

19th DISTRICT REPORT

2011 Legislative Session

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- Environment
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JUNE 2011

Dear Neighbors:

After 135 days, the session finally came to its end and we are back home at last.

It's a great honor representing our coastal communities and neighborhoods – and your interest in the process adds a great deal more to the Legislature than you might imagine.

Since we each chair one of the Senate or House standing committees, that's where most of our attention went. But the other committees, floor action and stakeholder-work also kept us very busy. Between the three of us, we covered most every fiscal, school, business, agricultural, natural-resource and general-government matter that mattered this year.

Things were grim on many fronts, in fact, we don't remember a more grueling session in the years we've had the privilege of serving you. With a budget more than \$5 billion in the hole, the cuts went far beyond tightening the belt. We will all feel the effects of the 2011-2013 bare bones operating budget. The cuts—and this is why it took so long—were made carefully to preserve, as much as possible, crucial programs and services. You'll find highlights of the three biennial budgets, operating, transportation and capital, in this newsletter.

But the Legislature is about a lot more than writing budgets; let's not undermine the fact that there were also victories. We're using the bulk of this newsletter space to review some key missions undertaken in our personal legislative agendas.

To ensure we're serving you effectively, please give us a call or send us an email with your concerns and ideas. All our contact information is right here on the first page.

Thanks for taking the time to review our report today. Have a safe and peaceful summer.

Brian Blake *Brian Hatfield* *Dean A. Takko*
Brian Blake Brian Hatfield Dean Takko

GOOD TO KNOW:

Washington, like most states, was hit hard by this Great Recession. But unlike other states, Washington is leading the way to recovery. The [Employment Security Department](#) reported that since April 2010, Washington has gained 41,500 jobs. And take a look at these impressive rankings:

- Forbes Magazine ranked Washington as the [5th best state for business in 2010](#).
- We're number 2 on the [2010 State New Economy Index](#).
- The Small Business & Entrepreneurship Council's [2010 Business Tax Index](#) has Washington as the 5th state with the lowest taxes.
- In April 2011, [money-rates.com](#) ranked Washington as the [2nd best state for making a living](#).
- The [Pew Center](#) says Washington is one of 13 states leading the way in advancing cost-effective transportation policies.
- And we're number 6 in the [2011 U.S. Clean Energy Leadership Index](#).

The road to recovery may be long, but we're making steady strides in the right direction.

KEEP IN TOUCH!

TOLL-FREE HOTLINE: 1-800-562-6000 • TTY-TDD (HEARING-IMPAIRED): 1-800-635-9993

19th DISTRICT REPORT • 2011 LEGISLATIVE SESSION REPRESENTATIVE BRIAN BLAKE



NOW YOU CAN USE YOUR NOISE SUPPRESSOR TOO!

If you have a firearm noise suppressor in a box collecting dust, get a duster because you'll finally get to use it! You see, under current law, it's legal to purchase and own noise suppressors but it's illegal to use them. Huh? Exactly, that's like saying it is ok to buy a bike but don't you dare ride it! My bill ([HB 1016](#)) brings coherence to the statute by making it legal to use noise suppressors that are duly registered in accordance with federal law. This law does not weaken current requirements for purchasing a noise suppressor. So if you want one, you'll still have to go through the background check, get approval from law enforcement, pay the fee, and register with the [National Firearms Act](#) database.

MODERNIZING FREP TO MINIMIZE COSTS AND MAXIMIZE PURCHASES

My bill ([HB 1509](#)) will help small forest private landowners affected by forest practices by expanding the [Forestry Riparian Easement Program](#) (FREP) administered by the [Department of Natural Resources](#) (DNR). The program compensates small forest landowners for not harvesting trees in riparian (streamside) easement areas.

This new law reaches out to an important segment of Washington State's

forestry industry. They are among the 8 million forest landowners nationwide whose holdings are fewer than 50 acres each.

To date, the state has purchased 278 forest riparian easements, which includes 395 acres for just under \$23 million.

This legislation modernizes the FREP for these tougher economic times and fixes some of the provisions where past abuses have occurred. My bill:

- Defines areas of impact as riparian areas including streams, seeps and springs; channel migration zones; and certain areas of unstable slope.
- Better defines FREP eligibility.
- Ensures that the 50-year easement term begins with the date of the completed FREP application.
- Creates a process for recommending potential long-term funding solutions for the FREP. Adequate funding has not been available even in good times, so a dedicated source of funding is necessary.

