



Memorandum

TO: Snohomish County Council and Executive Somers
FROM: Josh Weiss & Annika Vaughn
CC: Lacey Harper
DATE: February 6, 2022
RE: Legislative Report – Week 5

The first policy committee cutoff was Thursday, February 3. Monday, February 7 marks the second committee cutoff deadline, fiscal committee cutoff. With these deadlines passed, the House of Representatives and the State Senate will now spend a majority of their time on the floor voting on bills that passed out of committee. To remain under consideration this session, a bill needs to have been approved by a policy and/or fiscal committee, or otherwise be designated “necessary to implement the budget” (NTIB). NTIB bills are exempt from cutoff deadlines and will advance when budget proposals are released after the February 20 revenue forecast. The next deadline requires bills to be approved by the chamber of origin (House bills need to be approved by the House; Senate bills need to be approved by the Senate) by 5:00pm on February 15 to remain under consideration.

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 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) and Sen. Derek Stanford (D- Bothell), which restructures cannabis revenue appropriations. On Tuesday, we met with Sen. Stanford to see why the bill was not amended to include our requested language. Sen. Stanford expressed continued openness to the concept; rather, there is confusion around the increase in local revenue compared to existing shares. We have been coordinating with Sen. June



Robinson (D- Everett), who is willing to offer the County's amendment in the Senate Ways and Means Committee.

The bill was heard on Saturday, February 5 in the Senate Ways and Means Committee. Josh testified asking for the inclusion of our amendment. You may watch his [testimony here](#). The bill has been scheduled to move out of committee on Monday, February 7, fiscal committee cutoff.

Regional Apprenticeship Pathways Program

Snohomish County's Regional Apprenticeship Pathways Program (RAP) received \$1.5 million in both the 2019–21 biennium and in the 2021-23 biennium; however, the County has not been successful at securing ongoing investment of \$1.5 million/biennium to support the program. We are looking for potential opportunities to advance our goal this legislative session. We are also looking for chances to support expansion of apprenticeship programs statewide. We have scheduled a meeting with Councilmember Nehring and RAP partners on Monday, February 7, to check in on our efforts.

We were monitoring [House Bill 1539](#), sponsored by Rep. Jacquelin Maycumber (R- Republic), establishing statewide regional apprenticeship programs within education service districts, for potential conflicts with existing RAP funding. Despite being scheduled to move out of committee three times, the bill ultimately did not advance before bill cutoff on Thursday, February 3. This bill is now considered "dead" and will no longer advance this session.

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 was heard in the Senate Ways and Means Committee on Thursday, February 3. Snohomish County Prosecutor and Superior Court Judge Judge testified at the hearing, sharing the need for these positions to reduce the County's court backlog. GTHGA testified at the hearing to inform the Committee that the County has budgeted for their share of costs. You may watch [testimony here](#). At the hearing, Sen. Rolfes asked whether these positions could be phased in once the court is operating at full capacity. The Superior Court and Judge Judge coordinated on a response to this question; we sent this information to other members of our delegation for their awareness. The bill is scheduled to move out of committee on Monday, February 7.

Transportation

GTHGA and Snohomish County Public Works staff met with Sen. Marko Lias (D- Lynnwood) on Thursday, February 3, to connect on ongoing transportation advocacy. Sen. Lias confirmed that [an outline of the transportation revenue "mini" package will be released on Tuesday, February 8](#), and that some of the County's priority projects will receive partial funding in the package proposal. As previously reported, the package will focus on investing in transit and multimodal improvements (using Climate Commitment Act funds), backfilling Connecting Washington shortfalls, keeping the ferry system whole, and maintenance and preservation needs. [The package will be heard in the Senate on Thursday, February 10. Councilmember Dunn will be testifying in support of the package at the hearing.](#)



Sound Transit RTA Bill – Senate Bill 5528

Sen. Liias also confirmed that [Senate Bill 5528](#), authorizing Sound Transit to establish “enhanced service zones” within certain parts of the RTA, will be amended to address the County’s concerns before the bill passes out of committee. GTHGA and County staff sent Sound Transit and Sen. Liias amendment language a few weeks back; Sound Transit and the prime sponsor, Sen. Jamie Pederson (D- Seattle), are tweaking the language to satisfy legal concerns. Sen. Liias assured the County that any amendment language will meet the policy goal of protecting investments in the spine. The bill is scheduled for executive session by cutoff - Monday, February 7.

In anticipation for the package release, Council and Executive Somers also approved a letter supporting passing a revenue package this session. EASC, the Port of Everett, and Community Transit signed on to the letter. We sent the final version of the letter to Transportation Chairs and members of our delegation on Friday, February 4. We also sent Sen. Liias a breakdown of the County’s priority projects sorted into different “buckets” to help with his project advocacy: local projects, multimodal projects, Sound Transit projects, WSDOT projects, etc.

