

WASHINGTON ASSOCIATION OF CONSERVATION DISTRICTS

Weekly Report

PREPARED BY: COYNE, JESERNIG, LLC

Thursday, March 3, 2011

The legislature moved past the halfway point in the 2011 Session when it finished work today on what is the 53rd day of the 105 day Regular Session. Scheduled to adjourn on April 24th this year, most Olympia insiders believe it will take at least one, if not two, special sessions to actually close the massive budget deficit legislators are working on. Just how large that deficit will be will not be known until the March revenue forecast is released on March 17th by the Revenue Forecast Council.

Legislators spent many hours this week on their respective Chamber's Floors as the House and Senate worked to pass bills over to the other Chamber prior to the "House of Origin" cutoff deadline set for 5:00 PM on Monday, March 7th. At that time, any Senate bill that is not out of the Senate, or House bill that is not out of the House, (unless they are "necessary to implement the budget"), is "dead" for the 2011 Session. Roughly 80% of the 2000 bills introduced this year will be "killed" by this cutoff deadline.

In advance of the extremely contentious budget cutting that will occur as soon as the revenue forecast is released, Sen. Jeanne Kohl-Welles and 12 of her Senate Democratic colleagues have introduced a bill (SB 5857) that eliminates most exemptions to the state sales tax and ends almost all preferential B&O tax rates. Though there is not an official estimate yet on the cost of enacting this bill, most unofficial estimates equate it to a \$8B tax increase. Some of the agricultural exemptions that would be eliminated or phased out are:

- 1) The wholesale B&O exemption,
- 2) the sales tax exemption for fertilizers and pesticides,
- 3) the fuel tax exemption for off-road fuel, and,
- 4) the exemption for replacement parts for farm machinery and equipment.

The bill's supporters admit that the bill is unlikely to go anywhere in its current form this Session because it would require a two-thirds vote in the legislature, or a majority vote in the legislature followed by voter approval, but there is much speculation that many of these tax exemptions could wind up in an initiative on the November ballot. While this is not the first "shot across the bow" at tax exemptions this year, it is by far the biggest. The possibility of having these exemptions taken away is something the agricultural industry will have to actively work on for at least the next several years.

The Conservation Reserve Enhancement Program (CREP) is the largest riparian restoration program in Washington State. It has restored over 720 miles of streams with the installation of roughly 13,000 acres of streamside buffers. CREP has the highest federal match of state dollars of any other salmon recovery program, with federal dollars paying for about 80% of the total program costs. State CREP appropriations are spent primarily on the maintenance of these buffers. Washington currently has 336 contracts that still require maintenance. Without adequate funding in the Capital Budget, we will be unable to fully meet this contractual requirement, and we also risk losing our investment in those buffers due to poor survival of trees without sufficient maintenance. Accordingly, increasing CREP funding from the \$400,000 level in the Governor's budget is a high priority for WACD.

Unfortunately, our ability to increase CREP funding in the Capital Budget has taken a series of devastating hits this session. The biggest problem is that while the Governor's Capital Budget was based upon \$975M in bonds, the State's difficult financial situation has drastically reduced the legislature's bonding capacity. The two biggest hits to this capacity were the increased cost of borrowing that has occurred over the last four months, and the

fact that the March revenue forecast will likely decrease the amount of revenue available to fund a bond bill. The State Treasurer's office estimates that the legislature is likely to have something around \$700M in bonding capacity when it writes its Capital Budget. This means that the legislature's Capital Budget will need to be \$275M *smaller* than the Governor's Capital Budget that we did not receive adequate funding in. With \$275M worth of projects needing to be cut out of the Governor's budget, increasing any type of funding in the Capital Budget is going to be extremely difficult.

Opposition to the Department of Ecology's water rights fee increase bills is mounting within the agricultural industry. Though many industry segments would be willing to support either HB 1610 or SB 5536 *IF* fundamental reforms were made in the Ecology Water Program, they are almost universally opposed to the fee increases found in both measures if those reforms are not enacted. At this time HB 1610 is "dead" because it has not moved out of the House Agriculture & Natural Resources Committee, but SB 5536 remains "alive" in the Senate Ways & Means Committee because it has been designated as "necessary to implement the budget". While both the House and Senate have started stakeholder meetings to try to find some common ground on fee increases/reforms that could be enacted, it seems more and more likely that the agricultural industry will be forced to simply oppose SB 5536.

