”* for Current Use status. This bill effectively removes the requirement of feeding and breeding livestock to be eligible. It will be interesting if this bill passes to see the type and class of properties that may be approved. This bill also represents a clear departure from the requirement that a product of *“food or fiber”* be produced. Now we will be allowing a *“service”* that is provided to gauge eligibility. There are others that may feel that their activity is just as important as the Equine uses listed above. When taken in the context that exemption and deferrals were to be narrowly construed, this bill also appears to be a definite departure from that standard also.

SSB 5179, Government restrictions to property, also passed off of the Senate floor on a 46-2 vote. Condensed version is *“(1)The determination of the public official charged with the duty of establishing such value must reflect any reduction from a government restriction in RCW 84.40.030(1) ordered by any court or appellate body which is not reversed on subsequent appeal. And (2) The presumptions under this section are not a defense against any correction indicated by clear, cogent, and convincing evidence.”*

In other words court decisions would rule, but only on those properties affected by that decision. And, the roles would now be reversed, with the appraisal staff having to overcome the court ruling by *“clear, cogent and convincing”* evidence, thus throwing out the presumption of correctness.

Despite numerous letters from attorneys, and past news reports that it is not a good idea to change this standard, this bill persists. If this bill were to be successful, the effect would be to trash current case law and have to start over building 60 or so years of case law that has been long established and accepted. I wonder at whose expense this would come at? On the face it would apparently be creating a separate class of property, which could violate our constitution. Secondly, it appears to conflict dramatically with RCW 84.40.030 which mandates that all property be valued at its true and fair value as of January 1, each year.

It will be interesting to hear the explanation of the valuation and defense of two identical side by side properties, one with a government restriction so ordered by the court and one without that will have to be promulgated for this bill to pass muster on all levels.

Time to get back to the ball game; the pitcher is on the mound.

Courts, Public Safety, Law & Justice

Clerks' Fee Bill up in House Judiciary

SB 5013, the county clerks' fee bill, will be heard in the House Judiciary Committee on Monday, March 16, at 1:30 p.m. There are ongoing discussions between the clerks, the State Bar, and the Board for Judicial Administration regarding ex-parte fees and a fee for filing creditors' claims. **SB 5013** will also change "paper" to "document" and make minor adjustments to other fees. District court has a fee bill as well, **SB 5277**, but the only opposition to it has been from the Collectors' Association.

Elections, Licensing & Recordings

Recording and Elections

HB 2166, a \$12 surcharge on auditors' recordings to fund affordable housing, was returned to the House Rules Committee for second reading on March 12, which may indicate its demise. **HB 1934**, a bill to tack an optional \$20 on recordings, died earlier in the session.

Archives Bill Moves to the Senate

HB 1374, the local government archives account, moved to the Senate and has been referred to Ways and Means. **HB 1374** would restore \$4 million to the account that was appropriated to the Heritage Center Account and also repeal the authority of the Heritage Center to tap the account whenever it experienced a shortfall. If the bill fails, the Digital Archives in Cheney and the local government grants program are at risk, to say nothing of the Local Government Archives itself. WACO members have worked diligently for the support of the Archives since 1993. County officials are urged to contact Senator Margarita Prentice, the Chair of Ways and Means, and all their senators to ask that the bill be heard and passed!

Environment, Land Use & Resources

Department of Ecology Accepts Public Comments on Proposed Wetland Mitigation Banking Rule

Rule language is now available for public comment on Wetland Mitigation Banks, chapter 173-700 WAC

Ecology is proposing to adopt a new rule for wetland mitigation banks. The purpose of the proposed rule is to provide an efficient, predictable framework to certify, operate and monitor wetland mitigation banks across the state. The proposal notice will be published in the Washington State Register on March 18, 2009. **Ecology is taking public comments on the proposed rule until 5:00 pm on April 23, 2009.**

Ecology has issued a Draft Environmental Impact Statement under the State Environmental Policy Act, a Small Business Economic Impact Statement, and a preliminary cost-benefit analysis. Ecology is also taking public comments on these documents. A copy of all rule documents including rule text can be viewed at: <http://www.ecy.wa.gov/laws-rules/activity/wac173700.html>.

