



Session Watch

Monday, January 28, 2019 (day 15 of the 105-day session)

Almost 1400 Bills Introduced

The legislative session got off to a fast start with nearly 1400 bills introduced in the first two weeks. Several themes are emerging with multiple bills focused on clean energy, creating new taxes and labor issues.

An Eye on Taxes

Several tax bills would create a capital gains tax. Since capital gains is a form of an income tax and income taxes are prohibited by Washington's constitution, many people think if such a bill passes, it would be overturned by the courts.

Fair Funding

HB 1283 and SB 5277 would, for the first time since 1998, increase the amount of the Fair Fund. The bill changes the current statutory transfer to an appropriation. It recommends the appropriation be the greater of \$2 million or the estimated amount of state retail sales tax collected on sales occurring at fairs as estimated by the Department of Revenue. The appropriation is capped at \$3 million for this biennium and \$4 million for future biennia.

Pesticide Application Safety Work Group

SB 5550 Implements the recommendations of the pesticide application safety work group created last year. This bill is the result of a year-long effort that began with a bill that would have required a four-day pre-notification before an application and complete use reporting. The current bill creates an interagency committee including four legislators, the departments of health, agriculture, labor and industries, natural resources, poison center, and WSU. The committee will be co-chaired by the departments of ag and health. The first priority of the committee is to explore how state agencies collect and track pesticide exposure data. They may also recommend policy options to improve pesticide application safety within agriculture, establish baseline data for the type and quantity of pesticide applications in Washington, research ways to improve pesticide application communication among different members of the agricultural community,

compile industry best practices, compile industry's best practices, develop more Spanish language and other language educational materials, work with the industry and the agricultural workforce to improve protocols and best practices for use of personal safety equipment, and much more. The bill also creates an advisory group to collect information and make recommendations to the committee. The committee must report to the legislature by May 1, 2020, and each year thereafter. The committee terminates, July 1, 2025.

During the first public hearing, agricultural groups supported the bill. Northwest Coalition Against Pesticides (NCAP) and Columbia Legal Services opposed the bill saying in part that training was a waste of resources. Exposure data has always shown that applicators do an excellent job of following the law and minimizing human exposure. A house companion bill will be introduced this week.

Final Thoughts

For the next several weeks, bills will continue to be introduced at a rapid pace. In mid-February, new introductions will slow to a trickle. February 22 is the first cutoff date. After that, bills will begin to die, and the tracking list will get shorter.

As always, I welcome your input.

Quote of the Week

"Discoveries are often made by not following instructions, by going off the main road, by trying the untried."

-Frank Tyger

Trivia Question of the Week

When and Where is this year's state convention being held.

Last Week's Trivia Answer

January 9, 1873

Upcoming Hearings of Interest

Agriculture, Water, Natural Resources & Parks (Senate) - SHR 3, - 1/29 @ 1:30pm

- SB 5349 - Public Hearing - Concerning products identified as milk. (Support/High)
- SB 5447 - Public Hearing - Extending the dairy milk assessment fee to June 30, 2025. (Low)

Environment, Energy & Technology (Senate) - SHR 1, - 1/30 @ 8:00am

- SB 5412 - Public Hearing - Reducing the greenhouse gas emissions associated with transportation fuels. (Hearing is on the Proposed Substitute.) (Oppose/Medium)

Innovation, Technology & Economic Development (House) - HHR C, JLOB - 1/30 @ 8:00am

- HB 1498 - Public Hearing - Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities. (Support/High)

State Government & Tribal Relations (House) - HHR E, JLOB - 1/30 @ 1:30pm

- HB 1063 - Public Hearing - Authorizing seventeen year olds to participate in primary elections.