Finally, HB 1467, (a measure stating that inserting devices into the ground at a depth of up to 10 feet to test water or soils is not considered a "well"), passed the House this week by a vote of 97 – 0. Prime sponsored by Rep Vincent Buys of Everson, and developed by the Whatcom County Conservation District, this bill would exempt soil probes from being regulated as a "well" by the Department of Ecology. As silly as this interpretation sounds, many agricultural producers were concerned that checking water tables, measuring moisture content, or taking groundwater samples could be classified as digging a well which would subject them to the Ecology permitting process. HB 1467 now awaits action in the Senate Energy, Water & Environment Committee.

BILL TRACKING SUMMARY

HIGH PRIORITY BILLS

	<u>Sponsor</u>	<u>Position</u>	<u>Status</u>
ES1086 Making 2009-2011 supplemental operating appropriations. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Hunter	Concerns	C, 5 L 11
1087 Making 2011-2013 operating appropriations.	Hunter	Support	H, Ways & Means
1348 Concerning state general obligation bonds and related accounts.	Dunshee	Support	H, Cap Budget
S1467 Modifying the definition of a well for the purposes of chapter 18.104 RCW. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Buys	Support	S, Env/Water/Ener
1497 Adopting a 2011-2013 capital budget.	Dunshee	Monitor	H, Cap Budget
ES1886 Implementing recommendations of the Ruckelshaus Center process. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Takko	Support	S, Ag&RuralEc Dev
5094 Making 2011-2013 operating appropriations.	Murray	Monitor	S, Ways & Means
5127 Concerning state general obligation bonds and related accounts.	Kilmer	Concerns	S, Ways & Means
5225 Regulating soil science and wetland science professions.	Murray	Support	S, Rules 2G
5467 Adopting a 2011-2013 capital budget.	Kilmer	Monitor	S, Ways & Means
S5536 Regarding the management of water resources.	Rockefeller	Concerns	S, Ways & Means
S5669 Regarding the consolidation of certain natural resources agencies and programs.	Ranker	Oppose	S, Ways & Means
S5713 Implementing recommendations of the Ruckelshaus Center process.	Haugen	Support	S, Rules 2G
S5723 Establishing a process for addressing water quality issues associated with livestock operations.	Schoesler	Monitor	S, 2nd Reading

5857	Concerning tax expenditure reform to provide transparency and accountability in fiscal matters.	Kohl-Welles	Oppose	S, Ways & Means
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MEDIUM PRIORITY BILLS

S1169	Regarding noxious weed lists. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Haigh	Monitor	S, Ag&RuralEc Dev
1179	Clarifying that public employees may attend informational or educational meetings regarding legislative issues.	Hunt	Monitor	H, Rules R
S1192	Ensuring the viability of small forest landowners. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Blake	Support	H, Rules R
S1371	Addressing boards and commissions. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Darneille	Concerns	H, Ways & Means
S1509	Concerning the forestry riparian easement program. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Blake	Monitor	H, Rules R
S1720	Reorganizing and streamlining central service functions, powers, and duties of state government. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Hunt	Monitor	H, Ways & Means
S1899	Changing penalty amounts for public records violations. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Miloscia	Monitor	S, GovtOp & Elect
S5049	Implementing recommendations of the sunshine committee. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Kline	Monitor	S, Rules 2G
5166	Allowing off-road vehicles on public highways in certain areas.	Schoesler	Support	S, 2nd Reading
ES5230	Establishing the Puget Sound corps. (AS OF SENATE 2ND READING 2/23/11)	Ranker	Monitor	H, Environment
S5266	Facilitating improvement of the state's permitting process. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Swecker	Monitor	S, Rules 2G
5293	Regarding the use of water delivered from the federal Columbia basin project.	Schoesler	Support	S, 2nd Reading
S5294	Regarding hours of availability of cities, towns, and special purpose districts for inspection and copying of public records. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Swecker	Support	S, Rules 2
S5485	Maximizing the use of our state's natural resources. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Hargrove	Monitor	S, Rules 2
S5538	Concerning members of certain nonprofit conservation corps programs. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	White	Monitor	H, Labor/Work Dev
S5553	Requiring public agencies, special purpose districts, and municipalities to post certain information on their web sites. (DIGEST OF PROPOSED 1ST SUBSTITUTION)	Roach	Monitor	S, Rules 2G
5604	Concerning creating clean water jobs through storm water pollution funding.	Nelson	Monitor	S, Ways & Means
5862	Regarding the administration of natural resources programs.	Hargrove	Monitor	S, NR/Marine