Public workshop and hearing schedule, April 8, 2009 - Spokane, WA

Workshops: 2:00 pm and 6:00 pm. Hearings: 3:00 pm and 7:00 pm
Department of Ecology, Eastern Regional Office
N. 4601 Monroe, 1st floor large conference room

April 9, 2009 - Lacey, WA

Workshop: 6:00 pm. Hearing: 7:00 pm
Department of Ecology, Headquarters
300 Desmond Dr SE, R0A-32 and R0A-34

April 15, 2009 - Mt. Vernon, WA

Workshops: 2:00 pm and 6:00 pm. Hearings: 3:00 pm and 7:00 pm
Skagit Station
105 E. Kincaid, Community Room

April 16, 2009 - Seattle, WA (Must bring photo ID for check-in)

Workshops: 2:00 pm and 6:00 pm. Hearings: 3:00 pm and 7:00 pm
US Army Corps of Engineers, Seattle District
4735 E Marginal Way S, Galaxy Room

How to submit your comments

Comment period ends April 23, 2009. Comments on all documents must be received by 5:00 pm on April 23, 2009. You can give us your official comments in any of the following ways:

- Testify at a public hearing.
- Visit our website and submit comments electronically at:
<http://www.ecy.wa.gov/programs/sea/wetlands/mitigation/rule>
- Email your comments to: yhol461@ecy.wa.gov
- Mail comments to: Department of Ecology, Attn: Yolanda Holder, Shorelands and Environmental Assistance Program, PO Box 47600, Olympia, WA 98504-7600

Ecology's response to your comments

All of the comments we receive will become part of the official record (Concise Explanatory Statement). The Concise Explanatory Statement is required by the Administrative Procedure Act (RCW 34.05) and is published after the rule is adopted. You will be able to find your name listed in the document with a reference to where, in the document, Ecology responded to your comments.

Expected adoption date

Ecology expects to adopt this rule by July 31, 2009.

Public workshops

Ecology will conduct a public workshop one hour prior to each hearing. The workshop will begin with a short presentation on the banking rule and finish with an opportunity for the public to ask questions. Informational materials will be available to read or take home.

More information on wetland mitigation banking

The goals of the proposed rule:

- Provide timely review of wetland mitigation bank proposals,
- Establish coordination among state, local, tribal, and federal agencies involved in certifying wetland mitigation banks,
- Ensure consistency with existing federal mitigation rules, and
- Encourage bank sponsors to locate and design wetland mitigation banks to provide the greatest ecological benefits.

Wetland mitigation banking website

<http://www.ecy.wa.gov/programs/sea/wetlands/mitigation/banking/index.html>

For a printer-friendly version of the schedule and rule information:

<http://www.ecy.wa.gov/pubs/0906011.pdf>

Sign-up for E-mail updates on wetland mitigation banking

To stay informed about the banking program, join the wetland banking listserv:

<http://listserv.wa.gov/cgi-bin/wa?A0=WETLAND-MITIGATION-BANKING>.

Contact information: Yolanda Holder, 360-407-7186, yhol461@ecy.wa.gov

General Government Issues

County Seats

Two bills that would allow county officials to maintain offices outside the county seat have been set for hearing in the opposite houses respectively. **HB 1369** will be heard in Senate Government Operations on March 19 and **SB 5233** will be heard on March 16 in the House Local Government Committee.

Transportation & Public Works

Gov. Gregoire Announces Selection of Local Projects Receiving Federal Stimulus Funding

OLYMPIA – Gov. Chris Gregoire today announced a list of city and county transportation projects designated to receive federal funding under the American Recovery and Reinvestment Act, signed by President Barack Obama in February. The selection endorses these projects as having met the federal requirements to receive federal recovery funds.

“I’m very pleased that Washington is wasting no time getting this federal money to work,” Gregoire said. “We have to get these construction projects off the ground quickly to create jobs and help rebuild long-neglected roads, bridges and sewers in our cities.”

The project list comprises 147 projects worth \$152 million with the potential to support nearly 1,500 jobs. These projects were requested for consideration from cities, counties, ports and tribes throughout Washington.

“We’re pleased to move forward a wide variety of projects aimed at significantly improving the quality and longevity of Washington’s transportation system,” said Transportation Investment Board Director Steve Gorcester. “This construction work on streets, sidewalks and trails will improve safety, mobility and economic vitality from border to border.”