Transportation (Senate) - SHR 1, - 1/30 @ 3:30pm

- SB 5255 - Public Hearing - Prohibiting road usage charges in rural counties. (Support/Low)

Transportation (House) - HHR B, JLOB - 1/31 @ 3:30pm

- HB 1309 - Public Hearing - Phasing out the use of studded tires. (Oppose/Medium)

State Government & Tribal Relations (House) - HHR E, JLOB - 2/1 @ 8:00am

- HB 1209 - Public Hearing - Providing prepaid postage for all election ballots. (Low)
- HB 1262 - Public Hearing - Concerning the presidential primary. (Support/Medium)
- HB 1310 - Public Hearing - Concerning the presidential primary. (Support/Medium)

Selected Bills of Interest

High Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<u>HB 1172</u> (SB 5314) Capital gains tax/prop. tax Creates a capital gains tax.	H Finance	Santos/Wellman	Oppose
<u>HB 1283</u> (SB 5277) Agricultural fair funding Ensuring the funding of agricultural fairs.	H Approps	Dent/Warnick	Support
<u>HB 1343</u> (SB 5129) Revenue Creates a capital gains tax and increases the business and occupation tax rate on certain services.	H Finance	Tarleton/Rolfes	Oppose
<u>HB 1498</u> (SB 5511) Broadband service Expanding affordable, resilient broadband service to enable economic development, public safety, health care, and education in Washington's communities.	H Inn, Tech & E	Hudgins/Wellman	Support
<u>HB 1611</u> (SB 5626) Cultivation of shellfish Ensuring the safe and productive cultivation of shellfish.	H Env & Energy	Blake/Takko	Support

SB 5349	Products identified as milk Prohibits the sale of a product that is identified by the word "milk" and, is intended for human consumption as food or drink, if the product is not milk or does not contain milk or milk products.	S Ag/Water/Natura	Ericksen	Support
SB 5550	Pesticide application safety Implementing the recommendations of the pesticide application safety work group.	S Labor & Commer	Saldana	Support
SB 5552	Native pollinators Concerning the protection of native pollinators, including bees.	S Ag/Water/Natura	Lias	Support
SB 5620	Elk fencing pilot project Establishing a pilot project to test elk fencing.	S Ag/Water/Natura	Wagoner	Support

Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>	
HB 1025	Horse slaughter Prohibits a person from slaughtering a horse if the person knows or should know that the meat from the slaughtered animal is intended to be used for human consumption.	H Public Safety	Appleton	Oppose
SHB 1110 (SB 5412)	Greenhouse gas/transp. fuels Reducing the greenhouse gas emissions associated with transportation fuels.	H ENVIDPS	Fitzgibbon/Saldana	Oppose
HB 1113	Greenhouse emission limits Reduces greenhouse gas emissions at a rate that is consistent with the intended nationally determined contribution submitted by the United States to the United Nations.	H Env & Energy	Slatter	Concerns
HB 1167 (SB 5476)	Composting/nuisance lawsuits Confirms that composting activities are recognized as agricultural activities and protected from nuisance lawsuits.	H RDev, Ag&NR	Walen/Kuderer	Support
HB 1211 (SB 5116)	Clean energy Establishes the Washington clean energy transformation act. Addresses the elimination of coal-fired electricity and the transition of the state's electricity supply to one hundred percent carbon neutral by 2030. Provides that it is the policy of the state that all retail sales of electricity to the state's customers be greenhouse gas neutral by January 1, 2030. Requires the department of commerce to convene an energy and climate policy advisory committee to develop recommendations to the legislature for the coordination of existing resources, or the establishment of new ones, to examine the costs and benefits of energy-related policies, programs, functions, activities, and incentives. Requires the department of health to conduct a cumulative impact analysis to designate the communities highly impacted by fossil fuel pollution and climate change.	H Env & Energy	Tarleton/Carlyle	Concerns
HB 1228 (SB 5130)	Fish barrier removal funding Helps fund state fish barrier removal by implementing a graduated real estate excise tax and increasing in certain vehicle weight fees.	H Finance	Chapman/Rolfes	Concerns
HB 1262 (SB 5229)	Presidential primary Changes the dates for the presidential primary.	H State Govt & T	Walsh/Zeiger	Support