LOW PRIORITY BILLS

1014	Modifying the authority of a watershed management partnership.	Goodman	Monitor	S, Env/Water/Ener
1212	Authorizing the department of agriculture to accept and expend gifts.	Lytton	Support	S, Ag&RuralEc Dev
1622	Authorizing rural conservation development demonstration projects.	Dunshee	Monitor	H, Rules R
ES1885	Providing streamlining improvements in the administration of programs affecting the natural environment. (AS OF HOUSE 2ND READING 3/01/11)	Moscoso	Monitor	S, NR/Marine
2008	Natural resources programs (Supplement not yet available.)		Monitor	H, Gen Gov Apps
S5072	Authorizing the department of agriculture to accept and expend	Hatfield	Support	H, Ag & Nat Res

gifts. (DIGEST OF PROPOSED 1ST SUBSTITUTE)

S5211	Concerning forest practices applications leading to conversion of land for development purposes. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Haugen	Monitor	S, 2nd Reading
5241	Modifying the authority of a watershed management partnership.	Roach	Monitor	S, 2nd Reading
ES5253	Concerning tax increment financing for landscape conservation and local infrastructure. (AS OF SENATE 2ND READING 3/01/11)	White	Monitor	H, Local Govt
S5343	Concerning air emissions from anaerobic digesters. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Haugen	Monitor	S, 2nd Reading
5693	Defining "copy" for purposes of the public records act.	Swecker	Monitor	S, Rules 2

DEAD BILLS

1044	Establishing the office of open records.	Hurst	Support	H, SGTribalAff
1054	Declaring water conservation practices to be a beneficial use of water for the purposes of relinquishment.	Chandler	Support	H, Ag & Nat Res
1070	Regarding the permitting of anaerobic digestion under chapter 70.94 RCW, the clean air act.	Bailey	Support	H, Environment
1095	Regarding payments in lieu of taxes for lands managed by the department of fish and wildlife.	Taylor	Monitor	H, Ag & Nat Res
1110	Requiring certain state agencies that manage natural resources to coordinate their land management with local governments.	Taylor	Monitor	H, Ag & Nat Res
1111	Addressing federal and state government coordination with local governments.	Taylor	Monitor	H, Local Govt
1117	Regarding the relinquishment of water rights.	Taylor	Support	H, Ag & Nat Res
1120	Delaying the implementation of the family leave insurance program.	Sells	Support	H, Labor/Work Dev
1139	Concerning providing agencies notice of a dispute under the public records act and an opportunity to cure error in the production of public records.	Armstrong	Monitor	H, SGTribalAff
1152	Providing technical assistance to achieve voluntary compliance with water pollution control statutes.	Smith	Monitor	H, Ag & Nat Res
1161	Regarding the payment of compensation to small forest landowners participating in the forest riparian easement program.	Orcutt	Monitor	H, Ag & Nat Res
1162	Streamlining natural resources management.	Orcutt	Monitor	H, SGTribalAff
1216	Concerning digital copy machines used by public agencies.	Hudgins	Monitor	H, SGTribalAff
1240	Establishing a moratorium on the imposition of impact fees.	Orcutt	Monitor	H, Local Govt
S1296	Creating a water commission. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Hinkle	Monitor	H, Ways & Means
1297	Concerning the relinquishment of a water right.	Chandler	Monitor	H, Ag & Nat Res
1299	Regarding conferences for public records requests disputes.	Takko	Monitor	H, SGTribalAff
1300	Regarding the recovery of the costs of production and copying of public records.	Moeller	Monitor	H, SGTribalAff
1313	Regulating soil science and wetland science professions.	Green	Support	H, Gen Gov Apps
1389	Regarding hours of availability of special purpose districts for inspection and copying of public records.	Haler	Support	H, SGTribalAff
1460	Reorganizing natural resource agencies.	Hunt	Oppose	H, SGTribalAff
1610	Regarding the management of water resources.	Blake	Concerns	H, Ag & Nat Res
1850	Regarding the consolidation of certain natural resources agencies and programs.	Dunshee	Oppose	H, SGTribalAff
1871	Regarding implementation of recommendations of the William D. Ruckelshaus Center.	Takko	Support	H, Local Govt

Makes 2009-2011 supplemental operating appropriations.

