



2009 Legislative Session Report

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When we developed our legislative agenda last summer, we were not expecting such a huge state budget deficit. We were looking for budget increases and rather major policy shifts that had price tags attached. As we neared the session, the deficit kept growing and we braced ourselves for cuts.

In the end, we actually fared pretty well. Unfortunately, many of our friends in mental health, long term care, chemical dependency and education suffered. We will undoubtedly see the effects of those cuts on social safety net programs for years to come.

Budget Items

(Budget documents available at: <http://leap.leg.wa.gov/leap/budget/detail/2009/ho0911p.asp>)

Emergency Shelter Assistance (ESAP)

Original ask: \$30 million

Final amount: \$10 million

We were looking for an inflationary adjustment to ESAP since the last increase ten years ago. That came to about \$20 million, and according to the latest ESAP report, would just barely meet the need on the street *a year ago* before the recession had really hit. As the session went on and the deficit increased, we quickly realized the best we would be able to do would be to hold the line, which we did. While we were disappointed the State did not prioritize homeless prevention and shelter resources during these bleak economic times, we were very excited when Washington State received about \$25 million in homelessness prevention and rapid re-housing dollars through the federal stimulus package.

There are actually several programs funded through ESAP: homeless family shelters, shelters for individuals, and homelessness prevention. Some of this money comes from the Federal Emergency Shelter Grant program. The rest comes from the State. The State's portion is cobbled together from two document recording fee accounts: the Affordable Housing for All Account, RCW 36.22.178; and the Ending Homelessness Account, RCW 36.22.179.

In the past, the State's portion of ESAP was taken from the State General Fund and therefore, frequently at risk of being cut during lean years. Providing dedicated fund sources makes it a bit more stable—provided the document recording fees bring in enough money to keep the program going. (More on document recording fees in the "Bills" section of this report under HB 2331.)

CTED, soon to be the Department of Commerce, will only be contracting ESAP for one program year so they can reassess the amount of revenue brought in by the document recording fee.

Transitional Housing, Operating and Rent (THOR)

Original ask: \$10 million

Final amount: \$8.5 million

Bear with me, I need to give a little history before explaining this year's allocation for THOR. During the 2007 regular session, we attempted to expand the eligibility for THOR from homeless

families with children to all homeless populations and people at risk of homelessness. We were unsuccessful, and the allocation remained at \$5 million for the 2007-2009 biennium. During the 2008 supplemental session, we succeeded in expanding the eligibility, and THOR received an additional allocation of \$2.5 million for the 2008 program year. This brought the baseline *biennial* funding level to \$10 million.

Due to the growing budget crisis last fall, these funds were never really distributed and most of the \$2.5 million allocation was reabsorbed into the general fund. So the \$8.5 million biennial allocation is actually an increase over the money that is on the ground today.

Funding for THOR will come from two sources this year. \$7 million will come from the Ending Homelessness document recording fee account, thanks to HB 2331 (see below). \$1.5 million will come from the Housing Trust Account, which is CTED's administration account for the Housing Trust Fund. While it's exciting that we have this increase, taking \$1.5 million from the Housing Trust Account negatively impacts the amount of admin dollars CTED has to administer the Housing Trust Fund.

As many of you probably already know, CTED, soon to be the Department of Commerce, will only be releasing \$5 million in THOR money over 18 months. We are still not sure what will happen after the 18 months, but will be watching this closely.

Independent Youth Housing Program (IYHP)

Original ask: \$1 million

Final amount: \$1.8 million

Thanks to the hard work of our youth advocacy allies, including the Mockingbird Society, the Independent Youth Housing Program received an increase of \$800,000. This is excellent news! This transitional housing program for youth exiting foster care provides youth with the foundation they need to live successful, independent lives.

General Assistance Unemployable (GAU)

Total Cut: \$65 million

On the surface there will be no changes to GAU in the coming biennium. The entitlement was maintained, the \$339 monthly grant amount was maintained, and the eligibility criteria remain the same. This is great news for our clients and our communities.

The biggest change – a huge improvement in and of itself – is that for the first time mental health coverage will be included in the GAU medical benefit. This corrects the historical anomaly that 40% of the caseload qualifies for benefits based on mental illness and yet the benefits they received did not provide coverage for that illness.

Even better recipients outside King and Pierce counties will begin to transfer to managed care – including mental health treatment. The five largest counties will begin in October with the rest of the state transitioning to managed care in early 2010. This model of integrated health care through the community clinics has been available in King and Pierce for the last year.

Despite this rosy picture the legislature did cut \$65 million from the GA-U budget. If the projected savings are not reached we may be fighting to “save GAU” again in the 2010 session.

Thank you to Robin Zukoski of Columbia Legal Services for her tireless work during the session and this analysis. Questions about GAU changes should be directed to Ms. Zukoski, robin.zukoski@columbialegal.org.

Re-entry Housing Pilot Program (RHPP)

Original ask: \$4 million

Final amount: \$0

This was one of our greatest disappointments. There are very few housing resources for ex-offenders as they leave prison. RHPP provided up to 18 months of transitional housing for ex-offenders and their families. Housing providers and case managers worked closely with the offenders' Community Corrections Officers, and local Community Justice Centers in King, Clark and Spokane Counties. The pilot saw tremendous success in its brief existence, but the Governor made it clear early on that no pilot programs would be renewed or made permanent.

Re-entry housing for offenders and other vulnerable populations will be one of our priorities during the 2010 Session.

Housing Trust Fund (HTF)

Original ask: \$200 million

Final amount: \$100 million

Another huge disappointment for housing advocates, the Housing Trust Fund saw a 50% cut for the biennium. Although the HTF received an allocation almost twice that in the original Senate budget, less money in the Trust Fund means little to no new projects until we can get the allocation back up to at least last year's level of \$200 million.

