Hot topics
AWC petitions L&I for emergency prevailing wage rulemaking
AWC petitioned the Department of Labor and Industries (L&I) to initiate emergency rulemaking regarding prevailing wage for landscape maintenance.

Density bill gets worse for cities coming out of the Appropriations Committee
AWC and member cities have been working hard to find a way to support HB 1923, which asks cities to make land use and regulatory changes to increase housing supply. But we think cities are already doing a lot to address these issues locally. Learn more and contact your delegation with your concerns.

Local government records reporting bill advances
AWC’s public records bill was amended and voted out of the House Appropriations Committee last week. We are concerned that the amendments could result in unnecessary and redundant data reporting requirements.

Things you can do
Register for AWC Lobby Day!
MARCH 25 | OLYMPIA
Come to Olympia for this one-day Capitol Campus event to add your voice and let legislators know how they can help support and enhance strong cities. AWC Lobby Day is the week before an important legislative cutoff deadline, where legislators are slated to finalize policy bills that impact cities. Register now!

Media time
AWC priority bill updates after cutoff
Watch this video where Candice Bock delivers a brief update on our priority bills after cutoff.

City officials travelling to NLC’s Congressional City Conference
AWC’s leadership and approximately 85 Washington city officials are headed off to Washington, D.C. next week to advocate for federal policies that support our cities. Follow us March 11-13 on AWC’s twitter to get updates. Check out our federal priorities.

View from the Hill
Focus is on floor action, while budget challenges continue to loom
This week the focus shifts from committee meetings to sustained floor action as both chambers work to vote on a long list of bills. Read our bill tracking hot sheet for this week, learn about looming budget challenges, and find out about a recent development with AWC’s budget priority, the Public Works Trust Fund (PWTF).

What you need to know
Affordable housing: Status of affordable housing bills at cutoff.
Budget & finance: Bill reauthorizes tax structure work group and adds city voice.
Wayfair implementation increases city sales tax collections.
Cannabis: A handful of cannabis bills have advanced.
All of the cannabis bills that we reported on have died.
Economic development: Governor’s broadband bills on the move.
Environment & natural resources: Summary of environmental bills after first cutoff deadlines.
General government: Wrongful death bills advance.
Proposed changes to Voting Rights Act pass Senate.
Homelessness & human services: Status of bills addressing homelessness at cutoff.
HR & labor relations: Union dues bills progress in Legislature.
Land use & planning: Round up of land use bills after cutoff.
SEPA exemption bill for temporary shelters and encampments continues to move.
Public safety & criminal justice: Status of public safety and criminal justice bills.
Transportation: Delivery robot bills move out of House and Senate transportation committees.
Motorized foot scooter regulation bills move forward.

continued
View from the Hill

Focus is on floor action, while budget challenges continue to loom

This week the focus shifts from committee meetings to sustained floor action as both chambers work to vote on a long list of bills. The House and Senate have until March 13 to vote on bills before the house of origin cutoff deadline (http://leg.wa.gov/legislature/pages/cutoff.aspx). Legislators will likely work long hours this week and next through the deadline. During this time, there are only a few committee meetings on a handful of bills.

Many bills didn’t survive the previous committee cutoff deadlines. There are a variety of bills that AWC continues to work through floor action. We continue to highlight the most critical bills (those we support and those we oppose) in our weekly Hot Sheet (https://wacities.org/docs/default-source/Legislative/hotsheet.pdf?sfvrsn=28).

Watch this video (https://www.youtube.com/watch?v=7dLGOzmooe&feature=youtu.be) where Candice Bock delivers a brief update on our priority bills after cutoff.

This is a key time to get messages to your legislators before they vote. It can be challenging to connect with them during floor action – your best bet is to send an email or text message. It is also helpful to work with their Legislative Assistant (https://app.leg.wa.gov/Rosters/Members) and ask them to help you get a message delivered quickly.

Despite the focus on floor action, the budget challenges continue to loom over the decisions that they are making about which bills to move. Several AWC priority bills have been deemed NTIB (necessary to implement the budget) which means that they aren’t necessarily moving right now while the budget writers consider what they can and can’t afford. Last week we shared our budget priorities and a letter (https://wacities.org/docs/default-source/Legislative/0219budgetletter.pdf?sfvrsn=0) that we sent to the legislative budget leaders.