Companion Bill: 5095 Operating sup budget 2009-11 S, Ways & Means

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1086-s.e.pdf>

1087 **OPERATING BUDGET 2011-2013**

Representatives Hunter, Alexander, and Darneille

HUNTER

Requested by
Governor Gregoire

Makes 2011-2013 operating appropriations.

Companion Bill: 5094 Operating budget 2011-2013 S, Ways & Means

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1087.pdf>

S1169 **NOXIOUS WEED LISTS**

HAIGH

House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Haigh, Chandler, Blake, Kristiansen, Taylor, Rivers, Finn, and Shea)

Requires the state noxious weed control board to adopt guidelines, by rule, for placing plants on the state noxious weed list. Allows a county noxious weed control board, or other branch of county or city government, to conduct education, outreach, or other assistance regarding plant species not included on the state noxious weed list if the county or city determines that the plant species causes localized risk or concern.

Companion Bill: 5087 Noxious weed lists S, Rules 2

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1169-s.pdf>

1179 **PUBLIC EMPLOYEES/MEETINGS**

HUNT

Representatives Hunt, Hudgins, Appleton, Lias, Miloscia, McCoy, Reykdal, Goodman, Darneille, Van De Wege, Upthegrove, Ormsby, Billig, Orwall, Green, Kenney, Dickerson, Santos, Frockt, Tharinger, and Moscoso

Clarifies that state employees may attend informational or educational meetings regarding legislative issues with a legislator or other elected official.

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1179.pdf>

S1192 **SMALL FOREST LANDOWNERS**

BLAKE

House Committee on Agriculture & Natural Resources (originally sponsored by Representative Blake)

Requires the adaptive management program, under the direction of the forest practices board and using legislative appropriations specifically made for this purpose, to prioritize the exploration of alternative low-impact harvest options for small forest landowners. Requires the forest practices board to assist the adaptive management program. Requires the forest practices board and the adaptive management program to consult with the small forest landowner office advisory committee. Expires July 31, 2013.

Companion Bill: 5783 Small forest landowners S, NR/Marine

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1192-s.pdf>

1212 **DEPT. OF AGRICULTURE/GIFTS**

LYTTON

Representatives Lytton, Smith, Blake, and Warnick

Requested by
Department of Agriculture

Authorizes the director of the department of agriculture to accept, expend, and retain certain gifts, grants, bequests, and contributions.

Companion Bill: 5072 Dept. of agriculture/gifts H, Ag & Nat Res
Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1212.pdf>

1348 STATE GEN. OBLIGATION BONDS
Representatives Dunshee, Warnick, and Ormsby

DUNSHEE
Requested by
Governor Gregoire

Authorizes the state finance committee to issue general obligation bonds of the state to finance the projects described and authorized by the legislature in the capital and operating appropriations acts for the 2009-2011 and 2011-2013 fiscal bienniums.

Companion Bill: 5127 State gen. obligation bonds S, Ways & Means
Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1348.pdf>

S1371 BOARDS AND COMMISSIONS
House Committee on State Government & Tribal Affairs (originally sponsored by
Representatives Darneille and Hunt)

DARNEILLE
Requested by
Governor Gregoire

Eliminates certain boards and commissions.

Companion Bill: 5469 Boards and commissions S, GovtOp & Elect
Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1371-s.pdf>

S1467 DEFINITION OF A WELL
House Committee on Agriculture & Natural Resources (originally sponsored by
Representatives Buys, Blake, Chandler, Pearson, Fagan, Overstreet, Harris, Wilcox,
Johnson, Haler, Warnick, McCune, and Kelley)

BUYS

Revises the definition of "well" for purposes of water well construction.