HB 1287 (SB 5103)	Natural areas Requires the department of natural resources to recommend to the governor a prioritized list of all property acquisitions for the purpose of creating: (1) Washington natural resources conservation areas; and (2) A Washington natural area preserve. Authorizes the governor to remove projects from the list and submit the amended list in the capital budget request to the legislature. Prohibits acquisition without legislative approval and funding.	H Cap Budget	Griffey/Sheldon	Support
HB 1309	Studded tires Phasing out the use of studded tires.	H Trans	Ryu	Oppose
HB 1310 (SSB 5273)	Presidential primary Changes the dates for the presidential primary. Requires each party to determine which candidates are to be placed on the presidential primary ballot for that party. Requires a ballot, if requested by a party chair, to contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted.	H State Govt & T	Valdez/Hunt	Support
HB 1622	Drought preparedness Concerning drought preparedness and response.	H RDev, Ag&NR	Blake	Concerns
SSB 5010	Protected lands/fire levies Addresses parcels of land that do not pay the forest fire protection assessment or a local fire district levy.	S Rules 2	Rolfes	Support
SB 5085	Broadband internet access Authorizes a unit of local government or other subdivision of the state to provide broadband services when approved by the utilities and transportation commission pursuant to certain requirements.	S Environment, E	McCoy	Support

Low Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
HB 1187 Fish habitat projects Allows a fish habitat enhancement project to be approved by conservation districts as conservation district-sponsored fish habitat enhancement or restoration projects in order to receive a permit review and approval process.	H RDev, Ag&NR	Dent	Support
HB 1188 Rangeland fire associations Creates rangeland fire protection associations defined as a nonprofit that has entered into an agreement for the detection, prevention, or suppression of wildfires.	H RDev, Ag&NR	Dent	
HB 1209 (SB 5063) Ballots, prepaid postage Requires the state to reimburse counties for the cost of return postage on mail and absentee ballots for elections. Requires return envelopes for election ballots to include prepaid postage.	H State Govt & T	Hansen/Nguyen	
HB 1429 (SB 5447) Dairy milk assessment fee Extending the dairy milk assessment fee to June 30, 2025.	H RDev, Ag&NR	Shewmake/VanDeWege	

	Parcel & planning boundaries	S Local Governme	Honeyford	Support
	Concerning the placement of planning boundaries in conjunction with parcel boundaries.			
<u>SB 5026</u>	Requires, under the growth management act, urban growth area boundaries to follow existing parcel boundary lines and make reasonable efforts to avoid unnecessary divisions. Requires any changes to be made as part of the next comprehensive plan periodic update.			
	Cougar control pilot program	S Ag/Water/Natur	Sheldon	Support
<u>SB 5100</u>	Requires the department of fish and wildlife, in cooperation and collaboration with the county legislative authorities of Ferry, Stevens, Pend Oreille, Chelan, Okanogan, Mason, and Klickitat counties, to recommend rules to establish a five-year pilot program within select game management units of these counties, to pursue or kill cougars with the aid of dogs. Authorizes a county legislative authority to request inclusion in the pilot project after taking certain actions.			
	Daylight saving time	S State Govt/Tri	Honeyford	Oppose
<u>SB 5139</u>	Declares an intent to observe daylight saving time year-round, if authorized by the United States congress, Requires the department of commerce to review impacts the state time zone and daylight saving time have on commerce in the state.			
<u>SSB 5148</u>	Hunting/visible clothing	S Rules 2	Wilson	
	Requires the fish and wildlife commission to adopt rules determining the times and manner when a person who is hunting must wear fluorescent orange or fluorescent pink clothing.			
	Road usage charges/rural	S Transportation	Sheldon	Support
<u>SB 5255</u>	Prohibits the state from imposing or collecting any new road usage charge, vehicle miles traveled fee, or other similar type of comparable charge, tax, or fee, in rural counties.			
<u>SB 5543</u>	Productive farmland	S Ag/Water/Natur	Takko	Support
	Retaining productive farmland.			
<u>SJR 8204</u>	Right to fish, hunt, etc.	S Ag/Water/Natur	Braun	Support
	Proposes an amendment to the state Constitution to guarantee the right to fish, hunt, and otherwise harvest wildlife.			

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