A recent development in AWC’s budget priorities is action by the AWC Board Legislative Steering Committee to support a graduated state Real Estate Excise Tax (REET) revenue proposal if the money is first used to fully fund the Public Works Trust Fund (PWTF) and end the diversion of REET dollars which would add approximately $84 million back into the PWTF. We will provide more information on this approach in next week’s Bulletin.

Thank you for all of your help with responding to our calls to reach out to your legislators and provide feedback on bills. It takes all of us to make cities’ voices heard.

Don’t forget about the upcoming AWC Lobby Day (https://wacities.org/events-education/Upcoming-AWC-events/events-details?ID=1854), we hope you can join us in Olympia on March 25.
Affordable housing

Status of affordable housing bills at cutoff
Contact: Carl Schroeder, Shannon McClelland

The following housing bills that we have reported on have advanced out of committee (or are have an impact on the budget) and are awaiting floor action.

- **HB 1105** – Protecting taxpayers from home foreclosure
- **HB 1107** – Concerning nonprofit homeownership development
- **HB 1168** – Concerning sales and use and excise tax exemptions for self-help housing development
- **HB 1181** – Providing property tax relief for senior citizens and qualifying veterans
- **HB 1207** – Concerning manufactured housing communities
- **HB 1219** – Providing cities and counties authority to use real estate excise taxes to support affordable housing and homelessness projects
- **HB 1290** – Concerning reviews of voluntary cleanups
- **HB 1377** – Concerning requiring cities to offer a density bonus for affordable housing development on religious organization property
- **HB 1406** – Encouraging investments in affordable and supportive housing
- **HB 1576** – Concerning condominium liability
- **HB 1590** – Allowing the local sales and use tax for affordable housing to be imposed by a councilmanic authority
- **HB 1797** – Concerning local governments planning and zoning for accessory dwelling units
- **HB 1798** – Concerning short-term rentals
- **HB 1923** – Increasing urban residential building capacity
- **SB 5025** – Creating sales and use and excise tax exemptions for self-help housing development
- **SB 5334** – Concerning the Washington uniform common interest ownership act
- **SB 5357** – Authorizing cities and counties to impose additional taxes for affordable housing
- **SB 5358** – Concerning affordable housing development on religious organization property
- **SB 5363** – Extending the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers
- **SB 5366** – Expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers
- **SB 5372** – Concerning local project review undertaken under chapter 36.70B RCW
- **SB 5382** – Concerning tiny houses serving as accessory dwelling units
- **SB 5383** – Concerning tiny houses
- **SB 5384** – Concerning the location of tiny house communities
- **SB 5390** – Providing property tax relief to preserve home ownership
- **SB 5646** – Encouraging investments in affordable and supportive housing
- **SB 5788** – Concerning local government infrastructure funding
- **SB 5812** – Concerning local governments planning and zoning for accessory dwelling units
- **SB 5951** – Concerning tax incentives to encourage residential and mixed-use development in urban infill areas

continued
These are the bills that we have reported on but will not advance this session:

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 1044</td>
<td>Concerning senior citizen property taxes</td>
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</tr>
<tr>
<td>HB 1090</td>
<td>Providing property tax relief to senior citizens</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1206</td>
<td>Concerning park models, tiny homes, and manufactured homes</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1306</td>
<td>Condominium warranties</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1320</td>
<td>Concerning property tax exemptions for service-connected disabled veterans and senior citizens</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1493</td>
<td>Authorizing cities and counties to impose additional taxes for affordable housing</td>
<td>Dead</td>
</tr>
<tr>
<td>SHB 1581</td>
<td>Funding local housing trust fund programs in certain cities</td>
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</tr>
<tr>
<td>SHB 1680</td>
<td>Concerning local government infrastructure funding</td>
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<td>HB 1690</td>
<td>Concerning short subdivisions</td>
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</tr>
<tr>
<td>HB 1921</td>
<td>Addressing the regressive nature of the Washington state housing market</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5289</td>
<td>Nonprofit homeownership development</td>
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<tr>
<td>HB 1921</td>
<td>Addressing the regressive nature of the Washington state housing market</td>
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</tr>
<tr>
<td>SB 5440</td>
<td>Concerning the housing element of comprehensive plans required under the growth management act</td>
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</tr>
<tr>
<td>SB 5802</td>
<td>Establishing housing affordability zones</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5870</td>
<td>Concerning short-term rentals</td>
<td>Dead</td>
</tr>
</tbody>
</table>

