

WEEK 8 REPORT ON 2022 SESSION OF THE LEGISLATURE & WEEK 8 COMMITTEE VOTES
For WRPA President, Executive Board, Executive Director, Legislative Committee

Doug Levy – 3/6/2022

Legislators ran through a final cutoff deadline in Week 8 and headed toward the last few days of Session, using their time to debate issues ranging from gun control to access to abortion care to motion picture and TV film-production incentives to the designation of pickleball as the official state sport.

There are now only four days remaining in the 2022 Session, and they will be focused on Supplemental Budgets, a smattering of bills tied to the budgets, and a “Move Ahead Washington” transportation package. Floor time will be used to determine how to finalize bills “in dispute,” meaning they passed both chambers of the Legislature but with different language provisions. Frequently, these differences are settled with one chamber agreeing to “concur” with the other chamber’s changes to a bill.

I flagged some of the bills above because it is always interesting to see debates on bills run the gamut from deadly serious to deeply personal to purely economical to entirely whimsical. The specific bills I am referencing, in order, would prohibit the manufacture, import, distribution and sale of weapons with high-capacity magazines (**ESSB 5078** passed the House 55-42 on Friday and goes to the Governor); expand the list of statutorily-authorized providers who may perform an abortion (**EHB 1851** passed the Senate 28-21 last Tuesday and goes back to the House); expand funding and incentives for the motion picture competitiveness program (**ESHB 1914** passed the House 93-3 on Friday and goes to Senate Ways & Means); and yes, make the game of pickleball, first developed in 1965 by former Lieutenant Governor Joel Pritchard and others, the official state sport of Washington (**SB 5615** passed the House 83-15 on Friday and goes to the Governor).

A note, meanwhile, on Move Ahead Washington: Both the Senate and House Transportation Chairs have emphasized it will become law. So that leaves the question of exactly how the revenue bill will be structured as the major remaining mystery.

Dropping down to a WRPA-specific level, Week 8 was a good one. The Senate overwhelmingly approved outdoor school/“outdoor experience” and derelict vessel removal bills we support, and several good affordable housing and homelessness prevention bills on our list are on the move as well.

Below is my status report on WRPA’s Legislative Agenda priorities, “strong support” items, and “support/oppose” bills. That is followed by a list of numerous bills that we in local parks and outdoor recreation care about. A separate short-list of Week 9 hearings and committee votes is attached as well.

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 – SHB 1025**

(Policy/Fiscal Bill) As previously reported, **SHB 1025** “died” in the House Rules Committee. During our WRPA Legislative Committee meeting on Friday, we discussed some idea for readjusting our strategy going forward, focusing perhaps on several types of funding and financing needs that will bring more local parks agencies and more “urgency” into whatever solution we request. More to come as we get ready to enter “the interim” between Sessions.

***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) I met on Friday with Recreation and Conservation Office (RCO) Executive Director Megan Duffy, who briefed me further on 16-member Advisory Task Force that RCO will establish to help guide its thinking on the best way to invest 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*). There will be local parks directors from Western and Eastern Washington on the Task Force, as well as local elected officials, members of area sports teams, and representatives of School's Out Washington and the Trust for Public Lands. Meg Duffy tells me all this will be announced within a couple weeks.

***Actively participate in efforts to replace and recover lost revenue for parks and recreation agencies – while protecting existing resources** *(Operating Budget)* Here is an update on other items designed to address M&O and overall revenue losses suffered by parks and natural resource agencies:

- ***\$15 million to address maintenance and operations (M&O) backlogs at three state natural resource agencies.*** The funding part of this one is a done deal, as both the House- and Senate-approved Operating Budgets allocate the \$15 million, divided into \$5 million apiece for State Parks, Department of Natural Resources, and Department of Fish & Wildlife. A key difference is that the Senate-approved budget envisions this as an ongoing program while the House version books it as a one-time expenditure. We have already started on discussions with RCO about how we might add local M&O needs to the mix for 2023.
- ***Expand outdoor education and “outdoor experiences” for kids in grades K-12 (with a focus on 5th and 6th graders):*** Again, the question is not ‘whether’ but ‘how much.’ The House puts \$20 million in for the outdoor school/outdoor experiences programming. The Senate allocation is at \$10 million, but with an ongoing funding allocation of \$50 million projected for 2023-25. The bill that would be on the receiving end of this funding, **2SHB 2078**, passed the Senate by a 44-3 vote on Friday and needs one more House concurrence. As I previously reported, I am working with the prime sponsor to ensure local parks are eligible for the “outdoor experiences” grants contemplated under 2078.
- ***\$160,000 for the Parks & Recreation Commission to engage with the “emerging leaders program” to expand equity in the outdoors:*** This allocation is in both Operating Budgets. The program trains BIPOC individuals in gaining leadership skills and pursuing professional natural resource-based jobs.
- ***E2SSB 5796 increasing in the biennial marijuana revenue distributions to cities and counties from \$40 million to \$51.6 million:*** This bill hit a major speed bump last week. House Appropriations Members believed there were too many questions and complexities surrounding the bill, so they changed it to a Joint Legislature Audit & Review Committee (JLARC) study as it passed the committee last Monday. House and Senate negotiations will determine what the final version looks like.
- ***HB 1672 on Conservation Futures levies:*** This bill has “died” for the Session. It would have removed 1 percent property tax limits for 13 counties that run Conservation Futures programs.

Strongly Support

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

(Capital Budget) We can pretty confidently state there will be no major transfers or diversions of dedicated outdoor recreation monies in the 2022 Capital Budget. The *one* small wild card to watch for is exactly how the revenues are structured for Move Ahead Washington. We have heard nothing about Capital Budget funds being used and that would be highly unusual. The one problematic bill we tracked -- **SB 5632**, establishing a Washington Water Infrastructure Program – has “died.” The provision we had concerns over appropriated a minimum of 10 percent of all bonds authorized each biennium, up to a total of \$5 billion.

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

(Capital, Transportation, Operating Budgets) WRPA’s “healthy and sustainable communities” initiative has us supporting funding ‘buckets’ across all three (3) of the state’s budgets. We are also closely tracking the progress of **ESSB 5974** and **SSB 5975** – the revenue and spending bills that comprise the “Move Ahead Washington” package. More details on that are below. Others on our scope:

- *Public Health District, “No Child Left Inside,” outdoor education funding -- Operating Budget.*
- *Bicycle and Pedestrian Grant, Safe Routes to Schools, “Complete Streets” funding in the Transportation 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) to enhance funding for the Derelict Vessel Removal Program (DVRP) and make the program’s funding more sustainable**

(Policy bills/Operating Budget) On Friday, by a vote of 45-3, this bill passed the Senate and now heads to the Governor. **HB 1700** adds up to \$8.6 million in 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. Lead sponsors are Rep. Dave Paul (D-Oak Harbor/10th Dist.) and Rep. Dan Griffey (R-Allyn/35th Dist.).

Support/Oppose Items

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

(Policy Bills, Budgetary Items) Our Legislative Agenda expresses support for initiatives by cities and counties, the Washington Low-Income Housing Alliance, and others, toward ongoing funding and tools for growing mental health, homelessness, and affordable housing crises in local communities. Several bills we’re tracking:

- **Supplemental Budgets for Operating (ESSB 5693/Striking Amendment to 5693), Capital (SSB 5651/SHB 1781), and Transportation (ESSB 5689, Striking Amendment to 5689):** The budgets approved by the Legislature substantially invest in affordable, work force, and permanent supportive housing – with House budgets the high-water marks. The House adds \$132.6 million for rental assistance, the Senate \$77.6 million. Both budgets include \$290 million for “rapid rehousing” acquisitions. The House adds \$100 million to the Housing Trust Fund, the Senate \$71 million. The Senate puts \$47 million toward addressing encampments on Washington State Department of Transportation (WSDOT) owned rights-of-way, while the House is at \$32 million. The House includes \$158 million for permanent supportive housing under **ESHB 1866**, and \$40 million for shelter capacity. The Senate Capital Budget allocates \$86 million for sheltering individuals in crisis, the House \$72 million. This is unprecedented spending for supplemental budgets.
- **ESHB 1866, assisting those receiving community support services through medical assistance programs to receive supportive housing:** I noted above the \$158 million in funding associated with this bill. It passed the Senate last Thursday by a 30-17 vote and needs a House concurrence.
- **2SHB 1905, reducing homelessness for youth discharged from a publicly funded system of care:** This bill passed the Senate by a 47-0 vote on Friday and now heads to the Governor. **1905** calls on the Department of Children, Youth, and Families to develop and staff a rapid response team to support youth exiting a publicly funded system of care.
- **ESHB 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, city, or county:** This legislation passed the Senate Friday as well, 47-1. It needs a final concurrence from the House.
- **E2SSB 5662, inter-governmental coordination to address homeless encampments on WSDOT-owned rights-of-way:** This bill “died” last week, after the Governor’s office determined that policy committee amendments to the bill left it in a place where it was better ‘dead’ than alive. The Governor-request bill began as one that directed state agencies to coordinate inter-governmental efforts on encampments with local agencies. House amendments eliminated the inter-governmental coordination office. Absent **5662**, we will look to the final Operating and Transportation budgets for 2022 to see how much the state invests on addressing encampments in the rights-of-way.

- **Bill on Accessory Dwelling Units (ADUs) – ESHB 1660:** This bill “died” on the Senate Floor Calendar Friday. As it passed the House and cleared a Senate committee on a 6-5 vote, **ESHB 1660** included several state requirements for what cities had to include in local ADU ordinances. One that stirred strong opposition from cities would have required that at least one attached and one detached ADU be allowed on all single-family lots with less than units on them (*changed to two in a proposed Floor Striker*) – potentially allowing the equivalent of a four-plex on every single-family lot of 4,500 square feet or more.
- **HB 1738, changing the total amount of outstanding indebtedness of the Washington State Housing Finance Commission:** This bill cleared the Senate on a party-line 27-21 vote last Thursday and heads to the Governor. **1738** increases the State Housing Finance Commission’s debt limit from the current 8 percent to 14 percent.
- **ESHB 1841, incentivizing rental of accessory dwelling units to low-income households:** This bill “died” in the Senate Ways & Means Committee last Monday without a vote. **ESHB 1841** is a tax-incentive-based measure that grants a property tax exemption for ADUs rented to someone whose income is at or below 60 percent of the Area Median Income (AMI).
- **ESSB 5428, concerning the application of the state environmental policy act (SEPA) to temporary shelters and transitional encampments:** This bill advanced last Wednesday to the House Floor Calendar, but “died” without a vote. **ESSB 5428** would have exempted temporary shelters or transitional encampments from the requirements of the State Environmental Policy Act (SEPA). However, to utilize the SEPA exemption in the bill, a city or county would have had to have declared a homelessness emergency – something only a handful of jurisdictions have done.

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

(Budgetary, Policy Items) The Coalition’s work is largely done for the Session. It held Friday morning information-sharing calls during Session, participated in the Outdoor Recreation Caucus, held a (virtual) legislative reception on Feb. 17, and penned a letter to budget-writers to push for key outdoor recreation sector investments. Keep your eye out for events this summer to mark the BTORC’s 10th anniversary.

Other Bills WRPA is Tracking

Two bills we have fielded significant feedback on:

- **2SHB 1918 & SSB 5543, sales tax exemptions for zero-emission outdoor power and landscaping equipment:** Lawmakers will pick one of these bills to grant sales tax exemptions for zero-emission outdoor power equipment. My bet is on **1918**, which passed the House 81-15 last Friday and has a Monday hearing and Wednesday committee vote in Senate Ways & Means. **5543**, which remains in the Senate, is up for a Wednesday Ways & Means committee vote. **1918** provides a sales tax exemption for zero-emission outdoor power equipment purchases through 2032. You will recall the bill had mandatory purchasing requirements in it, but they were removed in committee.
- **SSB 5673/SHB 1595, installing signs on or near bridges to provide information to deter jumping and to warn individuals of the dangers of cold-water shock drowning:** These bills “died.” Lewis County lawmakers introduced them in response to a tragic bridge-jumping and cold-water shock drowning in their District last year. **1595/5673** encouraged local agencies to post signage on or near bridges regarding the dangers of bridge jumping and cold-water shock drowning. The legislation also ensured there would be no “legal duty” for local governments to post them.

