



## Memorandum

**TO:** Snohomish County Council and Executive Somers  
**FROM:** Josh Weiss & Annika Vaughn  
**CC:** Lacey Harper  
**DATE:** February 13, 2022  
**RE:** Legislative Report – Week 6

There are 27 days remaining in the 2022 legislative session, meaning session is more than halfway over. The House and Senate are working late nights and over the weekend to approve bills that passed out of committee. Bills must pass out of their chamber-of-origin (House bills must pass the House; Senate bills must pass the Senate) by Tuesday, February 15. Each chamber will then return to meeting in committees to hold public hearings and vote on bills approved by the opposite chamber. A bill may not be subject to cutoff deadlines if it has been deemed “necessary to implement the budget.”

Meanwhile, budget writers are working to develop supplemental operating, capital, and transportation budget proposals, expected to be released shortly after the next revenue forecast: Wednesday, February 16. The two chambers will reconcile differences between the two budget proposals during the final weeks of the legislative session.

### Session Cutoff Calendar

February 3, 2022	Policy Committee Deadline
February 7, 2022	Fiscal Committee Deadline
February 15, 2022	Chamber-of-Origin Deadline
February 24, 2022	Opposite Chamber Policy Committee Deadline
February 28, 2022	Opposite Chamber Fiscal Committee Deadline
March 4, 2022	Opposite Chamber Deadline
March 10, 2022	Session adjourns - Sine Die

## Legislative Priorities

### Increase Counties’ Share of Marijuana Revenue for Behavioral Health and SUD Treatment

Snohomish County requests that the legislature increase counties’ share of marijuana revenue to be used for behavioral health and substance use disorder treatment programs. We have been working on a strategy to increase Snohomish County’s marijuana revenue share for behavioral health and SUD treatment through [Senate Bill 5796](#), sponsored by Sen. Rebecca Saldana (D- Seattle), which restructures cannabis revenue appropriations. As we reported last week, Sen. June Robinson (D-



Everett) was willing to offer an amendment in Ways and Means increasing Snohomish County's share for behavioral health programs; however, Ways and Means Chair Sen. Christine Rolfes (D-Bainbridge Island) amended the bill in committee, changing the bill direction significantly. The new version of the bill does not include any additional funding for local governments. Should the bill continue to advance, we will need to amend the bill in the House.

#### Senate Bill 5575 – Adding Superior Court Judges

Snohomish County supports [Senate Bill 5575](#), funding 2 additional superior court judges in Snohomish County. This bill is brought forward by the Administrative Office of the Courts on the County's behalf and is sponsored by Sen. John Lovick (D- Mill Creek) and Sen. June Robinson (D-Everett). The bill has been amended to require documentation of the County's approval of the additional positions and agreeing to pay for the associated costs. The bill moved out of the Senate unanimously, with no further amendments, on Friday, February 11.

#### Transportation

##### *"Move Ahead WA" Transportation Package Outline Released*

This week, House and Senate Transportation Chairs, Rep. Jake Fey (D- Tacoma) and Sen. Marko Liias (D- Lynnwood), jointly released "Move Ahead Washington," a \$16 billion transportation revenue and spending package proposal. As previously reported, the package provides stop-gap funding for critical needs: the state ferry system, maintenance and preservation, state culverts, backfilling key Connecting Washington projects, and beginning work on certain mega-projects, including the US 2 Trestle. Most project spending – new or otherwise – is confined to Climate Commitment Act spending, which may only be used for non-motorized projects or projects focused on decarbonization.

Package highlights are below:

Investments total over \$16.8 billion worth of projects and programs over the next 16 years. The package is funded with the following revenue sources:

- Climate Commitment Act - \$5.4 billion
- Federal Funds - \$3.4 billion
- One time state operating budget transfer - \$2 billion
- Exported fuel tax - \$2 billion
- Various fees & other transfers - \$4 billion

To view the revenue source details, [click here](#).

Climate Commitment Act funds are dedicated to investments in active transportation, transit projects and programs, alternative fuel & electrification, state ferries and rail programs. Active transportation programs receive a boost, including \$290 million for the Safe Routes to School program, \$278 million toward the bike/ped grant program, and \$146 million toward Complete Streets grant program administered by the Transportation Improvement Board (TIB).

Other major investments from non-restricted revenue sources include:

- \$3 billion in maintenance and preservation
- \$2.4 billion in fish barrier removal ~ state barriers only
- \$1.3 billion to build 4 new ferries and provide preservation and operational support
- \$1 billion for the I-5 Columbia River Bridge
- \$1.4 billion to backfill cost increases from previously funded projects, including:



- \$380 million for the I-405/SR-167 Corridor Improvements
- \$30.5 million for the I-5/NB Marine View Drive to SR-529

Finally, the revenue bill includes several local options for cities, but counties do not receive any additional local revenue options. Local government revenue streams are not bolstered: counties and cities do not receive an increase in direct distributions, and baseline funding for CRAB and TIB is not increased.