**Budget & finance**

**Wayfair implementation increases city sales tax collections**

Contact: Candice Bock, Andrew Pittelkau

SB 5581, sponsored by Sen. Christine Rolfes (D–Bainbridge Island), aligns state tax code with the Supreme Court of the United States 5-4 opinion in the case of South Dakota v. Wayfair. The court’s opinion favoring South Dakota allows states to collect sales tax on goods sold from remote out-of-state sellers. The opinion reverses the physical presence standard set in the prior cases of Quill (1992) and Bellas Hess (1967) stating, "sellers who engage in a significant quantity of business in the state, and respondents are large, national companies that undoubtedly maintain an extensive virtual presence."

EHB 2163, which passed in the 2017 session, required marketplace facilitators with at least $10,000 in gross receipts to begin collecting and remit sales tax for out-of-state sellers on their platforms or to provide notice and reporting for customers effective January 1, 2018. Following the Wayfair decision, the Department of Revenue (DOR) made a regulatory change effective October 1, 2018, that businesses meeting the threshold of $100,000 or 200 transactions must register and collect sales tax. Businesses below the threshold were still required to either register and collect or report.

SSB 5581 aligns DOR’s regulatory change with Wayfair.
Cities are estimated to collect the following additional sales tax from goods sold from remote out-of-state sellers:

- $13.7 million in the 2019-21 biennium
- $19.9 million in the 2021-23 biennium
- $21.7 million in the 2023-25 biennium

**SSB 5581** passed out of the House Finance Committee on February 25.

**Bill reauthorizes tax structure work group and adds city voice**

Contact: Candice Bock, Andrew Pittelkau

**HB 2117**, sponsored by Noel Frame (D–Seattle), reauthorizes the tax structure work group with a five-year work plan and expands membership to nine voting members and three nonvoting members. The original tax structure workgroup was authorized in an operating budget proviso (Sec. 101 of **SSB 5883**) and produced a final report in December 2018. The report made the following recommendations:

- The tax group should be reauthorized, and membership should be expanded;
- It should focus on policy proposals addressing key challenges of state tax code including the regressivity of the tax system, impacts on small and start-up businesses, and impacts of tax exemptions;
- Data models should be developed to inform policy proposals addressing key challenges, such alternatives to major state taxes and the one percent property tax limit; and
- The group should continue direct engagement with taxpayers and other stakeholders.

**HB 2117**’s tax structure workgroup would be authorized to:

- Update the final report of the work group and investigate other changes to the state tax structure;
- Facilitate a series of public meetings around the state to present the updated report and other findings, collect feedback from taxpayers about the tax structure, and summarize the feedback in a report; and
- Make recommendations to the Legislature for changes to the state tax structure that do not result in an estimated loss in state revenue.

AWC would be a nonvoting member of the work group. The final report is due to the Legislature by December 31, 2024.

**Cannabis**

**Cannabis bills that have died**

Contact: Sharon Swanson, Shannon McClelland

The following bills did not make it out of committee in time for further consideration. These bills are considered “dead” for the session.

**HB 1003** included preschools and school bus stops in the buffer distance requirements of state-licensed marijuana businesses.

**HB 1131** and **SB 5155** would have legalized recreational home grow.

**SB 5599** required the Liquor and Cannabis Board to issue a retail cannabis license to a municipal corporation, commission, or authority.

**HB 1358** would have allowed cannabis retail delivery.

*continued*
Some cannabis bills advance
Contact: Sharon Swanson, Shannon McClelland

All of the following bills are currently out of committee and are awaiting action on the floor.

Vacating cannabis misdemeanor convictions
SB 5605, sponsored by Sen. Joe Nguyen (D–Seattle), allows a person convicted of a misdemeanor marijuana offense, who was at least twenty-one years old at the time of the offense, to apply to the sentencing court to vacate the record of conviction. 
SB 5605 was heard in the Senate Law & Justice Committee on February 12 and the Ways & Means Committee on February 19.

Banning cannabis billboards
HB 1466, sponsored by Rep. Brad Klippert (R–Kennewick), prohibits licensed marijuana businesses from placing or maintaining any billboard that advertises the licensee's business, cannabis, or any cannabis product. 
HB 1466 was heard in the House Commerce & Gaming Committee on January 28 and in the House Appropriations Committee on February 28.