Regional planning organizations, cities, counties, ports and transit agencies have been working since November on developing a list of “shovel ready” projects for consideration to receive economic recovery funds. All projects receiving funding have been put through a screening process to make sure they meet the criteria and will be ready to receive federal funds within the next three months.

Larger regional transportation management areas (Puget Sound, Spokane and Vancouver) selected 43 projects totaling \$97.5 million. For the remaining local ARRA funds, other jurisdictions used their metropolitan planning organizations and county lead agencies to recommend projects to a new Local Oversight and Accountability Panel. The panel is chaired by the director of Washington’s Transportation Improvement Board, with representatives from the Association of Washington Cities, Washington Association of Counties, Tribal Transportation Planning Organization, Washington Public Ports Association and Washington State Department of Transportation.

Once the project list is certified by Gregoire later this month, WSDOT will provide management and public accountability for the projects that receive funding.

A list of local projects is available on WSDOT's Web site, <http://wsdot.wa.gov/funding/stimulus> <<http://wsdot.wa.gov/funding/stimulus>> .

Courthouse Ramblings

Asotin County Assessor **Anthony Rogers** announced his retirement on effective March 10 due to medical complications. Anthony had been on medical leave prior to his resignation with complications from back surgeries from several years ago. He was first elected in 1996, but since 2001 has endured back surgery, hip replacements, a heart attack and most recently, open heart surgery. WACO wishes Anthony a long, healthy, happy retirement and lots of time to spend with his son Nick and wife Tiffany.

Training & Upcoming Events

Washington Counties – [wacounties.org/Calendar of Events](http://wacounties.org/Calendar%20of%20Events)
County Training Institute – www.countytraininginstitute.org

Risk Pool Offers Training

Washington Counties Risk Pool is offering “*Legal Concepts Training: Risk and Roads Workshop*” on Tuesday, April 14 in Tacoma and Wednesday, April 22 in Moses Lake. The workshop will begin at 9:00 a.m. and end at 12:30 p.m. and will address:

- Standards of Liability for Road Design and Maintenance Claims
- Joint and Several Liability – What this means for Defense Claims
- Good and Bad Maintenance Policies
- Increasing Vigilance without doing more work
- The Importance of Basic Accident Investigation

Employees of counties that are members of the Washington Counties Risk Pool may attend this training free of charge. Public employees with organizations that are not members of the Washington Counties Risk Pool may attend this training at a cost of \$50. Dale Kamerrer of Law, Lyman, Kamerrer and Bogdanovich will be the presenter. CLE credits will be awarded.

Register on-line by clicking on www.wcrp.info and selecting TRAINING. Please contact Jill Lowe, Washington Counties Risk Pool should you have any questions. jill@wcrp.wa.gov or 360-292-4492.

2009 Recovery Act Funding Application for the Victims of Crime Act (VOCA) & STOP Violence Against Women Act (VAWA) Now Available

Applications Must Be Received By: **Thursday, April 16, 2009**

Opportunities to Ask Questions: OCVA has scheduled the following teleconferences to answer questions about the Recovery Act Application and Process.

Thursday, March 12, 2009 1:00 – 2:30 pm - If you would like to participate, call 360/407-3780, Pin Code 373105#; and

Thursday, April 2, 2009 1:00 – 2:30pm - If you would like to participate, call 360/407-3780, Pin Code 373105#.

Any additional questions? OCVA 866/857-9889

Additional Points of Contact:

VOCA domestic violence

Susan Hannibal - hsus300@dshs.wa.gov

VOCA sexual assault

Stephanie Condon - stephaniec@cted.wa.gov

VOCA crime victim service center

Grace Call - gracec@cted.wa.gov

STOP VAWA

Pearl Gipson-Collier - pearlg@cted.wa.gov

Return Completed Applications By April 16, 2009 To: Pearl Gipson-Collier, Associate Director, Office of Crime Victims Advocacy, Post Office Box 48304, Olympia, WA 98504-8304 (mailing) or 906 Columbia Street SW, Olympia, WA 98501 (delivery)

Good Things

Franklin Coroner Shows Teens How to 'Beat the Reaper'

by Joe Chapman, staff writer, *TriCity Herald*, Monday, March 9, 2009

Four prescription painkillers and a half bottle of wine were all it took.

Stephen Pheasant, 15, of Benton City, ingested the concoction one night early last year, and he never woke up. His death was a shock to his friends and family, but most of all, it was an outcome he didn't see coming.