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1467-s.pdf>

1497 CAPITAL BUDGET 2011-2013
Representatives Dunshee and Warnick

DUNSHEE
Requested by
Governor Gregoire

Adopts the 2011-2013 capital budget.

Companion Bill: 5467 Capital budget 2011-2013 S, Ways & Means
Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1497.pdf>

S1509 FORESTRY RIPARIAN EASEMENT
House Committee on Agriculture & Natural Resources (originally sponsored by
Representatives Blake, Dunshee, and Ryu)

BLAKE
Requested by
Commissioner of Public Lands

Revises forestry riparian easement program provisions relating to: (1) Qualifying timber;
(2) Forestry riparian easement applications;
(3) Compensation for timber; and
(4) Qualification as a small forest landowner.

Requires a selling landowner, under certain circumstances, to reimburse the state for money received for a forestry riparian easement. Directs the chair of the forest practices board to invite relevant stakeholders to participate in a process that investigates a potential long-term funding source for the program. This requirement expires July 31, 2012.

Companion Bill: 5551 Forestry riparian easement S, NR/Marine
Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1509-s.pdf>

1622

RURAL RESIDENTIAL DEVELOPMNT

DUNSHEE

Representatives Dunshee and Hope

Creates a mechanism on a demonstration basis to allow certain counties to authorize a sustainable development alternative for residential development in rural areas as an alternative to limited areas of more intense rural development, fully contained communities and existing, traditional subdivision techniques in order to facilitate management of residential growth in rural areas, to promote preservation of open space, and to minimize and/or reduce the conversion of designated resource lands. Explores the use of rural receiving areas to support strategies for transfer of development rights and to provide certain counties with options for authorizing sustainable residential development in the rural areas.

Companion Bill: 5425 Rural residential developmnt S, Ag&RuralEc Dev

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1622.pdf>

S1720

STATE GOVERNMENT

HUNT

House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Hunt and McCoy)

Requested by
Governor Gregoire

Creates the department of enterprise services to provide centralized leadership in efficiently and cost-effectively managing resources necessary to support the delivery of state government services. Abolishes the department of general administration and the public printer and transfers their powers, duties, and functions to the department of enterprise services. Transfers certain powers, duties, and functions of the department of information services, the department of personnel, and the office of financial management to the department of enterprise services. Transfers certain powers, duties, and functions of the department of personnel to the office of financial management. Transfers powers, duties, and functions of the department of information services pertaining to high-speed internet activities to the department of commerce. Requires the code reviser to prepare legislation for the 2012 regular session that changes all statutory references to the director or department of any agency transferred or consolidated under the act.

Companion Bill: 5503 State government S, GovtOp & Elect

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1720-s.pdf>

ES1885

NATURAL ENVIRONMENT PROGRAMS

MOSCOSO

House Committee on Environment (originally sponsored by Representatives Moscoso, Rolfes, and Fitzgibbon)

Addresses the administration of programs affecting the natural environment relating to the duties of the conservation commission, the parks and recreation commission, the Puget Sound partnership, and the departments of ecology, agriculture, fish and wildlife, and natural resources.

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1885-s.e.pdf>

ES1886

RUCKELSHAUS CENTER PROCESS

TAKKO

House Committee on Local Government (originally sponsored by Representatives Takko, Angel, Bailey, and Tharinger)

Implements William D. Ruckelshaus Center recommendations by establishing the voluntary stewardship program to protect and enhance critical areas on lands used for agricultural activities through voluntary actions by agricultural operators.

Companion Bill: 5713 Ruckelshaus Center process S, Rules 2G

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1886-s.e.pdf>

S1899

PUBLIC RECORDS VIOLATIONS

MILOSCIA

House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Miloscia, Overstreet, Hurst, Taylor, Hunt, Armstrong, McCoy, and Condotta)

Changes the range of penalties for certain violations of the public records act.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1899-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House%20Bills/1899-s.pdf)

2008

NATURAL RESOURCES PROGRAMS

(Supplement not yet available.)