State Liquor & Cannabis Board enforcement powers clarified
HB 1626, sponsored by Rep. Eric Pettigrew (D–Seattle), clarifies that, in addition to its existing powers to enforce any criminal law related to the manufacture, importation, transportation, possession, distribution, or sale of liquor, the Liquor and Cannabis Board (LCB) and its enforcement officers have the power to enforce equivalent laws relating to marijuana, tobacco, and vapor products. In enforcing these state provisions, the LCB officers may serve and execute all warrants and process of law issued by the courts and may make arrests for violations.
HB 1626 was heard in the House Public Safety Committee on February 7.

Criminal penalties applicable to licensed cannabis retailers
HB 1792, sponsored by Rep. Eric Pettigrew (D–Seattle), creates a new gross misdemeanor crime when a cannabis retail outlet employee sells marijuana products to a person under the age of 21. A marijuana retailer or employee of a retail outlet may be guilty of a misdemeanor if they allow a person under the age of twenty-one to enter or remain on the premises of a retail outlet.
HB 1792 was heard in the House Commerce & Gaming Committee on February 15.
Economic development

Governor's broadband bills on the move
Contact: Candice Bock, Brandon Anderson

HB 1498 and SB 5511, the Governor-request bills creating a statewide broadband office and new funding program, were advanced out of the House and Senate fiscal committees last week. A series of technical changes were made to both bills before they were voted out of the fiscal committees.

If passed, the legislation would create a $25 million competitive grant and loan program managed by the Public Works Board to help promote expanded broadband access. The Governor’s proposed budget included diverting $7.5 million from the Public Works Trust Fund (PWTF) to the new broadband grants and loans. AWC opposes the diversion of resources from the Public Works Assistance Account to pay for the new programs.

AWC does support the bills and creation of the statewide broadband office and funding program, so long as it doesn’t divert funding from other infrastructure funding programs.

Environment & natural resources

Summary of environmental bills after first cutoff deadlines
Contact: Carl Schroeder, Shannon McClelland

See below for the summary of bills we have been tracking and reported on that have passed out of committee and are awaiting floor action.

- HB 1194 – Chemical Action Plans
- HB 1205 – Plastic bag ban
- HB 1290 – Faster permitting at Ecology for voluntary cleanups
- HB 1543 – Ecology request bill to development recycling market research center and require local contamination recycling plans
- HB 1579 – Implementing recommendations of the southern resident killer whale task force to make changes to the Hydraulic Project Approval (HPA) statutes and the single-family bulkhead policies
- HB 1665 – Commerce to complete economic analysis of recycling system
- HB 1691 – Concerning funding and administering local government infrastructure by the public works board
- SB 5077 – Prohibiting single-use plastic straws
- SB 5130 – Increasing transportation revenues to help fund state fish barrier removal
- SB 5135 – Chemical Action Plans
- SB 5285 – Faster permitting at Ecology for voluntary cleanups
- SB 5293 – Governor’s request bill on energy efficiency, impacting residential building codes
- SB 5323 – Plastic bag ban
- SB 5397 – Producer responsibility for plastic packaging
- SB 5545 – Ecology request bill to development recycling market research center and require local contamination recycling plans
- SB 5788 – Concerning local government infrastructure funding
- SB 5873 – Concerning community forests

continued
The following bills that we reported on did not advance:

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
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<tr>
<td>HB 1204</td>
<td>Producer responsibility for plastic packaging</td>
<td>Dead</td>
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<tr>
<td>HB 1257</td>
<td>Governor’s request bill on energy efficiency, impacting residential building codes</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1795</td>
<td>Hauler’s bill on changing recycling system</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1946</td>
<td>Concerning community forests</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5854</td>
<td>Hauler’s bill on changing recycling system</td>
<td>Dead</td>
</tr>
</tbody>
</table>

General government

**Proposed changes to Voting Rights Act passes Senate**

Contact: Candice Bock, Shannon McClelland

**SB 5266** changes the Voting Rights Act (VRA) to require that all council positions are up for reelection when redistricting under the VRA. The substitute bill that passed out of the Senate adds language to clarify that cities can still stagger the terms of the positions. AWC requested this clarification and we appreciate that the sponsor included this language.

