

WEEK 1 REPORT ON 2022 SESSION OF THE LEGISLATURE & WEEK 2 HEARINGS
For WRPA President, Executive Board, Executive Director, Legislative Committee

Doug Levy – 1/17/2022

“Great Outdoors Day” (Thursday, Jan. 20) coming up and last pre-Great Outdoors Day Legislative Webinar is 2 p.m. Tuesday!

A last reminder that if you have not already registered for this year’s virtual “Great Outdoors Day” co-sponsored by WRPA and our friends with the Washington Wildlife & Recreation Coalition (WWRC), please consider doing so! Registration slots may be tight but give it a look-see 😊 On Tuesday afternoon, we are also putting on the third and last of our Legislative Webinars where you can hear from Members on some of our key issues. The 2 pm. Webinar will feature local parks funding options prime sponsor Emily Wicks (D-Everett/38th Dist.), Senate Capital Budget lead David Frockt (D-Seattle/46th Dist.), and the Senate’s No. 2 Capital negotiator, Sen. Mark Mullet (D-Issaquah/5th Dist.). Here’s the WRPA page link that will enable you to RSVP and receive a Zoom link to these events: [All Upcoming WRPA Events \(wrpatoday.org\)](https://www.wrpatoday.org)

Against a backdrop of rising (*and omicron-driven*) COVID-19 cases, legislators began a second consecutive mostly virtual Session with a flurry of public hearings on Day 1 and the usual “State of the State” address from Governor Inslee on Day 2.

The Governor issued a call to action in addressing affordable housing, combating climate change, and more. A link to his 11-page speech is here: [2022 StateoftheState Final.pdf \(wa.gov\)](https://www.wa.gov)

As is customary, the opposition party also gets an opportunity to lay out its own ‘State of the State’ perspectives. Sen. Chris Gildon (R-Puyallup/25th Dist.) did so for Republicans. A YouTube video of that is here: [VIDEO: LEGISLATIVE REPUBLICAN PERSPECTIVE - Chris Gildon \(wastateleg.org\)](https://www.wastateleg.org)

Next to the competing visions for the state, we saw bills in many of the subject areas that lawmakers indicated they would focus on during the “short” 60-day Session: affordable housing and homelessness; climate change and salmon recovery; the “missing middle” challenge; and more. It is clear, as well, that two bills to grant delays and exemptions to the state’s long-term care trust program – **House Bill 1732** and **House Bill 1733** – are on a fast track to enactment.

For all of us in the local government world, Week 1 saw a House Public Safety Committee hearing on several bills designed to clarify a few of the policing reform bills enacted in 2021. We also tracked the usual assortment of hearings on the Governor’s proposed budgets and a rollout of dozens of housing bills.

For WRPA, it was a productive start to the Session. Our priority bill on local funding options (**HB 1025**) has been set for a Tuesday afternoon hearing, a key support bill on derelict vessels is being heard in both the House and Senate, and affordable/work-force housing bills are coming fast and furious.

Below is an overview of where we stand on WRPA’s 2022 Legislative Agenda priorities. I also have provided a rundown of some other bills impacting local parks and recreation and/or outdoor recreation (*I will grow this list as Session continues on*). A Week 2 hearings list is attached separately, with recommendations on where to testify, sign in, or simply monitor.

Top Priorities

***Provide Local Parks and Recreation Agencies with new Funding Options to Address Vital M&O and Preservation Needs which only became more challenging under COVID-19 – HB 1025**

(Policy/Fiscal Bill) This bill gets an early hearing at 1:30 p.m. Tuesday in House Finance, with our prime sponsor (Rep. Wicks) and a four-person WRPA panel all queued up to testify. My thanks to the three (3) testifiers who will join me this afternoon: Nicholas Tosaya of Pierce County Parks, Lake Stevens Parks Planning & Development Coordinator Jill Meis, and Monroe Parks Director Mike Farrell. As we prepare to testify, we know as well that House Finance Vice-Chair April Berg (D-Mill Creek/44th Dist.) will bring forward a Committee Amendment that we worked on with she and Rep. Wicks. The Amendment adds intent language regarding the value of local parks in addressing equity and health and providing an outlet for disproportionately-impacted communities. It also adds language requiring that parks agencies taking a 1/10th of 1 cent sales tax measure to their voters use an equity lens to evaluate how and where they will spend their resources, along with using a participatory community advisory committee to solicit input.