GIVING A LITTLE CAN REALLY HELP A LOT



I co-sponsored a bill ([HB 1211](#)) that will allow public utility districts, municipal utilities, and privately-owned electrical and natural gas companies to collect voluntary donations from their customers to support hunger programs.

These are tax-deductible donations, so I hope there'll be good participation in the program. As many of you know, I serve on the board for Coastal Harvest, a food distribution center, and have seen first-hand how the number of people in need has grown considerably in the last year. Folks can donate a dollar or ten or a hundred dollars. Every little bit helps in these tough financial times.

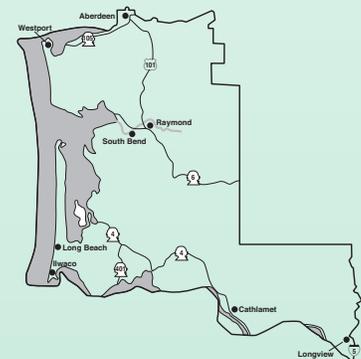
A BETTER FUTURE FOR HENS, FARMERS AND THE EGG INDUSTRY



A brighter and better future is in the works for egg-laying hens and farmers across the state. This law ([SB 5487](#)), hailed as historic by those in the know, will improve the welfare of egg-laying hens in commercial operations by adopting United Egg Producers (UEP) and American Humane Association (AHA) guidelines. The use of "battery cage" housing will be phased out (from 2012 to 2026) and replaced by the enriched colony model, an approved AHA housing system that requires more space so that hens are able to spread their wings and turn around in their cages.

This measure will transform the industry to the European Union standard for egg production, which is considered the benchmark for animal welfare innovation, in other words, we'll have the nation's most rigorous program of its type.

I was glad to sponsor the companion legislation ([HB 1813](#)) because this new law will not only improve living conditions for hens, it will also ensure that the seven major producers and 6.5 million egg-laying hens remain in Washington state, along with the 1,500 jobs and the \$285 million the industry generates.



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SENATOR BRIAN HATFIELD

BREAKING NEW GROUND ON BIPARTISANSHIP



The big story coming out of Olympia this year is all about bipartisanship and the legislature's new moderate, balanced approach to governing.

For the first time in a long while, we passed a truly bipartisan budget. Working across the aisle we were able to maintain many key services for our most vulnerable populations, such as the [Basic Health Plan](#) and [Apple Health for kids](#), while also making the fiscally responsible reforms necessary for our state's economic future. With this budget, we spend less than in the 2007-2009 biennium.

While we did achieve a bipartisan budget, and I'm proud of that, it's our headway on controversial government reforms that truly reflect our progress. For over 100 years, our state has utilized the same methods for helping workers and families get back on their feet. This session, we moved to modernize that system in a way that boosts the quality of care for injured workers, returning them to work as soon as possible, while reinforcing the system's long-term sustainability ([HB 2123](#)).

In addition – we also succeeded in enacting reforms to significantly lower our state debt. This year, Washington will pay over \$2 billion on our debt alone. Thanks to new legislation ([SB 5181](#)) we've successfully put a lower limit on our state's credit card to the benefit of our fiscal stability.

It is my hope that we can keep this bipartisanship alive for years to come.

PARTNERING WITH FOREST PRODUCT MANUFACTURERS ON CREATING RENEWABLE ENERGY

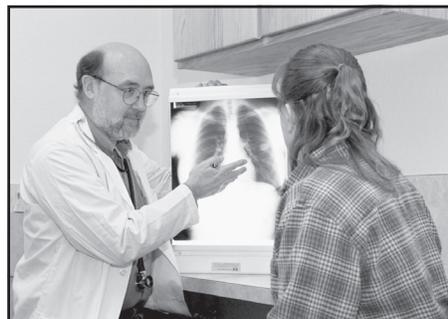
Forest product manufacturers already utilize forest byproducts to produce alternative energy via biomass. However, for mills across the state, this type of green energy production remains uncounted towards annual renewable energy requirements.

The result is exportation of locally produced alternative energy to other west-coast states, like California, that already recognize the product as 'renewable.' Forced to import alternatives, some businesses have seen their cost of fuel rise by as much as 500%. Without change, this cost will force many out of business including several here in the 19th District.

