

19TH LEGISLATIVE DISTRICT • 2023 SESSION UPDATE



2023 LEGISLATURE DELIVERS WINS FOR SOUTHWEST WASHINGTON, BUT OLYMPIA STILL HAS A HEARING PROBLEM

REPRESENTING SOUTHWEST WASHINGTON'S 19TH LEGISLATIVE DISTRICT

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Leave a message for your lawmakers on the
Legislative Hotline: 1-800-562-6000



Dear Friends and Neighbors,

You elected us to represent you in Olympia, and to protect the values and the fierce independence of Washington's 19th Legislative District. We worked hard to do that during our just-finished 2023 legislative session. We worked 105 days from January to April, and finished the job with a one-day special session May 16. In this report, we'll tell you about the victories and disappointments of the year.

By working together, we were able to obtain significant funding for projects of importance to our communities and Southwest Washington as a whole. Big wins for the 19th include a \$72 million railroad grade separation project for Aberdeen, hatchery improvements, parks, ports, libraries, schools, and repairs to vital public facilities (see page six).

Unfortunately, the disturbing political trends of the last few years remained in evidence in 2023. For the last six years, the Legislature has been under the control of a "progressive" Democratic majority. Our biggest debates this year were on public safety and the disastrous effect of legislation passed two years ago to weaken law enforcement. We encountered great resistance in our efforts this year to restore the tools police need to combat crime and drugs – we got only partway.

Under current leadership the desires of the people are frequently overridden. Life in Washington keeps getting more expensive, more cumbersome, and more dictated by government. There were a number of bright spots this year, on housing policy and other issues, but we say the state remains on the wrong track – and we need a course correction that will put the people of Washington first.

Serving you is an honor! If you have comments, concerns, or an issue with a state agency, please do not hesitate to contact our offices. Our most important duty is to represent you, the people of Southwest Washington.

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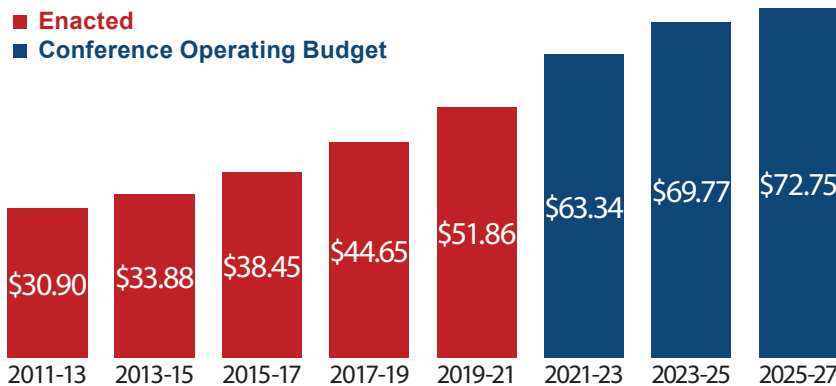


State Spending by Biennium

dollars in billions

■ Enacted

■ Conference Operating Budget



NO NEW TAXES IN THIS YEAR'S BUDGET

– But just wait until next year!

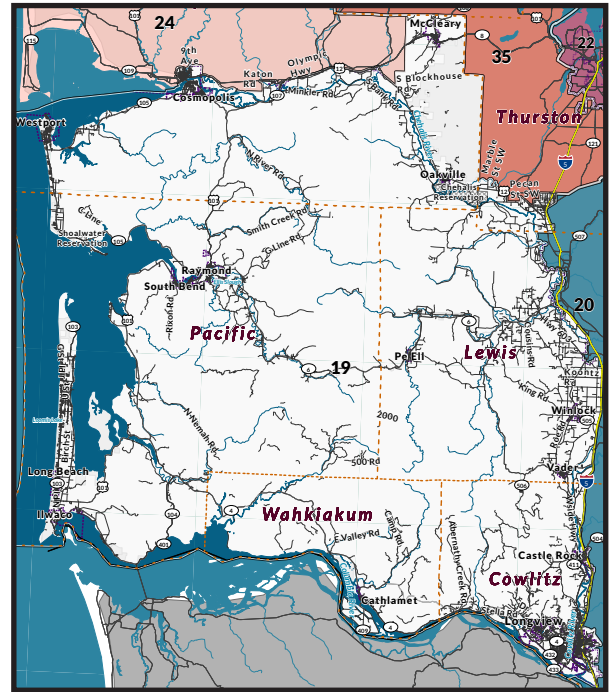
Lawmakers this session passed a \$70 billion operating budget to cover state operations for the next two years, 2023 through 2025. This budget is notable for a few reasons.