***Actively partner with the Recreation & Conservation Office (RCO) to ensure a sound plan is in place for use of a one-time, \$42 million allocation from the Stadium & Exhibition Center Account**

(Recreation & Conservation Office in concert with Governor/OFM) This is an example of an issue where we hope to work with state agencies (vs. the Legislature) on a sound plan for the use of funding. As a reminder, last year RCO received a one-time \$42 million allocation of funds left over from the \$300 million in state bonds used to build the Seahawks Stadium (*now Lumen Field*). The bond funds grew out of a voter-approved referendum enabling the stadium to move ahead but also requiring some of the funds be dedicated to local youth athletic facilities. The ball is now in RCO's court to develop a plan – in concert with the Governor's Office, the Office of Financial Management (OFM), and stakeholders like WRPA – for *how* best to deploy these funds to benefit youth. In this case, we want to make sure the funding is not somehow diverted or “re-purposed” by the Legislature so ensuring it is not simply a carbon copy of the current “Youth Athletic Facilities” (YAF) program will be key. We are looking for RCO staff to lay out some of their thinking later this month in front of their Recreation & Conservation Funding Board (RCFB).

***Actively participate in efforts to replace and recover lost revenue for parks and recreation agencies – while protecting existing resources**

(Operating Budget) With the state's Operating Budget in a very healthy place, and 2022 being a supplemental budget year, this will not be a Session where we scramble to protect existing revenues. That said, revenue relief and recovery for operating costs will be challenging. There are three bills out there that I would point to as including some new revenue potential at least for city- and county-run parks agencies: **House Bill 1672** on Conservation Futures levies will relax some of the 1 percent property tax restraints in counties that have adopted these programs. **Senate Bill 5796** by Sen. Rebecca Saldaña (D-Seattle/37th Dist.) includes an increase in the biennial marijuana revenue distributions to cities and counties from \$40 million to \$55.6 million. **5796** is up for a hearing Wednesday morning in the Senate Labor & Commerce Committee. We *support* the legislation. Another legislative vehicle to provide new revenue streams for local governments is **House Bill 1981** by Local Government Chair Gerry Pollet (D-Seattle/46th Dist.). However, Chair Pollet's bill is tied to “missing middle” planning and investments.

Strongly Support

***Protect against any diversions or reallocations of Capital Budget grant programs that significant benefit parks and recreation and the Great Outdoors**

(Capital Budget) During the first two Legislative Webinars we sponsored in advance of “Great Outdoors Day,” we have heard key Capital Budget writers on “both sides of the aisle” underscore the importance of parks and recreation and the great outdoors. That has included House Capital Budget Chair Steve Tharinger (D-Dungeness/24th Dist.) and Vice-Chairs Lisa Callan (D-Issaquah/5th Dist.) and David Hackney (D-Tukwila/11th Dist.), the both the Senate’s and House’s No. 2 Republican leads on Capital Budget (Sen. Mark Schoesler, R-Ritzville/9th Dist.; and Rep. Peter Abbarno, R-Chehalis/20th Dist.). That bodes well, as does the fact that there is not a significant amount of new Capital Budget bonding capacity (only about \$84 million) in this supplemental budget year. That said, we will have our guards up as always!

***Advocate for Key “Healthy & Active Communities” Funding within the State Budget Process**

(Capital, Transportation, Operating Budgets) Under WRPA’s “healthy and sustainable communities” initiative, we work to support funding categories across all three (3) of the state’s budgets. I will share that in the Governor’s proposed Supplemental Operating Budget (**SB 5693/HB 1816**), there is \$170.56 million proposed for investments across public health, medical assistance, and behavioral health. It is also possible that on the Transportation side, legislators may use a one-time infusion of General Fund dollars, American Rescue Plan Act (ARPA) funds, “Climate Commitment Act” carbon-reduction funding, and fee increases to pass an investment package that would enhance funding for bicycle and pedestrian grant programs. In any case, here is the list we will keep our eye on as Session progresses:

- *Public Health District funding -- Operating Budget;*
- *Bicycle and Pedestrian Grant, Safe Routes to Schools, “Complete Streets” and fuel-tax-distribution funding in the Transportation Budget;*
- *“No Child Left Inside” within the Operating Budget;*
- *“Target Zero” programs run by the Washington Traffic Safety Commission;*
- *Dedicated accounts and grant programs in the Capital Budget such as WWRP, YAF, ALEA, NOVA, BFP.*

***Support legislation (HB 1700/SB 5598) to enhance funding for the Derelict Vessel Removal Program (DVRP) and make the program’s funding more sustainable**