Companion Bill: 5862 Natural resources programs S, NR/Marine

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2008.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House%20Bills/2008.pdf)

S 5049

SUNSHINE COMMITTEE

KLINE

Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Kline, Roach, and Keiser)

Implements recommendations of the sunshine committee relating to background information records and public inspection and copying.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5049-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5049-s.pdf)

S 5072

DEPT. OF AGRICULTURE/GIFTS

HATFIELD

Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Hatfield, Shin, and Haugen)

Requested by
Department of Agriculture

Authorizes the director of the department of agriculture to accept, expend, and retain certain gifts, grants, bequests, and contributions. Requires the transfer of surplus funds of a candidate or political committee to the department of agriculture's food assistance program for distribution to food banks.

Companion Bill: 1212 Dept. of agriculture/gifts S, Ag&RuralEc Dev

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5072-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5072-s.pdf)

5094

OPERATING BUDGET 2011-2013

MURRAY

Senators Murray, Zarelli, Kilmer, and Parlette

Requested by
Governor Gregoire

Makes 2011-2013 operating appropriations.

Companion Bill: 1087 Operating budget 2011-2013 H, Ways & Means

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5094.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5094.pdf)

5127

STATE GEN. OBLIGATION BONDS

KILMER

Senators Kilmer, Parlette, Murray, and Zarelli

Requested by
Governor Gregoire

Authorizes the state finance committee to issue general obligation bonds of the state to finance the projects described and authorized by the legislature in the capital and operating appropriations acts for the 2009-2011 and 2011-2013 fiscal bienniums.

Companion Bill: 1348 State gen. obligation bonds H, Cap Budget

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5127.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5127.pdf)

5166

OFF-ROAD VEHICLES ON HIGHWAY

SCHOESLER

Senators Schoesler, King, Hatfield, Morton, Honeyford, Hewitt, and Roach

Allows off-road vehicles on certain public highways.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5166.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5166.pdf)

S 5211 **FOREST PRACTICE APPLICATIONS** **HAUGEN**

Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Haugen, Swecker, Morton, Ranker, and Hargrove)

Modifies forest practices provisions regarding how the forest practices board must define Class II and Class IV forest practices by rule; and a local government's requirement to provide an economic impact statement involving a forest practice on certain lands.

Companion Bill: 1582 Forest practice applications S, NR/Marine

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5211-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5211-s.pdf)

5225 **SOIL AND WETLAND SCIENTISTS** **MURRAY**

Senators Murray, Kohl-Welles, and Ranker

Regulates soil science and wetland science professions by establishing minimum standards of ethical conduct and professional responsibility and by establishing professional education and experience requirements for those persons representing to the public that they are soil scientists or wetland scientists certified by the state.

Creates a board for soil scientists and wetland scientists.

Companion Bill: 1313 Soil and wetland scientists H, Gen Gov Apps

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5225.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5225.pdf)

ES 5230 **PUGET SOUND CORPS** **RANKER**

Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Ranker, Swecker, Litzow, Rockefeller, Regala, Kohl-Welles, Hargrove, Kline, Conway, Fraser, Nelson, Hobbs, Shin, and Harper)

Requested by
Commissioner of Public Lands and
Department of Ecology

Maintains the Washington conservation corps statewide and establishes the Puget Sound corps as a distinct program within the Washington conservation corps.

Integrates into the Puget Sound corps the therapeutic and reintegration intent of the veterans conservation corps for veterans involved in the Puget Sound corps.

Urges state agencies that are participating in the conservation corps program to consider individuals with developmental disabilities for enrollment in the program.

Streamlines how government administers and manages the state's conservation corps to more efficiently expend the state's resources toward priority outcomes, including the recovery of the Puget Sound ecosystem to health by 2020.

Increases opportunities for meaningful work experiences.

Authorizes public-private partnerships as a key element of corps activities.

Companion Bill: 1294 Puget Sound corps S, NR/Marine

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5230-s.e.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5230-s.e.pdf)

5241 **WATERSHED MGMT PARTNERSHIPS** **ROACH**

Senators Roach and Tom

Addresses a watershed management partnership's authority with regard to Lake Tapps' water supply.