Other Items

Emergency Shelter Mandate - Senate Bill 5867

[Senate Bill 5867](#), sponsored by Sen. Phil Fortunato (R- Auburn), mandates a variety of actions around emergency sheltering. WSAC and County staff have flagged this bill as a significant unfunded mandate. We signed the County in opposition at the hearing on Saturday, February 5, in Ways and Means. The bill is scheduled to move out of Committee on Monday, February 7.

Clarifying Police Reform Proposals

The legislature continues to grapple with the best policies to address the unintended consequences from the passage of multiple police reform bills last session. Several bills will continue to be considered following the first two legislative cutoffs:

- **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. Last week, the House voted unanimously to advance this bill. The bill has been scheduled for a hearing in the Senate Law and Justice Committee on Thursday, February 8, at 8:30am.
- **Community Caretaking Function:** [House Bill 1735](#), sponsored by Rep. Jesse Johnson (D- Federal Way), also passed out of the House by a vote of 90-5. The bill clarifies that deadly force may be used in the face of an immediate threat of serious injury against the officer or another individual and that physical force would be allowed under limited circumstances to ensure the safety of officers when taking a person into custody for civil or forensic commitment. It eliminates the broad provision regarding enforcement of a court order and more narrowly authorizes physical force in specific circumstances. It also modifies 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."
- **Use of Force:** Two bills involving use of force advanced passed the committee cutoff deadline.
 - [House Bill 2037](#), sponsored by Rep. Roger Goodman (D- Seattle), provides a statewide definition of use of 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 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 fleeing a lawful temporary investigative detention, provided that the person has been given notice that he or she is being detained.

- [Senate Bill 5919](#), sponsored by Sen. Kevin Van de Wege (D- Sequim), also establishes a definition of physical force and allows force in certain scenarios not contemplated in last year's legislation. The bill also allows an officer to engage in a vehicular pursuit if there is reasonable suspicion (rather than probable cause) that a person in the vehicle has committed or is committing a violent offense or sex offense, an escape, a DUI, a crime against a person, or another criminal offense where the public safety risks of failing to apprehend or identify the person are considered greater than the safety risks of the vehicular pursuit under the circumstances.

At this time, legislators are indicating that House Bill 2037 is likely to advance rather than Senate Bill 5919.

- **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.

Multiple proposals are no longer being considered after the first legislative cutoff this week, including:

- **Civil Liability for Police Misconduct:** [House Bill 1202](#), sponsored by Rep. My-Linh Thai (D- Bellevue) would have created a new state civil cause of action for police misconduct.
- **Independent Prosecutions:** [House Bill 1507](#), sponsored by Rep. Debra Entenman (D- Covington), would have established independent prosecutorial authority to align with the Office of Independent Investigations.
- **Use of Force:** [House Bill 1726](#), sponsored by Rep. Roger Goodman (D- Seattle) was an alternative proposal on use of force that was abandoned in favor of House Bill 2037.

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.

- 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

Appropriations (House) - Virtual - 2/7 @ 10:00am

[HB 1799](#) - Public Hearing - Concerning organic materials management. (Remote testimony.)

[HB 1799](#) - Exec Session - Concerning organic materials management.

[HB 1866](#) - Exec Session - Assisting persons receiving community support services through medical assistance programs to receive supportive housing.

Transportation (House) - Virtual - 2/7 @ 10:00am

[HB 1712](#) - Exec Session - Concerning municipal airport commissions. (Neutral)

Ways & Means (Senate) - Virtual - 2/7 @ 10:00am

[SSB 5116](#) - Exec Session - Establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability.

[SSB 5575](#) - Exec Session - Adding additional superior court judges in Snohomish county. (Support)

[SSB 5600](#) - Exec Session - Concerning the sustainability and expansion of state registered apprenticeship programs.

[SSB 5619](#) - Exec Session - Conserving and restoring kelp forests and eelgrass meadows in Washington state. (Support)

[SSB 5662](#) - Exec Session - Concerning intergovernmental coordination to address transitioning persons encamped on state public rights-of-way to permanent housing solutions.

[SSB 5663](#) - Exec Session - Establishing streamlined procedures for compliance with the State v. Blake decision in order to improve criminal justice system coordination, create efficiencies, and reduce costs.

[SSB 5722](#) - Exec Session - Reducing greenhouse gas emissions in buildings.

[SSB 5764](#) - Exec Session - Concerning apprenticeships and higher education.

[SSB 5796](#) - Exec Session - Restructuring cannabis revenue appropriations. (Concerns)

[SSB 5867](#) - Exec Session - Concerning compassionate and effective strategies to address the homelessness crisis. (Oppose)



[SSB 5885](#) - Exec Session - Concerning marine shoreline habitat.

Transportation (Senate) - Virtual - 2/7 @ 12:30pm

[SB 5528](#) - Exec Session - Concerning the imposition of additive revenue sources within a regional transit authority area.

Law & Justice (Senate) - Virtual - 2/8 @ 8:30am

[HB 1719](#) - Public Hearing - Concerning use and acquisition of military equipment by law enforcement agencies. (Remote testimony.)

Bill Summaries

We will be providing an updated bill list following the fiscal committee cutoff on Monday, February 7, detailing the status of both “dead” and “alive” bills.