"He just was spending the night at a friend's house," his mother, Rikka Pheasant, recalled. "I talked to him at 10:15. ... He said they were sitting there playing video games."

His story is one of several real-life examples included in a new interactive computer CD intended to help young people anticipate the disastrous consequences of choices they're often confronted with.

Franklin County Coroner Dan Blasdel spent nine years working on the CD, *Beat the Reaper*. In that time, he found partners such as the Benton Franklin Substance Abuse Coalition and Imageworks, a media production company in Pasco, to help raise money and design and produce the CD.

The mission was a natural fit for Blasdel, who said he has a responsibility to educate people.

"One of the reasons that this is so close to my heart," he said, "is because I've had to go out to families' homes and knock on their door at 3 o'clock in the morning and tell them their child has been killed in a fatality accident and that it was alcohol related."

Blasdel has plenty of training and experience for the job, but it's still one he wishes didn't have to be done.

"I would much rather sit in the office and not have to go out on calls," he said.

Beat the Reaper is designed to help teenagers make good decisions and avoid being the coroner's next call.

In addition to depicting real-life tragedies like Pheasant's, the CD lets users take part in stories by making decisions for characters in scenes. They'll start off in seemingly harmless situations such as planning an evening's fun or spending the night while the parents are gone.

As the scenes progress, the characters are confronted with choices such as whether to go to a party, whether to have a drink with friends, whether to go on a beer run and so on.

The bad decisions lead to trouble, and the CD makes a point to show the user the entire range of consequences. They can be obviously disastrous, such as the death or jailing of a friend or the main character, but they also can be more subtle, such as loss of a driver's license or scholarship and feelings of shame and embarrassment.

At several points in the CD, users of the program see their names etched on a tombstone.

The good decisions, on the other hand, lead to positive outcomes such as getting to go to homecoming and prom, receiving a new car from parents, and living long enough to eventually get married and have a career.

The CD isn't an opportunity for teens who use it to try to outsmart the program and avoid the bad consequences, but rather, it lets them try a variety of scenarios to see the different ways a situation can go downhill. The CD's creators expect it to be effective on a number of levels.

Because it's a computer CD, teens can use it in a place where they'll feel comfortable, such as their own homes and bedrooms, said Peggy Haecker, executive director of the substance abuse coalition. And it provides a way for them and their parents to discuss sensitive topics.

"How many parents talk to their sons about pregnancy?" Haecker said.

It's not that teenagers don't understand that bad things can happen, but they just don't think it'll happen to them, she said. "It actually lets them live the experience and takes them on a path to find out where that leads," she said. "Then they can go back and relive it instead of having the consequences ruin their lives or other lives."

The CD also includes an "In Jeopardy" quiz game and contact information for crisis assistance resources.

So far, Blasdel and his partners have put about \$100,000 into the project. They accepted donations and grants from church groups, civic clubs and foundations. No county money was used.

Last week, the first 2,500 packaged CDs arrived, and 5,000 more are on the way. To receive free *Beat the Reaper* CDs, call Blasdel at 546-5885 or the Substance Abuse Coalition at 783-3180.

Rikka Pheasant for the first time on Friday watched the CD, which includes a testimonial from her about her son's death.

"These pills are not a joke. The alcohol's not a joke. It's serious," she says in the clip. "If it's something that doesn't agree with you, you're not going to be going home to your mom the next day."

"I don't want a parent to go through what I'm going through. It's the hardest thing to live day by day without your child. One choice is all it takes."

Attachments

Welcome to the U.S. Communities Purchasing & Finance Agency

(U.S. Communities) website <http://www.uscommunities.org/>

The Association of School Business Officials International (ASBO), the National Association of Counties (NACo), the National Institute of Governmental Purchasing (NIGP), the National League of Cities (NLC), and the United States Conference of Mayors (USCM), jointly sponsor the

U.S. Communities Government Purchasing Alliance (U.S. Communities)

Designed in cooperation with an Advisory Board of local government purchasing officials, U.S. Communities pools the purchasing power of public agencies, achieves bulk volume discounts on behalf of public agencies, competitively solicits quality products through a lead public agency and provides a purchasing forum for public agencies nationwide.

You can obtain information on how to contact all U.S. Communities suppliers by telephoning (866) 472-7467 or by sending an email to info@uscommunities.org

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Ray Burnett,
Commissioner of Purchases and Supplies
Kansas City, MO.