*Snohomish County Package Investments*

County staff has reviewed the outline for Snohomish County-specific investments. The following projects from our Regional Priorities List are included:

**Non-Climate Commitment Act Capital Projects (LEAP List NL-1)**

*New Projects*

# on Package Proposal	Project Letter on Regional Priorities List	Proposal Funded	Project Name
6	Project F	\$210.541 million	US 2 Trestle
11	Project J	\$10 million	SR-522 Widening
15	N/A	\$500,000	156 <sup>th</sup> St. RR Crossing Paine Field Access
19	Project T	\$8.4 million	(100 <sup>th</sup> SW) – Everett
20	Project B	\$20 million	Poplar Way Bridge SR-99 BAT Lanes: 148 <sup>th</sup> St. SW to Airport Rd – Everett
21	Project O	\$25 million	

*Existing Projects – Funding Gaps*

# on Package Proposal	Project Letter on Regional Priorities List	Proposal Funded	Project Name
27	N/A	\$380 million	I-405/SR 167 Corridor Improvements
28	N/A	\$30.5 million	I-5/NB Marine View Drive to SR-529

*Highway Preservation Projects*

# on Package Proposal	Project Letter on Regional Priorities List	Proposal Funded	Project Name
33	N/A	\$405.325 million	SR-525 Bridge Replacement (Mukilteo)



**Transit Projects ([LEAP List NL-3](#))**

*Public Transportation Program*

# on Package Proposal	Project Letter on Regional Priorities List	Proposal Funded	Project Name
9	Project M	\$10 million	CT Swift Green Line
18	N/A	\$10 million	CT Swift Silver Line
19	N/A	\$10 million	CT Swift Gold Line
			I-5/164th St. SW
			Lynnwood Link
			Improvements
25	Project A	\$20 million	(WSDOT)

**Pedestrian and Bike Safety Projects ([LEAP List NL-2](#))**

# on Package Proposal	Project Letter on Regional Priorities List	Proposal Funded	Project Name
3	N/A	\$12.9 million	North Broadway Pedestrian Bridge
8	Project N	\$22.5 million	SR-99 Revitalization Project
			16 <sup>th</sup> Street NE
			Centennial Trail
24	N/A	\$2.5 million	Connector – Phase 1
			South Lake Stevens
			Road Multi-Use Path –
25	N/A	\$3 million	Phase 2

*Meeting with Sen. Liias – Thursday, February 17*

GTHGA and County Public Works Staff are meeting with Sen. Liias on Thursday, February 17. We are meeting with staff on Monday to discuss meeting topics, which are likely to include the revenue package investments and the Sound Transit Enhanced Service Zones bill, [Senate Bill 5528](#), sponsored by Sen. Jaime Pederson (D-Seattle). As reported last week, the bill was amended to include language intended to address the County’s concerns; however, finalized language was not vetted with County staff and we still have concerns. We heard from Sen. Liias’s office that he is willing to continue working on this issue in the House.

**Other Items**

Capital Budget Proposal Expected Next Week

Budget negotiations are underway. The Senate is expected to release their capital budget proposal early, possibly by next Wednesday, February 16. We spoke with Rep. Mike Steele (R- Chelan), Republican lead in the House on the capital budget, this week. We let him know that the County supports the Darrington Wood Innovation Center project, sponsored in the House by Rep. Carolyn Eslick (R- Sultan). When budgets are released next week, we will send an email summary of the status of the capital projects we are supporting.



### Clarifying Police Reform Proposals

The legislature continues to advance many proposals addressing unintended consequences from the passage of police reform legislation last session. Following chamber-of-origin cutoff, the following bills are still being considered:

#### *In Opposite-Chamber Committees*

- **Use of Bean Bags:** [House Bill 1719](#), sponsored by Rep. Dan Bronoske (D- Lakewood), clarifies that bean bags can be used as a de-escalation tactic. This bill is moving with broad support. After moving out of the House unanimously, the bill was heard this week in the Senate Law and Justice Committee. It has been scheduled to move out of committee on Thursday, February 17.
- **Community Caretaking Function (ITA):** [House Bill 1735](#), sponsored by Rep. Jesse Johnson (D- Federal Way), is also advancing with broad support. The bill makes several clarifications: deadly force may be used in the face of an immediate threat of serious injury against the officer or another individual. Physical force is allowed, under limited circumstances, to ensure the safety of officers when taking a person into custody for civil or forensic commitment. The bill eliminates the broad provision regarding enforcement of a court order. It also simplifies the provision allowing a peace officer to use physical force to the extent necessary to take a minor into protective custody by removing references to specific statutes. Instead, an officer may do so when "authorized or directed by statute." The bill was heard this week in the Senate Law and Justice Committee and is scheduled to move out of committee on Thursday, February 17.