- It represents 8.8 percent growth over the last budget, continuing the trend of massive growth in state spending over the last decade – doubling from \$33.9 billion in 2013-15.
- We all voted against it. While there are some things to like, the growth is still too high and there's no tax relief. It reflects skewed priorities like demolishing Snake River dams and restoring the swamp adjacent to the state Capitol. Reserves aren't high enough.
- There are no new taxes in this year's budget, but you might not notice. Two big ones approved by our majority colleagues in previous sessions have just kicked in. Cap and trade policies have increased Washington gas prices 35 to 50 cents a gallon since January, and first payments came due in April on our new state income tax on capital gains. A new payroll tax for a much-troubled long-term care program launches in July.
- Proposals on the table for consideration in next year's session include an expansion of the new state income tax, an increase in the real estate excise tax, a new wealth tax, and a plan to allow the growth of property taxes to triple.



Last year, we fought to prevent the closure of Naselle Youth Camp in Pacific County, and lost. A task force launched this year by a Wilson budget proviso will consider future uses for this well-developed site. We're interested in proposals for year-round use that boost the local economy.

SOUTHWEST WASHINGTON'S 19TH LEGISLATIVE DISTRICT



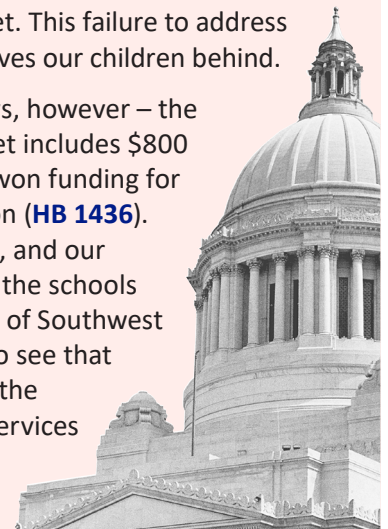
CLOSING THE COVID LEARNING GAP

Washington's K-12 students still haven't recovered from the COVID school closures. Many continue to struggle with a high level of learning loss. The statistics are in, and they are scary: The Spring 2022 Smarter Balance test revealed that 62 percent are failing math, 49 percent are failing English.

Republicans this year made education a priority, seeking funding for intensive tutoring and extended learning (**SB 5248/HB 1710**). Unfortunately, it was not included in the operating budget. This failure to address learning loss leaves our children behind.

Some good news, however – the operating budget includes \$800 million in hard-won funding for special education (**HB 1436**).

We fought for it, and our commitment to the schools and the families of Southwest Washington is to see that all students get the resources and services they need.



PUBLIC SAFETY IS TOP ISSUE OF 2023 SESSION

Crime and drug use skyrocket after laws are relaxed – lawmakers scramble to fix mistakes

Public safety was the issue of the year – a debate the Legislature brought on itself. Two years ago, our majority colleagues responded to urban unrest by weakening criminal statutes and enacting new restrictions on law enforcement. The result was thoroughly predictable – skyrocketing crime rates and a shocking increase in drug use and overdose deaths. This year, a majority of the Legislature was willing to concede these “reforms” were a big mistake, but we faced enormous resistance in restoring the tools police need to do their jobs and keep our communities safe. Ultimately we got only partway.

Police pursuits are partially restored

For the last two years, Washington law enforcement agencies have been forced to sit on their hands as suspects flee crime scenes. That’s because our colleagues voted in 2021 to ban most police pursuits, by requiring “probable cause” rather than “reasonable suspicion” before officers can turn on the flashers and give chase. The State Patrol tells us car thefts are up 50 percent and criminal driveaways have tripled. Worse yet are the tragedies that have occurred because police have been unable to pursue and detain suspects who went on to commit further crimes.