Others

- **Transportation new-revenue package – ESSB 5974, SSB 5975 – “Move Ahead Washington”:** Move Ahead WA includes \$1.23 billion for active transportation programs and projects, financed with carbon-reduction monies. The package would permanently dedicate nearly one-fourth (24 percent) of all “Climate Commitment Act” carbon-reduction dollars towards active transportation

investments. It includes \$290 million in Safe Routes to Schools grants, \$216 million for a new School-Based Bicycle Education program, \$278 million for Bicycle-Pedestrian Safety grants, \$293 million in designated bicycle and pedestrian projects, \$146+ million for the “Complete Streets” program administered by the Transportation Improvement Board (TIB), and \$50 million for a new “Connecting Communities” grant programs to help organizations in disadvantaged communities that have been disproportionately impacted and cut off by prior transportation investments.

- **2SSB 5332, off-road and wheeled All-Terrain Vehicles (ATVs):** Unless it is referenced in the Transportation Budget, this bill by Sen. Mike Padden (R-Spokane Valley/4th Dist.) may have hit a dead-end. After passing unanimously out of House Transportation last Monday and advancing to the Floor Calendar two days later, it remained there without a vote. It would clarify equipment requirements for wheeled ATVs.
- **SB 5504, extending current Discover Pass free days from State Parks to all state recreation sites and lands:** This bill by Sen. Judy Warnick (R-Moses Lake/13th Dist.) passed unanimously off the House Floor last Thursday and heads to the Governor. It ensures that Discover Pass free-use days will be the same among State Parks, Department of Fish & Wildlife, and Department of Natural Resources.
- **SB 5608, concerning free access to state parks and public lands:** This bill “died.” It would have repealed the Discover Pass program and replaced it with a \$30.553 million General Fund transfer.
- **SB 5632, relating to investments in critical water infrastructure projects:** This bill “died” without receiving a vote in the Senate Agriculture, Water, Natural Resources and Parks Committee. **5632** expressed legislative intent for appropriating a minimum of 10 percent of *all* Capital Budget bonds authorized each biennium -- up to a total of \$5 billion. That was a major concern for WRPA.
- **SB 5633/HB 1895, DNR-Request Keep Washington Evergreen:** These WRPA-supported bills have “died.” They called for identifying and mapping the state’s most threatened working forests, developing a strategic plan, and identifying existing voluntary tools and incentives that can be used to help preserve them.
- **ESSB 5693, Striking Amendment to ESSB 5693 – 2022 Supplemental Operating Budget:** One thing I want to flag that is in the Senate-passed Operating Budget, but not the House version, involves the Discover Pass program. The Senate budget sets aside \$31 million to make Discover Passes free for the next fiscal year. While well-intentioned, the provision would create numerous administrative challenges for State Parks and other natural resource agencies.
- **SB 5865, adding recreational target shooting in designated areas to the Recreational Immunity statute:** This bill has “died” for the Session. The legislation would have added recreational target shooting areas to the portion of state law that grants recreational immunity to private landowners who allow the public to utilize their lands free of charge for recreational pursuits.
- **E2SHB 1099 and E2SHB 1117, integrating climate response and salmon recovery into Growth Management Act comprehensive planning:** What we heard about these two bills – i.e., that the Legislature might approve one but not both – proved true. **1117** “died” in the Senate Ways & Means Committee last Monday without a vote. **1099** passed out of Ways & Means Committee last Monday on a party-line vote and cleared the Senate Thursday on a 31-16 vote. However, the bill makes significant changes to the House-passed version. The Senate bill focuses on resiliency while the House bill added climate requirements and sought to fund them. It will be interesting to see whether House and Senate negotiators can come to a Week 9 compromise.
- **HB 1607, concerning the Safe Routes to Schools program:** This legislation, which “died,” would have directed that the State General Fund (*rather than the Transportation Budget*) fund this popular program beginning Jan. 1, 2025.
- **HB 1647, concerning the Building for the Arts program:** We support this bill, which unanimously cleared the Senate Floor last Thursday and heads to the Governor. **1647** increases funding for the BFA program from \$12 million a biennium to \$18 million a biennium while increasing the state match from 20 percent to one-third (33.33 percent).
- **HB 1672, concerning local property tax levies for Conservation Futures programs:** This bill “died” after a hearing in House Finance.
- **HB 1707, requiring Personal Flotation Devices (PFDs) on human-powered vessels:** This bill “died.” It would have required a Personal Flotation Device (life jacket) to be worn at all times a stand-up paddleboard, canoe, or kayak was underway.