Here's the break down:

Set-Asides:

\$7 million for farmworker housing;

\$3 million for persons with developmental disabilities;

\$10,000 for construction of a mobile camp facility in Ballard;

\$2.5 million for on-farm infrastructure improvements;

\$1 million for on-farm housing; and

\$5 million for underserved communities of concern

General HTF:

\$81.49 million for low income housing

Total:

\$100 million for the biennium

The Housing Trust Fund is an invaluable tool in our fight against homelessness. More than 70% of HTF units serve extremely low income people, those earning 30% and below the area median income (AMI). These units combined with supportive services are working to end homelessness in Washington State.

Select Bills

Here are some of the bills we followed during the 2009 session. They are in order of priority/relevance to our 2009 agenda. You can look up these and other bills on the legislative website: <http://apps.leg.wa.gov/billinfo/>

HB 2331: Concerning the existing document recording fee for services for the homeless.

Sponsors:

Representatives [Darneille](#), [Dickerson](#), [Pettigrew](#), [Kenney](#), [Williams](#), [Simpson](#), [Nelson](#), [Ormsby](#)

The bill increases the document recording fee going into the Home Security Fund Account to \$30. The intent of this bill was to provide a dedicated funding source for and avoid cuts to ESAP, THOR and other important state homeless programs. While we are claiming victory because we were able to avoid cuts to these programs for now, cuts are a distinct possibility if the recording fees don't bring in the projected amount of revenue. Also, in order to get the bill passed, the bill's sponsors had to agree to a 4-year sunset on this increase to the fee. We will be watching this revenue source closely over the next year so that we can respond to any threats to State homeless programs during the next session and future sessions.

HB 1488: Restricting the release of persons from state institutions

Sponsors:

Representatives [Miloscia](#), [Sullivan](#), [Goodman](#), [Ormsby](#), [Blake](#)

Going into the legislative session, this was our top policy priority during the 2009 session. We wanted to get the Department of Corrections (DOC) and the Department of Social and Health Services (DSHS) to identify the strategies and resources necessary to stop the practice of discharging people into homelessness by the year 2011, and to track the housing status of people leaving their care while under direct supervision.

The bill died very early in the session. Unfortunately, several things were working against us. One, a horrible title assigned by the Code Revisers Office, something we could not change. Two, a misconception among legislators that the bill would *require* the State to stop discharging people into homelessness by 2011, rather than just figure out what it would take to stop the practice. And three, a small fiscal note attached to the planning requirement and a data collection requirement. Compared to the cost of releasing people into homelessness and the subsequent recidivism and high utilization of public emergency services, this fiscal note was minimal. We will continue to work this concept during the next legislative session.

SB 5525: Concerning rental vouchers to allow release from state institutions.

Sponsors:

Senators [Carrell](#), [Hargrove](#), [Stevens](#), [Regala](#), [Brandland](#), [Kauffman](#), [McAuliffe](#)

This was a very interesting bill. Two sessions ago, under a different Secretary, the Department of Corrections discontinued a rental voucher program for offenders leaving prison using the argument that DOC was not and should not be in the business of housing. Housing and other resources for re-entering offenders were already scarce, so eliminating these vouchers was devastating. The legislature hoped to make up for that loss through the Re-Entry Housing Pilot Program. However, the two programs do very different things and overall, housing assistance for re-entering offenders decreased significantly.

This bill reinstates the original voucher program, providing up to 90 days of rental assistance for re-entering offenders. Yes, this does cost money. However, the bill actually has a negative fiscal note, indicating a savings of over \$4 million to the State. The savings are accomplished by releasing eligible offenders on their earliest possible release date, rather than their latest possible

release date. Eligible offenders are those who are ready to be released except for the fact that they don't have an address to release to.

We have been trying to get this program reestablished for the last several sessions, so we were very glad to see its passage. We also succeeded in inserting a requirement to track the housing status of these offenders after the 90 days are up and for the duration of their supervision. This will give us concrete data to show the effectiveness of the program for some offenders, and the need for more assistance for others.

Other Bills

I am including less detail on these bills, but if you have any questions, feel free to contact us in the office.

HB 1492: Addressing the independent youth housing program. This bill clarified some provisions from the original version of two years ago, and expanded eligible fund uses to include professional mental health services and tuition costs for court-ordered classes and programs if deemed necessary to secure housing.

HB 1227: Concerning Recreational Vehicles Used As Primary Residences in Manufactured/Mobile Home Communities. Prohibits, under certain circumstances, local governments from adopting an ordinance that has the effect, directly or indirectly, of preventing the entry or requiring the removal of a recreational vehicle used as a primary residence in manufactured/mobile home communities.

HB 1250: Concerning administration of the Housing Trust Fund. Died in Senate Rules. Allows capital appropriations for the housing trust fund to be used for project application, review, selection, contracting, and project development. This bill was important because the amount of money and resources to administer the Housing Trust Fund is not keeping up with the size of the portfolio.

SHB 1663: Relocation assistance rights for motel occupants. Creates relocation assistance rights for long term residents of hotels, motels, or other places of transient lodging that are shut down by government action.

SB 5433: Modifying provisions of local option taxes. Authorizes counties, until January 1, 2015, to partially supplant existing funds for the county public safety sales and use tax and the mental health/chemical dependency sales and use tax. The amount of supplantation decreases annually. Authorizes King county to impose an additional property tax. Reduces the ferry district property tax rate in King county.

SSB 5665: Authorizing a joint self-insurance program for two or more affordable housing entities or nonprofit entities. Provides authority for two or more affordable housing entities to participate in a joint self-insurance program covering property or liability risks.