Companion Bill: 1014 Watershed mgmt partnerships S, Env/Water/Ener

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5241.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5241.pdf)

ES 5253 **LANDSCAPE CONSERVATION** **WHITE**

Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators White, Swecker, Nelson, Litzow, and Harper)

Addresses tax increment financing for landscape conservation and local infrastructure relating to: (1) Designation of agricultural and forest lands and rural zoned lands as sending areas;
(2) Transfer of development rights to receiving areas;
(3) Allocation among local governments of transferable development rights;
(4) Development plan for infrastructure;
(5) Quantitative and qualitative performance measures;
(6) Local infrastructure project areas and project financing;
(7) Property tax revenues to pay or finance costs of public improvements; and
(8) Growth management act comprehensive plan optional elements.

Companion Bill: 1469 Landscape conservation H, Rules R
Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5253-s.e.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5253-s.e.pdf)

S 5266 STATE AGENCY PERMITTING **SWECKER**
Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senator Swecker)

Requires the department of ecology, the department of fish and wildlife, and the department of natural resources to make examples of complete, high quality permit applications and the resulting issued permits readily available to the public on its web site, as well as the web site of the office of regulatory assistance.
Establishes a permitting work group to monitor and provide policy guidance to the departments as they implement the requirements of the act.
Provides a December 31, 2012, expiration of the work group.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5266-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5266-s.pdf)

5293 COLUMBIA BASIN PROJECT/WATER **SCHOESLER**
Senators Schoesler, Swecker, Holmquist Newbry, and Honeyford

Modifies provisions relating to the use of water delivered from the federal Columbia basin project.

Companion Bill: 1391 Columbia Basin project/water H, Passed 3rd
Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5293.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5293.pdf)

S 5294 PUBLIC RECORDS INSPECTION **SWECKER**
Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Swecker, Schoesler, Holmquist Newbry, Delvin, and Honeyford)

Requires certain cities, towns, and special purpose districts to post on the agency headquarters location or web site directions on how to contact agency personnel to inspect or copy public records.

Companion Bill: 1389 Spec. purpose distr. records H, SGTribalAff
Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5294-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5294-s.pdf)

S 5343 ANAEROBIC DIGESTER EMISSIONS **HAUGEN**
Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Haugen, Delvin, Hatfield, Honeyford, Becker, Shin, and Schoesler)

Modifies the clean air act relating to notification of construction of new contaminant sources and exemptions for generators operating at an electric generating project.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5343-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5343-s.pdf)

5467 CAPITAL BUDGET 2011-2013 **KILMER**

Adopts the 2011-2013 capital budget.

Companion Bill: 1497 Capital budget 2011-2013

H, Cap Budget

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5467.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5467.pdf)

S 5485

STATE'S NATURAL RESOURCES

HARGROVE

Senate Committee on Environment, Water & Energy (originally sponsored by Senators Hargrove and Ranker)

Requires the department of general administration, in consultation with the state building code council, to conduct a review of other states' existing codes, international standards, and literature on life-cycle assessment, embodied energy, and embodied carbon in building materials.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5485-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5485-s.pdf)

S 5536

WATER RESOURCES MANAGEMENT

ROCKEFELLER

Senators Rockefeller, Honeyford, Ranker, Nelson, Shin, and Kline

Requested by

Department of Ecology

Promotes active water management that protects and restores sustainable water supplies for our communities, farms, and ecosystems. Promotes water supply assessments as a foundational and science-based extension of current watershed planning and implementation efforts to project future water supply needs and availability.

Reforms current statutory provisions to promote administrative efficiencies and active water management.

Directs the department of ecology to recommend ways to make the state's water resource management program financially self-sufficient.

Eliminates the water rights tracking system account.

Companion Bill: 1610 Water resources management

H, Ag & Nat Res

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5536-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5536-s.pdf)

S 5538

CONSERVATION CORPS/NONPROFIT

WHITE

Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senator White)

Exempts participants in certain conservation corps programs from provisions related to rates of compensation while performing environmental and trail maintenance work.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5538-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5538-s.pdf)

S 5553

PUBLIC AGENCY WEB SITE INFO

ROACH

Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Roach, Pridemore, and Chase)

Requires public agencies, special purpose districts, and municipalities to post information on regular, special, or emergency meetings on their web sites.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5553-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5553-s.pdf)

5604

CLEAN WATER JOBS

NELSON

Senators Nelson, Murray, Rockefeller, Kline, Keiser, Conway, Fraser, Regala, Shin, Kohl-Welles, and Chase

Establishes the clean water jobs act of 2011.