Throughout the regular and special session, I was proud to fight for these local economic drivers. That's why when the first bill I sponsored ([SB 5575](#)) failed to pass, I introduced a new effort ([SB 5951](#)) as a compromise solution. Unfortunately, environmental lobbyists in Olympia wield a great degree of power and were successful in halting our efforts.

For many plants, this effort will be the difference between success and failure. Closure of these facilities is a blow that already suffering rural communities simply cannot afford. I remain committed to seeing this crucial reform passed into law next year.

CREATING EFFICIENCY IN COWLITZ COUNTY HEALTHCARE



While a measure I sponsored to create efficiency in our local healthcare safety net was not passed into law this session ([SB 5488](#)), I was very pleased that most of the

effects of the bill were adopted into the Operating Budget.

The law creates a pilot program to integrate behavioral healthcare into primary care in Cowlitz County. The result will lower administrative overhead and costs by eliminating redundant tasks performed by separate agencies, saving taxpayer dollars and increasing patient satisfaction at the same time. Upon successful integration, it could be used as a template to be replicated throughout the state. This progress culminates a six year effort towards achieving integration.

PROTECTING FAMILIES FROM FORECLOSURE



As you know, our region has been particularly hard hit by the housing crisis. Like the rest of the state, many of our friends and neighbors continue to struggle to pay their mortgages and some are even in danger of facing foreclosure.

With this in mind, the Senate and House worked together to adopt the Foreclosure Fairness Act ([HB 1362](#)). Under this bill, banks will be required to sit down with homeowners and explore options outside of foreclosure. It requires lenders to communicate early in the foreclosure process to give homeowners the best opportunities to get help from a housing counselor and provides a mediation process when a housing counselor or attorney deems it appropriate.

With this bill in place, my hope is that we can begin to curtail the devastating amount of foreclosures that have plagued our neighborhoods.

Go to <http://www.commerce.wa.gov/site/1367/default.aspx> for more information on the Foreclosure Mediation Program.

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WATERSHED-STEWARDSHIP:

Respect farming industry in working to keep quarrels away from courtrooms

You'd better believe this one's all about balance. I prime-sponsored [House Bill 1886](#) to emphasize balance in the way public law protects watersheds, preserves agricultural lands, and promotes farming.

This bipartisan bill implements recommendations from the [Ruckelshaus Center](#) process. Specifically, we uphold appropriate watershed-developments, preservation of agricultural lands, and flexibility for counties in choosing a workable approach. The idea is to set up a Voluntary Stewardship Program. Participating counties can use the tools in the program to protect critical areas in regions used for agriculture—rather than having to trudge their way through regulatory requirements in the [Growth Management Act](#) (GMA).

Administrative duties for the program will fall under the state [Conservation Commission](#). The commission in turn will employ advice from a statewide advisory committee. This bill creates an alternative to the GMA's regulatory approach for complying with critical-area ordinances for farms.

Every year, citizens, local governments and organizations invest time and sweat – not to mention a heck of a lot of money – updating their portion of the GMA. The process never fails to spark controversy

and spur lawsuits. The point of this legislation is to get away from the lawsuits! I say let's keep the honorable, good-intentioned sides of these issues out of the courtroom. Local governments, as well as farming and other environmental voices have contributed to developing this measure.

Agriculture in every one of Washington's 39 counties is a \$35-billion-a-year industry. More than 130,000 citizens make their living on farms. The GMA must recognize the importance of this industry, and yes, the industry must recognize the legitimate function of the GMA. The act specifies that critical areas must be protected and agriculture must be preserved – but neither requirement should be allowed to kick the other one to the curb.

UNDERGROUND FACILITIES:

A one-number locator service is an incredibly important investment

I sponsored a measure ([HB 1634](#)) requiring that when damage hits an underground utility, information about said damage must be sent to the Damage Information Reporting system at the [Utilities and Transportation Commission](#). Our new state standard also establishes a dispute-resolution process for violations involving underground utilities.



These issues have been discussed by diverse stakeholders for the past year. Believe it: Underground utilities have come to represent a huge part of our everyday lives. And yes, these utilities can be a tragic and potentially more expensive part of our everyday lives, should disaster strike! We simply cannot have folks digging pellmell, disrupting and sometimes destroying other people's underground facilities. It's expensive – sometimes it's more than an incon-

venience that carries a terrible price tag. It's an out-and-out danger.

This legislation aligns our program with federal rules. Specifically, transmission-pipeline operators need to know about excavation projects. The data-collection provisions in the bill are very important.