WASHINGTON COUNTIES SCHOLARSHIP FUND

TO: Applying Student

RE: The Washington Counties Scholarship Application
Five \$3,000 Washington Counties Scholarships

To be considered, you must submit the following:

- *A signed and completed scholarship application.*
- *A **separate** sheet listing activities, honors and awards.*
- *Two letters of recommendation which must be signed.*
- *A personal statement (limit 300 words).*
- *A sealed transcript of your most recent grades.*
- *NO PICTURES, PLEASE.*

Completed applications must be **postmarked no later than Wednesday, April 1, 2009**. Awards will be made **in early May of 2009 for the 2009/10 school year**.

Send your completed application to:

**The Washington Counties Scholarship Fund
206 Tenth Avenue SE
Olympia WA 98501-1311**

Good Luck!

WASHINGTON COUNTIES SCHOLARSHIP FUND

2009/10 Scholarship Application

Five scholarships in the amount of \$3,000 each will be awarded to eligible children of county employees and elected officials by the Washington Counties Scholarship Fund on behalf of the members of the Washington Association of County Officials (WACO) and the Washington State Association of Counties (WSAC). Recipients must be full-time students in a baccalaureate degree, associate degree, or vocational/technical certification program. Eligible students are defined on the reverse side of this form.

I. Please type or print clearly:

Name: _____

Current Address: _____ E-mail: _____

Phone: _____

Permanent Address: _____

Phone: _____

County of Residence: _____ Birthdate: _____

High School Attended: _____ Cumulative GPA: _____

College most recently attended (if applicable): _____ Cumulative GPA: _____

Year in school for 2009/10: Freshman Sophomore Junior Senior Certification

Names of Parents: _____

Name of Parent(s) employed by County: _____

County where Parent is employed: _____

Department: _____ Work phone: _____

2. Please list the following on a separate sheet:

- School and Community Activities/Involvement (include dates)
- Honors and Awards (include dates)

3. To complete your scholarship application, you must submit **two** letters of recommendation which must be signed; a personal statement discussing your academic goals and expectations (limit 300 words); and a **sealed** transcript from the high school or college you are currently attending. The packet must be postmarked and mailed no later than Wednesday, April 1, 2009. We suggest that you submit the required materials as a group. If letters or recommendations arrive separately, it is your responsibility to ensure that they are received by the deadline. If the packet is incomplete by this deadline you will be eliminated from consideration. Letters of recommendation should be from individuals who are particularly aware and supportive of your academic and leadership capabilities as well as your accomplishments to date and must be signed. Your overall score will be lower if all portions of the application are not complete. The highest number of points is assigned to your personal statement; you should compose it with this in mind. ***NO PICTURES, PLEASE.*** Forward your materials to the Washington Counties Scholarship Fund c/o Washington Counties Building, 206 10th Ave SE, Olympia, WA 98501. Please note that applications will not be retained nor returned by the Committee.

Student's Signature

Date

DEFINITIONS

Eligible Applicants are "children of county employees (including children of all elected officials) who are full-time students in a baccalaureate degree, associate degree, or vocational/technical certification program." (*Bylaws of the Washington Counties Scholarship Fund, Article II, Section 1.*)

"Eligible Children...DOES NOT INCLUDE children of the following:

- a. Washington State Association of Counties (WSAC) Executive Committee;
- b. Washington Association of County Officials (WACO) Executive Officers and most recent Past President.
- c. Members of the Scholarship Fund Investment Committee and Selection Committee.
- d. Substantial Contributors, defined as being a member contributing \$1,000 or more in a consecutive two (2) year period.
- e. Other disqualifying individuals as defined by the IRS Code." (*BYLAWS OF THE WASHINGTON COUNTIES SCHOLARSHIP FUND, Article II, Section 5.*)

Full-Time Student is defined according to the criteria for "full-time" as defined by the institution being attended. **Children** as defined by the IRS are "dependent" and does not include emancipated children, spouses, or grandchildren of county employees.

2009/10 SCHOLARSHIP APPLICATION EVALUATION POINTS

*Category	Possible Points
Honors, awards, leadership	15
Personal statement	25
Personal initiative and family	10
Community and/or school involvement	15
Recommendations	<u>10</u>
	75

* These are guidelines only...

Grade point average is not always a deciding factor