- **HB 1823, environmental leadership through outdoor recreation and climate change investments:** This legislation “died.” It renamed the Carbon Emission Reduction Account within the Climate Commitment Act, calling it the “Outdoor Recreation & Climate Adaptation Account.” It re-directed \$125 million a biennium to investments for trail users, recreational boaters, and others.
 - **HB 1824, concerning outdoor recreation affordability:** This bill would have repealed the Discover Pass program. **1824** “died” early in the Session.
 - **HB 1870, concerning certain wheeled ATVs:** This bill also “died.” **1870** would have defined the equipment needed for an ATV to be a “qualifying Washington All-Terrain Vehicle” (WATV).
 - **HB 1882, better Washington outdoor recreation leadership and development:** This bill “died.” It established a Joint Select Committee on Better Washington Outdoor Recreation Leadership.
 - **HB 1915, HB 1969, SB 5687, ESSB 5974, expanding the use of traffic safety cameras to enforce speed zones:** Cities such as Tacoma and Spokane seek expanded authority to use traffic-safety cameras to enforce speed limits in school zones, hospital zones, public parks zones, and at intersections beset by accidents and collisions. **SB 5687**, the last of these measures to include provisions allowing traffic-safety cameras to enforce speed zones, passed the House 55-42 last Thursday with those provisions stripped out of the bill. Neither **HB 1915** nor **HB 1969** had the votes to get out of the House Transportation Committee. Still, it is widely assumed traffic camera speed enforcement provisions will be in the final version of “Move Ahead Washington” (ESSB 5974).
 - **2SHB 1918, regarding the use of zero-emission power equipment:** See listing above.
 - **HB 1925, county park infractions:** This WRPA-supported bill “died.” It authorized county parks to issue civil infractions for violations of rules or regulations within their facilities.
 - **SHB 1967, SB 5505, property tax exemptions for Farmers Markets:** Both these bills maintain property tax exemptions for churches that host Farmers Markets on their sites. It would seem the Legislature would pick **1967** as the bill to use – its unanimous passage Friday out of the Senate follows a unanimous vote received on the House Floor. **5505** unanimously cleared the Senate Friday but has yet to navigate the House.
 - **HB 2058, concerning preservation and protection of facilities owned by State Parks that are listed on the Washington heritage register or the national register of historic places:** Unless it is called out in the Capital Budget, this bill by House Capital Budget Chair Steve Tharinger (D-Dungeness/24th Dist.) might not make it. **2058** easily cleared the Senate Ways & Means Committee last Monday and advanced to Senate Rules, but never came up for a Floor vote. WRPA supports this measure to exempt State Parks facilities on the National Historic Register from leasehold excise tax.
 - **HB 2074, concerning fees collected from out-of-state residents who register off-road vehicles in Washington:** This bill passed the Senate unanimously last Thursday and heads to the Governor. Prime-sponsored by a Vancouver lawmaker, **2074** requires a resident of a state that borders Washington and does not impose sales and use tax on off-road vehicles (Oregon) to pay a filing fee and a service fee if registering an ORV in Washington State.
 - **2SHB 2078, establishing the outdoor school for all program:** See above.
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