Up to now, there hasn't been a state agency taking lead responsibility for this program. The measure provides a forum to carry out enforcement in a collaborative and educational manner needed to strengthen public safety for all citizens and for all communities.

ECONOMIC DEVELOPMENT:

A 'Landmark Deeds Award for Public Service' cites leadership

I was proud to be named a co-recipient of a 2010 Landmark Deeds Award for Public Service from the [Washington Trust for Historic Preservation](#). Representative Bill Hinkle – a central Washington GOP colleague of mine from Cle Elum (just on the other side of the Cascades from us) – was the other 2010 co-recipient of this sixth annual award.

The organization saluted our strong support for the state's [Main Street Program](#). I've worked to bolster this program, which has proved itself indispensable for many downtown areas. The folks dedicated to these Main Street goals have been especially important in recent years of the current terrible economic recession. Thanks to the Main Street Program, we've seen a great and much-needed increase in community involvement and volunteerism.

Last year I prime-sponsored a successful [measure](#) to keep our Main Street Program afloat. The organization has brought nearly 12,000 jobs and more than 3,700 new or expanded businesses to Washington communities and neighborhoods. Frankly, it's remarkable that such a modest investment on the part of our state is having such far-reaching results in terms of leveraging private investment.

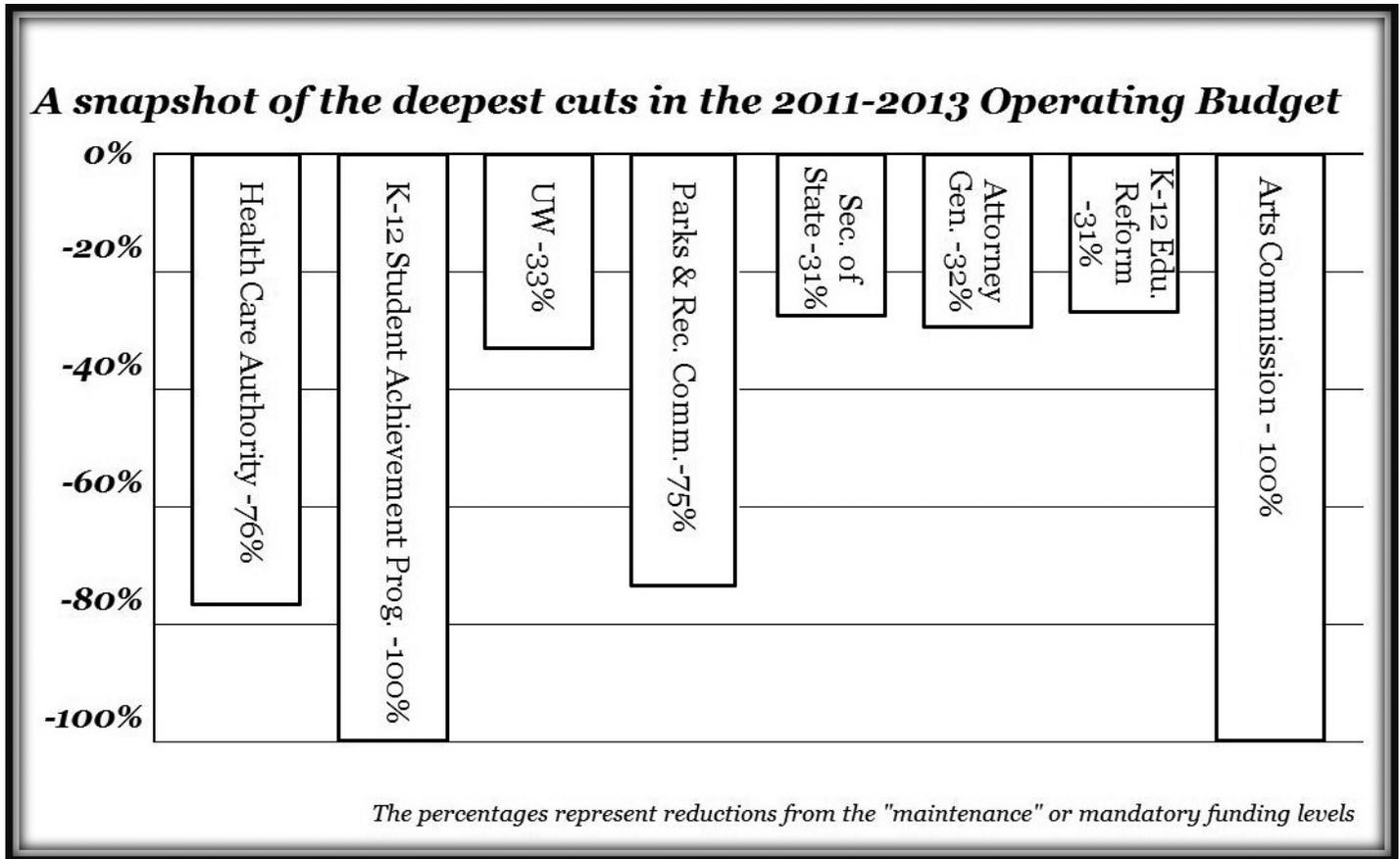
We must continue working to emphasize and understand the critical role our historic resources play in providing livable, sustainable communities all across Washington.