Concerned Republicans teamed with moderate Democrats on strong, bipartisan proposals to restore police pursuits. Unfortunately, urban members put up strong resistance. The unsatisfactory compromise was **SB 5352**, a watered-down proposal that allows pursuit in most cases of violent crime, but leaves police unable to chase reckless drivers, stolen vehicles, and others suspected of non-violent crimes. We’ll need to revisit this issue – the harm done by the pursuit restriction is too great.



Reluctance to address the disastrous and deadly decision-making behind a 2021 drug-decriminalization bill caused House Democrats to balk at a bipartisan bill from the Senate. This failure forced the Legislature into a one-day special session May 16.

Drug law forces special session

Two years ago, the state Supreme Court overturned our felony statutes against hard drugs, in a case known as *State v. Blake*. The problem was an easily-fixed technicality, but our colleagues instead chose to pass a decriminalization bill, transforming possession of dangerous drugs like heroin and fentanyl into a barely enforceable misdemeanor. Overdose deaths have doubled since 2020, to 2,500 last year. The Department of Health reports drugs are now the leading cause of death for men under age 60.

This appallingly weak law was set to expire on June 30 of this year. Inaction would leave Washington with no law at all. A bipartisan proposal emerged from the Senate making possession a gross misdemeanor and restoring to prosecutors the tools to force addicts into treatment. But House Democrats insisted on weaker measures, delayed a vote until the final day of the regular session, watched it fail and ran out the clock.

This negligence forced the Legislature to return for a special session May 16. The final deal mirrored the Senate proposal but wasn’t as strong as we would have liked. Our votes were split, Wilson voting yes and Walsh and McEntire voting no. We agree the new law (**SB 5536**) is an improvement over the old one – and more work needs to be done.



JEFF WILSON

My first in-person legislative session was a busy one – and what a difference it made to be there on the floor, standing

up for Southwest Washington during our biggest debates. As ranking Republican member on the Senate State Government and Elections Committee, I led opposition to one of the worst bills of the session. Sadly, the majority had the votes to end Washington’s unique tax advisory ballot measures, eliminating what little voice the people seem to have these days on taxation.

Several bills I sponsored advanced to the governor’s desk and others came close. Signed into law were:

- **SB 5023**, enhancing tow-truck safety at accident scenes by permitting rear-facing blue flashers. Added to the red flashers already permitted, the strobe effect can’t be missed.
- **SB 5287**, holding green energy to green standards, by launching a Washington State University study of wind-blade recycling.
- **SB 5542**, creating secure recycling rules to combat vandalism of electric vehicle chargers.
- **SB 5436**, enabling firearms transfers to museums, by eliminating impossible criminal background check requirements.

Biggest disappointment? We ran out of time to pass a bill cracking down on the organized-crime element in catalytic converter theft (**SB 5740**). But stay tuned – we have a deal ready to introduce for the 2024 session.



JIM WALSH

Big wins for the 19th District this session include a project I began working on several years ago, and recently collaborated

with Sen. Wilson to get across the finish line: the Aberdeen grade separation project. The \$72 million transportation budget allocation will fund the overpasses needed to reduce congestion near the Olympic Gateway Plaza, where busy Wishkah Street is separated from the shopping center parking lot by an active rail line.

Among the bills I sponsored is the Oakley Carlson Act, **HB 1397** — one of the most important of the session. Why? Because it involves the protection of children. In 2021, Oakley Carlson was taken from a stable and loving foster home and later vanished after the Department of Children, Youth and Families (DCYF) returned her to her troubled birth parents. My bill would provide much-needed reforms to protect children removed from a parent due to abuse, neglect or abandonment. Although it did not pass, I plan to continue to push for these changes next year.

Other bills I sponsored include:

- **HB 1091** would require voter approval of tax increases.
- **HB 1071** would authorize the funding of school resource officers at every K-12 public school in the state.
- **HB 1037** would allow family burials on private property, within certain parameters.
- **HJR 4200** would allow a “California Proposition 13” type of property tax system whereby the assessed taxable value would be set at the time of sale or when significant improvements are made.