The bill is retroactive, and if passed, goes into effect January 16. This will impact any cities currently redistricting under the VRA who did not adopt an ordinance or charter amendment prior to that date. For more details, please see our previous article.

Please contact Candice with any concerns.

Wrongful death bills advance

Contact: Sharon Swanson, Shannon McClelland

Both wrongful death bills, **HB 1135** and **SB 5163**, advanced out of committee and are in their respective Rules Committees awaiting floor action. Please see our previous article on what these bills do.

AWC continues to strongly oppose these bills and the impact their passage would have on cities. Please reach out to your legislators to express your opposition.

HR & labor relations

**Union dues bills progress in Legislature**

Contact: Logan Bahr, Brandon Anderson

**HB 1575** and **SB 5623**, concerning the deduction of union dues and fees, continue to advance in the House and Senate. Last week, both bills survived the fiscal cutoff and were voted out of committee.

These bills are in response to the U.S. Supreme Court decision in *Janus v. AFSCME* that made union agency fees unconstitutional. The House and Senate bills remove statutory language on agency fees and provide procedures for authorizing the deduction and revocation of union dues from an employee’s pay. The bills also authorize a cross-check process to determine union representation for certain public employees.

AWC has been working with legislators and the bill’s proponents and we are supportive of the sections that protect local governments from potential litigation associated with complying with the new requirements set forth in the bills.

continued
Homelessness & human services

Status of bills on homelessness at cutoff
Contact: Carl Schroeder, Shannon McClelland

A substitute version of HB 1745 on homeless hosting by religious organizations is in Rules Committee awaiting floor action. The following bills did not advance:

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 1591</td>
<td>Homeless rights</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5261</td>
<td>Hiring homeless for local beautification projects</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5644</td>
<td>Homeless hosting by religious organization</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5722</td>
<td>Homeless housing &amp; assistance</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5882</td>
<td>Homeless encampments near schools</td>
<td>Dead</td>
</tr>
</tbody>
</table>

SEPA exemption bill for temporary shelters and encampments continues to move
Contact: Carl Schroeder, Shannon McClelland

SB 5946, sponsored by Sen. Joe Nguyen (D–Seattle), is a City of Seattle priority bill to provide an exemption from State Environmental Policy Act (SEPA) review for permit actions to site temporary or transitional shelters or encampments.

This bill applies the SEPA exemption to facilities:
- That are used by people experiencing homelessness;
- With less than two hundred beds;
- That do not require permanent structures; and
- That are not to be used for more than three years.

The bill moved out of committee before cutoff and now awaits further action in the Rules committee.

Land use & planning

Density bill gets worse for cities coming out of the Appropriations Committee
Contact: Carl Schroeder, Shannon McClelland

AWC and member cities have been working hard to find a way to support HB 1923, which asks cities to take a series of actions geared toward increasing supply of housing through land use and regulatory changes. AWC has had a long-standing priority around affordable housing and supports a variety of approaches to achieve those goals, including the role of local land use policy. That said, we think that cities are already doing a lot locally to find ways to address these issues. A critical component of this proposal that helped make this a somewhat balanced bill for cities was that planning grants were provided to cities to help support their work to update their housing policies.

On Thursday night, the House Appropriations Committee removed the funding for the planning grants from the bill; and declined a proposal from AWC to allow cities to recover the costs of planning through surcharges on building permit fees. We think that, fundamentally, if the state believes it is critical for cities to update our housing codes by choosing actions off a menu of options that the state presents us, then at a minimum they need to help pay for that work. If they cannot prioritize that funding, we think that shows that this bill is not a priority for passage.
Please contact your delegation and ask them to support your city by opposing **HB 1923**. Relay to your legislators that if it is not a priority to help us do the work to comply with this bill, it would be better for the Legislature to focus on other proposals that more directly help cities meet our needs on housing issues, such as **HB 1406/SB 5646**.

Please contact Carl Schroeder if you have any questions.