OPERATING BUDGET

<p>The session was dominated by the 2011-2013 operating budget and the current economic climate that has resulted from the worst recession in 75 years. This biennial budget includes \$4.5 billion in deep cuts that will touch real lives. No area of the budget was left untouched.</p> <p>Reductions greater than \$50 million each include:</p>	• \$1.2 billion for I-728 and I 732.
	• \$535 million in cuts to higher education.
	• \$344 million from changes to future Plan 1 retirees' pension benefits.
	• \$215 million from elimination of the K-4 class size enhancement.
	• \$179 million from a K-12 employee salary reduction.
	• \$177 million from a 3 percent reduction in state employee salaries.
	• \$150 million from hospital rates and related changes.
	• \$129 million from changes to the Basic Health Plan.
	• \$116 million in reduced Disability Lifeline cash.
	• \$97 million for reduced personal care hours for long term care and developmentally disabled clients.
	• \$61 million from changes to the K-12 National Board Bonus program.
• \$57 million in student assessment system changes.	

Despite these cuts, the budget fully funds levy equalization, which is good news for taxpayers, children and schools in our district.

And we also managed to include \$2 million for Rural Drug Task Forces. These funds, in the [Criminal Justice Training Commission](#) budget, will provide grants to enforce illegal drug laws in counties that have been historically underserved by federally funded state narcotics task forces.



To see a complete breakdown of the operating budget, please go to: <http://leap.leg.wa.gov/leap/Budget/Detail/2011/H00overview0524.pdf>

CAPITAL BUDGET

The Capital Budget funds important assets and infrastructure like schools, housing, parks, sewers and vital community-building projects. This year the Capital Budget plays a major role in an effort to help jumpstart the economy.

This table includes a few of the construction projects in the 19th Legislative District:

PROJECT DESCRIPTION	TOTAL
Pacific Beach/Moclips Wastewater Treatment Plant E	\$3,600,000
Mint Farm Regional Water Supply Project	\$10,000,000
Hazards Abatement and Demolition	\$1,000,000
Cape Disappointment - Seaview Dunes Acquisition	\$2,250,000
Cape Disappointment Multiple - Use Trail Extension	\$1,600,000
Lower Columbia College: Myklebust Gymnasium	\$2,000,000
Grays Harbor College	\$725,000
Replacing State Forest Lands with Productive Forests	\$2,000,000

For the entire list of 19th District capital projects, please go to the interactive map at: <http://fiscal.wa.gov/Maps.aspx>

TRANSPORTATION BUDGET

Although Washington will collect less revenue for transportation purposes than in previous years, a strong bipartisan approach developed a budget that will create approximately 30,000 jobs.

These are some of the transportation projects in our area:

PROJECT DESCRIPTION	TOTAL
I-5/SR 432 Talley Way Interchanges - Rebuild Interchanges	\$5,735,000
I-5/Lewis County Detour for Freight Mobility - ITS Projects	\$1,612,000
SR 100/SR 100 Including Spur - Chip Seal	\$1,128,000
Astoria-Megler Bridge - South End Painter	\$8,670,000
SR 105/North River Br - Replace Bridge	\$11,739,000
SR 105/Smith Creek Br - Replace Bridge	\$4,287,000
US 101/ Astoria-Megler Bridge - North End Painter	\$1,291,000
US 101/Bone River Bridge - Replace Bridge	\$11,560,000
US 101/Middle Nemah River Br - Replace Bridge	\$4,852,000

For the complete list of projects in the Transportation Budget, please go to: <http://leap.leg.wa.gov/leap/budget/leapdocs/transpodocs.asp>

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