JOEL McENTIRE

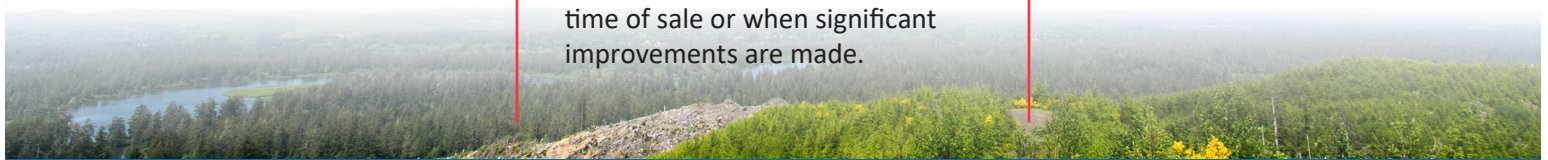
The 2023 session was the first since the pandemic to be conducted in-person. Dealing face-to-face brought a

noticeable improvement to our ability to work together – and I was able to work across the aisle with success.

Bills signed by the governor include:

- **HB 1043**, which streamlines rules and regulations in “common interest communities.” The bill improves consistency in laws governing associations managing condominiums, co-ops and other shared ownership housing.
- **HB 1782**, which improves the operation and maintenance of the Wahkiakum County ferry – vital to the many Southwest Washington residents who utilize it daily.
- **HB 1777**, which I co-sponsored, allowing school districts and other public entities to enter into innovative performance-based contracts to promote energy savings. By allowing private funding of improvements, we can get energy-efficient lights, windows and HVAC systems to struggling public schools.

My **HB 1044** died despite passing both the House and Senate on precursor votes, the result of a stalemate between the two chambers. This legislation would have provided grants to small school districts based on need. All students deserve a quality place to learn, no matter their ZIP code. I’ll keep working on this issue in future sessions. We are making strides in capital funding for schools in need, and this bill continues that important bipartisan effort.



HOUSING BILLS A BRIGHT SPOT

Housing policy was the success story of the session, as lawmakers of both parties worked together to pass legislation promoting new construction. The Department of Commerce says we aren't even close to meeting demand – we'll need 1.1 million new homes over the next 20 years to keep up with expected population growth. Wonder why rents and house prices keep going up? By some counts more than 20 bills passed. Some we supported, like a bill that cuts permit fees when local government approvals are unreasonably delayed (**SB 5290**), and another making it easier to develop accessory dwelling units (**HB 1337**). Others we opposed, like a bill that surrenders too much local control over zoning for high-density housing (**HB 1110**).

We got into the spirit with a few proposals ourselves. Wilson offered **SB 5657**, automatically granting design permit approval for kit-built homes. Walsh offered **House Joint Resolution 4200**, increasing home affordability with property tax reform. While they did not advance, the bipartisan cooperation on this issue makes them viable proposals for next year.

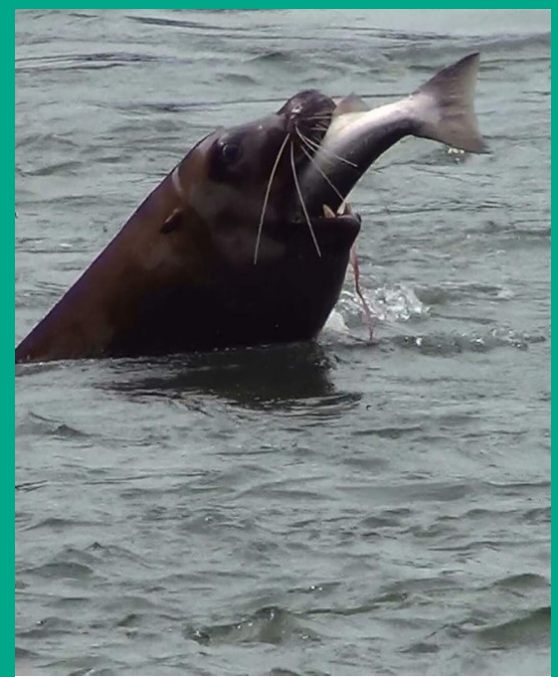


LONG-TERM CARE PAYROLL TAX BEGINS ON JULY 1

Starting July 1, most Washington workers will begin paying a new payroll tax for a first-of-its-kind insurance program for long-term care. Approved by our colleagues four years ago, this troubled program was supposed to launch last year, but was delayed until now to give lawmakers time to work out the kinks.