(Policy bills/Operating Budget) We are supporting this Department of Natural Resources (DNR) request legislation to help reduce a derelict vessel backlog that is now almost at 300 vessels! **HB 1700/SB 5598** would add significant funding to the Derelict Vessel Removal Program (DVRP) by re-directing 25 percent of the Watercraft Excise Tax that is already paid into the General Fund and steering it to the DVRP. Kudos to Joe Brady of Metro Parks Tacoma, one of numerous testifiers in *support* of **HB 1700** by Rep. Dave Paul (D-Oak Harbor/10th Dist.) during a Monday afternoon hearing in the House Appropriations Committee. The companion bill, **SB 5598** by Sen. Liz Lovelett (D-Anacortes/40th Dist.), is up for a hearing Thursday.

Support/Oppose Items

***Efforts to Address Mental Health, Homelessness, Affordable Housing**

(Policy Bills, Budgetary Items) Our Legislative Agenda notes that WRPA will support efforts led by cities and counties, the Washington Low-Income Housing Alliance, and others, to ensure the Legislature continues to provide funding and tools for local governments to address growing mental health, homelessness, and affordable housing crises in their communities. Here are a bunch we are tracking (*and I could list 3-4 times this many!*):

- **Governor’s Supplemental Operating (SB 5693/HB 1816) and Capital (SB 5651/HB 1781) Budgets:** The Governor is proposing \$815 million in additional investments related to affordable, work force, and permanent supportive housing - \$494 million on the Capital side and \$321 million in Operating funds. A significant influx of new funding for “rapid rehousing” is a hallmark part of that.
- **HB 1866, assisting persons receiving community support services through medical assistance programs to receive supportive housing:** This bill by ex-Speaker Frank Chopp (D-Seattle/43rd Dist.) is designed to expand the Apple health program and others to provide housing support services and funding. **1866** is due for a Thursday morning hearing in House Health Care & Wellness.
- **SB 5642/HB 1643, exempting from the Real Estate Excise Tax (REET) a sale of transfer of real property for affordable housing to a non-profit, housing authority, public corporation, county, or municipal corporation:** These companion bills by Sen. Mark Mullet (D-Issaquah/5th Dist.) and Rep. David Hackney (D-Tukwila/11th Dist.) have strong support from the housing community. **1643** already had a hearing last Thursday.
- **HB 1880, providing a state sales tax credit for “Housing Benefit Districts”:** This bill, scheduled for a Friday morning hearing in the House Housing, Human Services, and Veterans Committee, would provide a state sales tax credit to four (4) pilot jurisdictions (Tacoma, Everett, Renton, Shoreline) to enable them to make investments to catalyze Transit-Oriented Development.
- **SB 5662, using inter-governmental coordination to address the transitioning of persons encamped on state public rights-of-way to permanent housing solutions:** This Governor-request bill prime-sponsored by Senate Housing & Local Government Chair Patty Kuderer (D-Bellevue/48th Dist.) had a hearing last Thursday and then was the subject of a stakeholder meeting convened Monday afternoon by the Governor’s Office. It has broad support, but the Low-Income Housing Alliance and others are asking for amendment language to prevent the bill from being used to simply sanction “sweeps” of homeless individuals encamped in rights-of-way.
- **Governor-request “missing middle” bills – SB 5670/HB 1782 and alternative (HB 1981):** Look for a very spirited, Session-long debate on these bills, starting Tuesday morning with hearings on **SB 5670** in Senate Housing and Local Government and on **HB 1782** in House Local Government. These bills have strong zoning requirements to move cities to allow duplexes, tri-plexes, four-plexes, six-plexes, etc., throughout single-family zones. Expect cities to push back hard on these bills, to push for new funding resources (**HB 1981** by Local Government Chair Gerry Pollet, D-Seattle/46th Dist., contains several), and to note that the Legislature just directed cities to develop “Housing Action Plans” to call out ways to expand housing types and varieties and overall density.
- **Bills on Accessory Dwelling Units (ADUs) – including HB 1337:** It wouldn’t be a Session of the Legislature without a stack of bills on ADUs! 😊 Of several ADU bills heard last Wednesday and scheduled for a possible Friday vote in House Local Government, **1337** is the most controversial. Section 3 of the bill includes numerous requirements for what can and can’t be in local ADU ordinance from roof heights to setbacks to impact fee waivers. Cities have concerns with **1337**.