**Round up of land use bills after cutoff**

Contact: Carl Schroeder, Shannon McClelland

The following are land use bills that we have reported on that have survived both the policy and fiscal committee cutoff dates:

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
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<tr>
<td>HB 1357 (SB 5249)</td>
<td>Unincorporated island annexation</td>
<td>Rules R</td>
</tr>
<tr>
<td>HB 1797 (SSB 5812)</td>
<td>Accessory dwelling units</td>
<td>Rules R</td>
</tr>
<tr>
<td>HB 1923</td>
<td>Urban residential building</td>
<td>Rules R</td>
</tr>
<tr>
<td>SB 5008</td>
<td>Short subdivisions</td>
<td>Rules 2</td>
</tr>
<tr>
<td>SB 5372</td>
<td>Local project review</td>
<td>Rules 2</td>
</tr>
<tr>
<td>SB 5382</td>
<td>Tiny houses as ADUs</td>
<td>Rules 2</td>
</tr>
<tr>
<td>SB 5383</td>
<td>Tiny houses</td>
<td>Floor 2nd</td>
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<tr>
<td>SB 5384</td>
<td>Tiny house community locations</td>
<td>Rules 2</td>
</tr>
<tr>
<td>SB 5812 (HB 1797)</td>
<td>Accessory dwelling units</td>
<td>Rules 2</td>
</tr>
<tr>
<td>SB 5873</td>
<td>Community forests pilot</td>
<td>Rules 2</td>
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The following bills that we have been tracking did not advance:

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>HB 1506</td>
<td>Urban growth areas</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1690</td>
<td>Short subdivisions</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1946</td>
<td>Community forests</td>
<td>Dead</td>
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<tr>
<td>SB 5193</td>
<td>GMA/rural development</td>
<td>Dead</td>
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<tr>
<td>SB 5194</td>
<td>Urban growth area boundaries</td>
<td>Dead</td>
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<tr>
<td>SB 5242</td>
<td>Rural county economic development</td>
<td>Dead</td>
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<tr>
<td>SB 5243</td>
<td>Growth management board standing</td>
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<td>SB 5245</td>
<td>Critical area designation</td>
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<tr>
<td>SB 5259</td>
<td>GMA/agricultural land</td>
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<tr>
<td>SB 5353</td>
<td>Redevelopment/density</td>
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<td>SB 5424</td>
<td>Transit density standards</td>
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<td>SB 5440</td>
<td>Housing element/GMA</td>
<td>Dead</td>
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<td>SB 5520</td>
<td>Urban growth areas</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5630</td>
<td>GMA hearings/composition</td>
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</tr>
<tr>
<td>SB 5951</td>
<td>Urban infill area development/taxes</td>
<td>Dead</td>
</tr>
</tbody>
</table>
Open government

Local government records reporting bill advances
Contact: Candice Bock, Brandon Anderson

HB 1667, AWC’s public records bill, was amended and voted out of the House Appropriations Committee last week.

HB 1667 aims to improve local government public records reporting requirements established by the 2017 Legislature under ESHB 1594 by streamlining and clarifying some of the reporting metrics.

The bill also aids cities by ending the sunset on the Attorney General Local Records Assistance Program and the State Archives Local Grant Program that assist in the improvement of local government public records management. The funding and the programs are currently scheduled to sunset in 2020. HB 1667 makes both permanent.

AWC is concerned that the amendments made in the Appropriations Committee could result in unnecessary and redundant data reporting requirements. We will continue to work with legislators and stakeholders to improve the language of this bill.

Public safety & criminal justice

Status of public safety and criminal justice bills
Contact: Sharon Swanson, Shannon McClelland

HB 1253 and its companion SB 5944 would have required newly hired law enforcement personnel to begin the Basic Law Enforcement Academy (BLEA) training within two months of employment rather than the current six months. This proposal was the policy portion of our BLEA funding priority this session. Neither bill advanced out of committee before cutoff deadlines.

AWC continues to advocate for funding in the operating budget for 19 BLEA classes per year.