Imposes a storm water pollution fee on the first possession of petroleum products, pesticides, herbicides, and fertilizers for the purpose

of offsetting the burden of funding projects and activities that redress state water pollution caused by the presence of such substances in storm water runoff.
Creates the storm water pollution account.

Companion Bill: 1735 Clean water jobs H, Ways & Means
Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5604.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5604.pdf)

S 5669 **NATURAL RESOURCES AGENCIES**

Senators Ranker, Swecker, Regala, Rockefeller, Nelson, White, Pflug, and Shin

RANKER

Requested by
Governor Gregoire

Creates the department of conservation and recreation as an executive branch agency.
Creates the parks and recreation advisory commission within the department.
Transfers the powers, duties, and functions of the department of fish and wildlife, the law enforcement and heritage program at the department of natural resources, the parks and recreation commission, and the recreation and conservation office to the department of conservation and recreation.
Transfers the pollution liability insurance agency to the department of ecology.
Transfers the reclaimed water program from the department of health to the department of ecology.
Transfers the site use permit program from the department of ecology to the department of health.
Abolishes the state conservation commission and transfers its powers, duties, and functions to the department of agriculture.
Abolishes the department of archaeology and historic preservation and transfers its powers, duties, and functions to the office of archaeology and historic preservation within the department of natural resources.
Requires the code reviser to: (1) Note, wherever the director or department of fish and wildlife or the director or office of recreation and conservation is used or referred to in statute, that the name of the department or office has changed; and
(2) Prepare legislation for the 2012 regular legislative session that changes all statutory references to the director or office of recreation and conservation and to the director or department of fish and wildlife to the department of conservation and recreation.

Companion Bill: 1850 Natural resources agencies H, SGTribalAff
Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5669-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5669-s.pdf)

5693 **"COPY"/PUBLIC RECORDS ACT**

Senators Swecker and Pridemore

SWECKER

Defines the term "copy" for purposes of the public records act.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5693.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5693.pdf)

S 5713 **RUCKELSHAUS CENTER PROCESS**

Senators Haugen, Delvin, Hatfield, Shin, and Parlette

HAUGEN

Implements William D. Ruckelshaus Center recommendations by establishing the agriculture and critical areas voluntary stewardship program to protect and enhance critical areas on lands used for agricultural activities through voluntary actions by agricultural operators.

Companion Bill: 1886 Ruckelshaus Center process S, Ag&RuralEc Dev
Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5713-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5713-s.pdf)

S 5723 **LIVESTOCK OPERATIONS/WATER**

Senators Schoesler, Ericksen, Haugen, Hatfield, Delvin, and Shin

SCHOESLER

Transfers the powers and duties for conducting initial investigations of water quality issues arising from livestock operations from the department of ecology to the department of agriculture.
Requires a structure to be established, if an impact on water quality is found, to provide an orderly process to address these impacts through the use of technical assistance and programs available from conservation districts and associated federal agencies.
Authorizes the director of the department of agriculture to enter livestock operations for the purpose of inspecting and investigating conditions relating to pollution of waters of the state.

Requires the department of agriculture, the department of ecology, and the conservation commission to approach the federal environmental protection agency to secure new funding or seek redirection of existing funds for the administration of the act. Provides a contingent effective date.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5723-s.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5723-s.pdf)

5857

TAX EXPENDITURE REFORM

**KOHL-
WELLES**

Senators Kohl-Welles, Murray, Keiser, Kline, Prentice, Rockefeller, Chase, Ranker, White, Nelson, Conway, Harper, and Shin

Addresses tax expenditure reform to provide transparency and accountability in fiscal matters by: (1) Eliminating sales and use tax exemptions;
(2) Eliminating business and occupation tax exemptions, credits, deductions, and preferential tax rates;
(3) Incorporating state tax expenditures into the state budget process; and
(4) Modifying the tax preference review by the joint legislative audit and review committee.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5857.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5857.pdf)

5862

NATURAL RESOURCES PROGRAMS

HARGROVE

Senators Hargrove, Pridemore, and Swecker

Requested by
Department of Fish and Wildlife and
Department of Natural Resources

Modifies provisions relating to hydraulic projects.

Companion Bill: 2008 Natural resources programs H, Gen Gov Apps

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5862.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5862.pdf)