***“Big Tent” Outdoor Recreation Coalition**

(Budgetary, Policy Items) WRPA supports the “Big Tent” Outdoor Recreation Coalition, which will again hold every-Friday-morning policy calls during Session. WRPA is also part of the Legislator/Stakeholder “Outdoor Recreation Caucus” that meets every Thursday morning at 7 a.m. during Session. As an FYI, the Big Tent is supporting our local parks funding options bill and signed in *support* of it for Tuesday’s hearing.

Other Bills WRPA is Tracking

(NOTE: I’ll supplement this as Session progresses. If you have one to add, e-mail me at Doug@outcomesbylevy.onmicrosoft.com)

- **Transportation new-revenue packages being proposed in the House and Senate – No bill numbers yet:** This one is a placeholder as the Chairs of the Senate and House Transportation Committees (*Sen. Marko Liias, D-Edmonds/21st Dist., and Rep. Jake Fey, D-Tacoma/27th Dist.*) negotiate on a possible 2022 package.

- **SB 5332, off-road and wheeled All-Terrain Vehicles (ATVs):** This bill by Sen. Mike Padden (R-Spokane Valley/4th Dist.) is in the Senate Transportation Committee. It would clarify equipment requirements for wheeled ATVs.
- **SB 5608, concerning free access to state parks and public lands:** Two Democrats joined nine (9) Republican Senators on this bill to repeal the Discover Pass program and replace it with a \$30.553 million transfer from the General Fund. **5332** had a hearing last Thursday in the Senate Agriculture, Natural Resources, Water, and Parks Committee.
- **SB 5633/HB 1895, DNR-Request Keep Washington Evergreen:** Our friends at Metro Parks Tacoma flagged this bill, which has a Tuesday hearing in the House Rural Development, Agriculture, and Natural Resources Committee and a Thursday hearing in Senate Agriculture, Water, Natural Resources, Water, and Parks. The bill involves identifying and mapping the state's most threatened working forests, developing a strategic plan, identifying existing voluntary tools and incentives that can be utilized to help preserve them, and more.
- **HB 1607, making changes to the Safe Routes to Schools Program:** This legislation by Rep. Skyler Rude (R-Walla Walla/16th Dist.) would direct that the State General Fund (rather than the Transportation Budget) fund this popular program beginning Jan. 1, 2025. **1607** is in Appropriations.
- **HB 1707, requiring Personal Flotation Devices (PFDs) on human-powered vessels:** This bill by House Community & Economic Development Chair Cindy Ryu (D-Shoreline/32nd Dist.) had a hearing last Friday in her Committee and is scheduled for a Tuesday "Executive Session" vote. It is narrowly tailored to require PFDs to be worn at all times a stand-up paddleboard, canoe, or kayak is underway.
- **HB 1823, environmental leadership through outdoor recreation and climate change investments:** This legislation by Rep. Mary Dye (R-Pomeroy/9th Dist.) is a central part of the "ORCA Plan" announced by House Republicans pre-Session. **1823** would rename the Carbon Emission Reduction Account within the Climate Commitment Act, calling it the "Outdoor Recreation & Climate Adaptation Account." The bill would steer \$125 million a biennium into the new account and it does include provisions beneficial to trail users, recreational boaters, and others. The question is whether the bill, which is in House Appropriations, will ever receive a hearing.
- **HB 1824, concerning outdoor recreation affordability:** Similar to **SB 5608** (but absent the fund transfer), this bill would repeal the Discover Pass program. **1824** has been referred to the House Community & Economic Development Committee.
- **HB 1870, concerning certain wheeled ATVs:** This bill, pending in House Transportation, would define the equipment needed for an ATV to be a "qualifying Washington All-Terrain Vehicle" (WATV).
- **HB 1918, regarding the use of zero-emission equipment:** We currently have concerns about this bill brought forward by Climate Solutions. It would impose an additional 6.5 percent tax rate on all purchases of non-zero-emission equipment and currently has a very aggressive phase-out of existing non-zero-emission equipment, requiring that all purchases beginning Jan. 1, 2025 consist of zero-emission technology. Legislative Chair Roxanne Miles (Pierce County) and I will meet with Climate Solutions representatives on Wednesday, and the bill has its first hearing Thursday.
- **HB 1925, county park infractions:** A shout-out to our friends at Spokane County Parks who shared their support of this bill by Rep. Mike Volz (R-Spokane/6th Dist.). The bill would authorize the issuance of civil infractions for violations of rules or regulations within county parks facilities.