

TO: RBAW Board  
FROM: Doug Levy – 1/1/18 – *Happy New Year!*  
RE: DECEMBER 2017 Report from State Lobbyist

**REMINDER: Thursday, Jan. 18, 2018 – RBAW Day in Olympia and evening reception!** We spent considerable time in December on the planning of our 2018 Legislative Day in Olympia, which we are doing in partnership with the Northwest Marine Trade Association (NMTA) and the Olympia Yacht Club (OYC). For those interesting in making a day of it in Olympia, we will have an early-morning briefing and then a full slate of meetings with key legislators who sit on the Senate Ways & Means, Senate Agriculture/Water/Natural Resources, House Capital Budget, and House Environment Committees. Meetings are already confirmed with the Ranking Members for Capital Budget on both Senate Ways & Means and House Capital Budget – and over a dozen other requests are pending. If you're more inclined to let others do the during-the-day meetings and get to our evening reception, we'd love to have you there, too! It will be from 6-7:30 p.m. at the Olympia Yacht Club, 201 Simmons St. NW. I've attached an evening reception flier with this monthly report.

Folks, other than 2018 Legislative Day planning, behind-the-scenes work on the National Electrical Code (NEC) issue, and a December legislative hearing that impacts Capital Budget prospects, December was a fairly low-key month on the legislative and regulatory fronts. I hope everyone had a chance to enjoy restful, quality holiday time with family and friends. Here's an update on a few items, including the upcoming Session of the Legislature.

**Legislature gears up for 2018 Session – begins Monday, Jan. 8, 2018:** The Legislature will convene for a short, 60-day session a week from today – Monday, Jan. 8, 2018. Due to a Special Election win for Democrats in the 45<sup>th</sup> Legislative District – where Sen. Manka Dhingra (D-Redmond/45<sup>th</sup> Dist.) defeated Jinyoung Englund, Democrats have a majority foothold on the Senate and House and Governor's mansion for the first time in several years. That said, the majorities are razor thin – 25-24 in the Senate and 50-48 in the House – so we don't expect seismic-change-style policy or revenue shifts in 2018. At this point, it appears there are two very key issues for majority Democrats: 1) getting the 2018 Session finished on time – as opposed to spilling into Special Sessions that have been the rule rather than the exception the last several years; and 2) allocating \$1 billion in additional funds to comply with the 2018 timeline on the K-12 funding, *McCleary* case. Last November, the State Supreme Court ruled on *McCleary*, acknowledging the Legislature's progress and funding plan (\$7.3 billion over four years), but noting that absent lawmakers meeting a 2018 compliance data, they remain *out* of compliance with the terms set by the Court. Beyond the hyper-focus on K-12 education, we are looking for quick action on a 2017-19 Capital Budget; likely action on mental health and gun-control policy; and a robust debate (but likely very little in the way of results) on new-revenue options such as capital gains and the carbon tax proposed by Governor Inslee. As usual with things Olympia, there won't be a lack of drama.

**Encouraging update on National Electrical Code (NEC) Standard applying to ground protection standards for marinas:** On Dec. 18, RBAW Vice President for Government Affairs Steve Finney, Peter Schrappen of NMTA, and Andy Bentley of D.F. Electric, Inc., had a conference call with Maggie Leyland, the Policy Director for the State Department of Labor & Industries (L&I). Maggie indicated that L&I might extend its Dec. 22 deadline for ruling on our NEC Article 555.3 proposal – and further indicated that such an extension would be in our interest because it would mean L&I staff was conferring with its Director before issuing a ruling. In fact, the extension *did* occur, so we are hopeful and slightly encouraged at this point.

As background, updated NEC standards were adopted at the federal level and the state Department of Labor & Industries was poised to adopt them last July 1. NMTA and RBAW intervened, however, and won a 1-year reprieve, leading to the process we are in now. Article 555.3 in Document 70 of the NEC included a 30 milli-amp (mA) ground protection standard that would have been unachievable for many marinas and would have made electrical upgrades of marinas virtually impossible to undertake. We are proposing a 100 milli-amp (mA) overall standard with a 30-mA threshold at individual electric pedestals.

**2017-19 Capital Budget – behind-the-scenes efforts continue:** On Dec. 12, the House Agriculture and Natural Resources Committee held a three-hour hearing on new Democratic proposals related to the possible remedying of the *Hirst* water rights decision. As I have reported, the Legislature's inability to enact a 2017-19 Capital Budget is due to the fact that Senate Republicans in particular insisted it had to be bundled with an agreed-upon bill remedying *Hirst*, a State Supreme Court decision in what is known as the *Hirst* case. While there is some encouraging proposal to be reported on *Hirst*, it remains slow. Senate and House Democrats will bring a 2017-19 Capital Budget to the Floor for votes early in the 2018 Session. However, without bi-partisan cooperation from Republicans, Democrats don't have the votes all by themselves to get constitutionally-required 60 percent approval votes for the *bonds* that must be sold to finance the lion's share of the Capital Budget.

**Establishment of an "Outdoor Recreation Caucus" in Olympia:** On Thursday, Jan. 11, a newly formed Outdoor Recreation Caucus of the State Legislature will hold its first-ever meeting. Yours truly, through my role as a Past President and current Board Member of the Big Tent Outdoor Recreation Coalition, helped spearhead an initiative to establish the new Caucus. Legislators expected to help lead the Caucus include Sens. Dean Takko (D-Longview/19<sup>th</sup> Dist.), Mark Mullet (D-Issaquah/5<sup>th</sup> Dist.), Hans Zeiger (R-Puyallup/25<sup>th</sup> Dist.), and Brad Hawkins (R-Wenatchee/12<sup>th</sup> Dist.), as well as Reps. Tana Senn (D-Mercer Island/41<sup>st</sup> Dist.), Mike Chapman (D-Port Angeles/24<sup>th</sup> Dist.), Andrew Barkis (R-Olympia/2<sup>nd</sup> Dist.), and Gina McCabe (R-Yakima/14<sup>th</sup> Dist.). We hope the Caucus will shine a brighter-than-ever spotlight on the value of outdoor recreation!

**Survey in partnership with Department of Natural Resources (DNR) on the Aquatic Lands Leasing Process:** In late December, I completed a first draft of a survey document and received some helpful edits from President Wayne Gilham. With input from DNR and NMTA early in the New Year, we hope to have something ready to go out by mid-January. Our goal is to get a more complete, data-based picture of the experience recreational boaters are having with DNR on aquatic land lease issuances and renewals. Stay tuned!