#### *Passed Out of Chamber-of-Origin*

- **Defining Use of Force:** [House Bill 2037](#), sponsored by Rep. Roger Goodman (D- Seattle), moved out of the House 87-11 this week. The definition of "necessary" was amended for clarity. The bill provides a statewide definition of use of force and deadly force. "Physical force" means any act reasonably likely to cause physical pain or injury or any other act exerted upon a person's body to compel, control, constrain, or restrain the person's movement. Physical force does not include pat-downs, incidental touching, verbal commands, or compliant handcuffing where there is no physical pain or injury. The bill states that physical force can be used to protect against a criminal offense when there is probable cause that that the person has committed, is committing, or is about to commit an offense, and to prevent a person from fleeing or stop a person who is actively feeling a lawful temporary investigative detention, provided that the person has been given notice that he or she is being detained. This bill has been identified by proponents as the preferred vehicle for a definition of "use of force."
- **Use of Force/Vehicular Pursuits:** [Senate Bill 5919](#), sponsored by Sen. Kevin Van De Wege (D- Sequim), is an alternative proposal to HB 2037 that also addresses use of force. Unexpectedly, this bill advanced out of the Senate (31-18) this week without changes made in the Senate Law and Justice Committee. As passed out of the Senate, the bill establishes definitions for use of force, amends the standard of reasonable care, and addresses vehicular pursuits. The amended bill restores the standard of "reasonable suspicion," rather than "probable cause," for an officer to engage in a vehicular pursuit and expands the circumstances under which vehicular pursuits are allowed. Notably, pursuit is authorized in



cases where the individual “poses a public safety risk” rather than is an “imminent threat to the safety of others,” the current standard. This provision is extremely controversial among police reform advocates and many democrat legislators. If the bill advances, this provision is likely to be amended in the House.

*Awaiting Floor Vote – Deadline Feb. 15*

- **Vehicular Pursuits:** [House Bill 1788](#), sponsored by Rep. Eric Robertson (R- Sumner), as amended, would allow officers to engage in vehicular pursuit when there is reasonable suspicion that the person in the vehicle has committed or will commit a violent offense, driving under the influence, the person poses an imminent threat or the safety of others, and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances. The bill has not yet been pulled out of the Rules Committee.

Mandating “Missing Middle” Housing – House Bill 1782

[House Bill 1782](#), Governor-request mandated density legislation sponsored by Rep. Jessica Bateman (D- Olympia), previously only implicated cities, but is likely to be amended to include counties if the bill advances. The sponsor has put forward a striking amendment that would require counties to update comprehensive plans to meet requirements under the bill and potentially requires counties to plan for middle housing outside of the UGA, inconsistent with planning goals. Furthermore, additional planning requirements do not include funding for implementation. Paul Jewell summarized a short list of county concerns with the striker and sent them to the bill sponsor and House leadership over the weekend. It is unclear whether the bill will move before chamber-of-origin bill cutoff on Tuesday, February 15.

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GTHGA is monitoring the following priority items on the County’s behalf. We will provide updates on these items as legislative action occurs. We will continue to be in contact with you on legislative proposals relevant to these items.

- Regional Apprenticeship Pathways Program
- Support the Lynnwood Recovery Center – Capital Budget Request
- Afghan Refugee Welcoming Center - Operating Budget Request
- *Blake* Funding
- Address Local Culverts
- Fund RCO Grants

## Upcoming Events

**Transportation (Senate) - Virtual - 2/14 @ 8:00am**

[SB 5974](#) - Exec Session - Addressing transportation resources. (Support)

**Environment, Energy & Technology (Senate) - Virtual - 2/16 @ 8:00am**



[E2SHB 1663](#) - Public Hearing - Reducing methane emissions from landfills. (Oppose)

[HB 1978](#) - Public Hearing - Concerning shoreline master program review schedules.

#### **Local Government (House) - Virtual - 2/16 @ 10:00am**

[SB 5514](#) - Public Hearing - Increasing the frequency of county legislative meetings at alternate locations.

[SSB 5862](#) - Public Hearing - Concerning technical changes to the commercial property assessed clean energy and resiliency program. (Support)

#### **Housing & Local Government (Senate) - Virtual - 2/17 @ 8:00am**

[SB 5971](#) - Public Hearing - Concerning the comprehensive plan and implementation of the goals and requirements of the growth management act.

#### **College & Workforce Development (House) - Virtual - 2/17 @ 10:00am**

[E2SSB 5764](#) - Public Hearing - Concerning apprenticeships and higher education.

#### **Law & Justice (Senate) - Virtual - 2/17 @ 10:30am**

[E4SHB 1412](#) - Public Hearing - Concerning legal financial obligations.

[HB 1719](#) - Exec Session - Concerning use and acquisition of military equipment by law enforcement agencies.

#### **Agriculture, Water, Natural Resources & Parks (Senate) - Virtual - 2/17 @ 1:30pm**

[HB 1700](#) - Public Hearing - Concerning sustainable funding for the derelict vessel removal account using the vessel watercraft excise tax. (Support)

[HB 1700](#) - Exec Session - Concerning sustainable funding for the derelict vessel removal account using the vessel watercraft excise tax. (Support)

#### **Environment & Energy (House) - Virtual - 2/17 @ 1:30pm**

[SB 5042](#) - Public Hearing - Concerning the effective date of certain actions taken under the growth management act.

[SSB 5722](#) - Public Hearing - Reducing greenhouse gas emissions in buildings.

### **Bill Summaries**

We will be providing an updated bill list following chamber-of-origin cutoff on Tuesday, February 15.