The following are other public safety and criminal justice bills that did not advance:

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
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<tbody>
<tr>
<td>HB 1086</td>
<td>Increasing appropriated funds for defense services</td>
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<tr>
<td>SB 5098</td>
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<tr>
<td>HB 1134</td>
<td>Standardizing fire safety codes for mobile food trucks</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1269</td>
<td>Concerning seizure and forfeiture procedures</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1458</td>
<td>Concerning municipal police districts</td>
<td>Dead</td>
</tr>
<tr>
<td>HB 1489</td>
<td>Consolidating traffic based financial obligations to facilitate reinstatement</td>
<td>Dead</td>
</tr>
<tr>
<td>SB 5575</td>
<td>of driving privileges</td>
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<tr>
<td>HB 1663</td>
<td>Authorizing the use of automated license plate recognition systems</td>
<td>Dead</td>
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<td>SB 5529</td>
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<tr>
<td>HB 1825</td>
<td>Concerning the placement &amp; treatment of conditionally released sexually</td>
<td>Dead</td>
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<tr>
<td>SB 5941</td>
<td>violent predators</td>
<td></td>
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<tr>
<td>SB 5060</td>
<td>Changing the burden of proof in civil asset forfeiture</td>
<td>Dead</td>
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Public works

AWC petitions L&I for emergency prevailing wage rulemaking

Contact: Candice Bock, Andrew Pittelkau

AWC petitioned the Department of Labor and Industries (L&I) to initiate emergency rulemaking regarding prevailing wage for landscape maintenance.

**SB 5493**, passed during the 2018 session, required L&I to establish the prevailing wage rate based on collective bargaining agreements, where possible. The new method has created significant spikes in prevailing wages for landscape maintenance because they are lumped into the job classification for landscape construction (WAC 269-127-01346).

AWC has been talking to other stakeholders and L&I about possible solutions, including creating a new scope of work specific to landscape maintenance that is distinct from landscape construction. The separation would allow L&I to relook at the wage rates for the new classification separately from construction work which would likely result in a lower rate.

The petition for emergency rulemaking asks L&I to create a new landscape maintenance specific scope of work that will separate that kind of work for the higher classification of landscape construction. AWC worked in partnership with the Building and Construction Trades Council to craft a proposed scope of work for landscape maintenance for L&I to consider.

The proposed scope shared with L&I:

1. Landscape maintenance includes:
   a. Mowing, weeding, and maintaining of lawns, yards, gardens, athletic fields, golf courses, parks, trails, or other previously landscaped surfaces.
      i. Including incidental hauling of top soil, plants, or other landscaping materials in trucks with only one rear axle.
      ii. Maintenance may also include but not be limited to reseeding, resodding or rehydroseeding, replanting, top dressing, aerification, and applying chemicals, fertilizers, and soil amendments.
         1. Rehydroseeding shall not include large top mounted delivery system application exceeding 100 gallons.
      iii. Including pruning, trimming, mulching, and composting.
   b. Use of power equipment with less than 20 horsepower, and hand tools such as line trimmers, edgers, mowers, and leaf and snow blowers. Use of riding mowers not to exceed 50 horsepower.
   c. Irrigation system repair and maintenance on existing systems.
   d. Storm drain and catch pond maintenance including minor debris removal and clearing of drain grates.

L&I has 60 days to make a decision about whether or not to institute emergency rulemaking; however, we anticipate an answer soon.
Transportation

Delivery robot bills move out of House and Senate transportation committees
Contact: Logan Bahr, Brandon Anderson

The House and Senate Transportation Committees passed two different versions of a bill concerning the regulation of personal delivery devices – automated devices intended to deliver property via sidewalks and crosswalks.

The House version, HB 1325, establishes a complex regulatory framework for the operation of personal delivery devices, including the ability for local governments to prohibit the operation of such devices within part or all of their jurisdiction. SB 5378, passed by the Senate Transportation Committee, requires the Joint Transportation Committee to convene a personal delivery device work group to make recommendations for future legislation by December 1, 2019.

In the coming weeks, both policies will continue to be debated by legislators and AWC will ensure that city interests are represented in the discussions.

Motorized foot scooter regulation bills move forward
Contact: Logan Bahr, Brandon Anderson

HB 1772 and SB 5751, concerning motorized foot scooters, both advanced after being amended in the House and Senate Transportation Committees.

The versions that moved are identical and establish a regulatory framework for motorized foot scooters. The amended versions of the bills remove restrictions on local governments’ ability to regulate the operation of scooters within their jurisdictions and identify several possible areas for potential regulation.

These versions are working drafts. The bill’s stakeholders, including AWC, will meet again this week to continue perfecting the bill language.
AWC Legislative Contacts

During the legislative session, AWC’s lobbyists often are unable to return your phone calls immediately. If you have a legislative or specific issue question, please request AWC’s analyst staff, or send them an email.

Call AWC at (360) 753-4137 or 1-800-562-8981

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