Unfortunately, many problems remain. The meager maximum lifetime payout of just \$36,500 will cover only a few months' stay in a nursing home. Move to another state, and you can't take it with you.

We think the Legislature should have gone back to the drawing board and worked with the private sector to create a better program. A half-million Washington residents voted no on this program in 2021 by obtaining more robust private insurance and opting out. That's no longer an option. Workers will pay 58 cents per \$100 of income to start, but we expect the cost to increase as lawmakers face pressure to improve benefits.



SECOND AMENDMENT RIGHTS UNDER ATTACK

On Second Amendment rights, we saw the deepest partisan disagreements of the session. All of us deplore violence, but the emotional responses we saw from our colleagues do nothing to address the problem. They voted to ban the sale of certain semiautomatics and modern sporting rifles (**HB 1240**), require firearms purchasers to complete state-approved gun safety courses (**HB 1143**), and allow the attorney general to sue when firearms are used in crimes (**SB 5078**). Legal challenges were immediate when these bills were signed into law. We voted no on all three, and we are convinced they will be overturned as an impairment of a fundamental right guaranteed by state and federal constitutions.

Whatever the courts do, laws like these will never prevent violence, merely make life harder for law-abiding gun owners. We need to consider root causes, mental and behavioral issues, and our responsibility to intervene before violence occurs – a much more difficult task.

HERSCHEL SIGHTED ON THE COWLITZ

Enormous sea lion packs spotted 70 miles up the Cowlitz this spring have sent alarm across Southwest Washington. Never have they gone that far upriver – and they're turning our massive public investment in salmon recovery into dinner. We're working on legislation for next session that will get state officials the equipment and staff they need to combat this pinniped emergency on the Columbia and its tributaries. We'll also work to expand this fight to Puget Sound, where Herschel and his friends once dined at the Ballard Locks and wiped out the Lake Washington spring chinook. Never again.

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LEGISLATURE LAUNCHES PROJECTS ACROSS SOUTHWEST WASHINGTON

A \$72 million grade separation for Aberdeen, public works projects and improvements to parks, ports and libraries are among highlights for Southwest Washington in this year's capital and transportation budgets. Working as a team, 19th District lawmakers obtained funding for shovel-ready infrastructure projects and other public works.

The Aberdeen project, contained in the state transportation budget, will relieve traffic congestion at the city's eastern approach near the Olympic Gateway Plaza, bridging the active rail line along Wishkah Street. The capital budget, financed with bonds and other sources, pays for public works and other durable infrastructure projects statewide.



*Kelso Multimodal Transportation Center
(CC 3.0 license)*

Other projects funded by the state's \$8.9 billion capital budget include:

- Naselle Hatchery Renovation, \$11.5 million.
- Dylan Jude Harrell Community Center Gymnasium, \$384,000.
- Community House Youth Emergency Center (Longview), \$250,000.
- South Bend School District, \$300,000.
- Beaver Creek Hatchery, \$2.6 million.
- Grays Harbor County Courthouse, \$225,000.
- Kelso School District, construction and renovation, \$165,000.
- City of Longview Mint Valley Golf Course irrigation, \$2 million.
- Terminal 4 expansion and redevelopment (Aberdeen), \$3.5 million.
- American Legion Veteran Housing and Resource Center, \$493,000.
- Library Capital Improvement Program (Longview), \$750,000.
- Cloney Inclusive Playground (Longview), \$1 million.
- Port of Willapa Harbor (South Bend), \$800,000.
- Library Capital Improvement Program (South Bend), \$249,000.
- Pe Ell water system upgrade, \$640,000.
- Lower Columbia College, David Story Field: \$1.3 million.
- Kelso depot roof repair, \$575,000.

For a complete list of capital budget projects, go to: <https://fiscal.wa.gov/statebudgets/CapitalProjectListDistrictBien>