



Session Watch

Monday, March 1, 2021 (day 49 of the 120-day session)

Week 7 Recap

Legislators continue to express frustration that Governor Inslee's office cannot articulate where we go from here with the pandemic response. The entire state is in phase two, but there is no phase three, nor do there appear to be plans for a phase three.

The legislature has passed the second cutoff meaning fewer bills are left alive. The next major cutoff will be March 9 when all bills must have passed their house of origin. Because of the timing of cutoff, there will be no report next week.

Some of the bill that may have the greatest effect on agriculture and timber over time are not aimed at natural resource industries. Several bills would amend the Growth Management Act, potentially reducing the value of your land and/or making it more difficult to divide land or build. Several carbon bills would increase both the cost of living and the cost of doing business by increasing the cost of fuel. Environmental justice language has been added to many bills. As written, this language could slow state government decisions and increase costs.

2SHB 1099 adds climate change to the Growth Management Act. Among many other things, the bill proposes to reduce residential development in the wildland urban interface area. This could affect private property rights and thus, property values. It also protects existing natural areas, including native forests, grasslands, wetlands, and riparian areas. This is duplicative of existing law and could create confusion. The term "native forest" is not defined.

2SHB 1117 adds salmon recovery goals to the Growth Management Act. Permits issued by the county must include compensatory mitigation. County Growth Management plans must include net ecological gain including restoration of natural surface water flows and groundwater recharge. It includes both in water and upland habitat that affects anadromous fish. Development regulations may not require individual private projects to contribute to net ecological gain, the focus is on public projects.

SSB 5126 The Climate Commitment Act is Governor Inslee's cap and trade bill. In addition to the underlying cap and trade bill, it was amended to add an environmental justice and equity panel to make recommendations on the development and implementation of the cap-and-trade program. It requires the Governor to establish a climate program. It includes vague language about forestry including preserving or establishing carbon sequestration in riparian areas through forest management sufficient to promote climate resilience.

2SSB 5141 The HEAL Act – The stated purpose of this bill is to reduce environmental and health disparities in Washington state and improve the health of all Washington state residents. It requires the departments of agriculture, commerce, ecology, health, natural resources, transportation, and the Puget Sound partnership to develop an environmental justice implementation plan including a community engagement plan. Agencies must focus expenditures on creating environmental benefits and improving the quality of life for overburdened communities and vulnerable populations. They must create opportunities for overburdened communities and vulnerable populations to meaningfully participate in agency spending decisions. The bill creates a 12-member Environmental Justice Council appointed by the Governor. There are no business or scientific members. The council will make recommendations to agencies and the Governor. This explanation barely hits the highlights of the bill. It is extremely bureaucratic and cumbersome. Terms used are subjective and open to interpretation. It will create confusion that will slow or shut down public and private projects, drive up costs, and put jobs at risk.

SB 5373 – Senator Lovelette's bill establishes a carbon tax of \$25 per metric ton of greenhouse gas emissions on all fossil fuels. The tax rate automatically increases annually by 5% each year and is adjusted for inflation using the consumer price index. Funds may be used to fund a wide variety of projects including wildfire response (currently paid for from the general fund), FIREP, community forests, salmon enhancement, green buildings and much more. There is no clear indication as to how

much will go to each program or what the priorities will be. Farm fuels and fuel used in logging and log hauling is exempt, however, the tax must be paid, then the purchaser must ask for a refund.

The first hearing on this bill will be March 4.

How to Testify on Bills this Year

Start here: <https://app.leg.wa.gov/csiremote/>

Select House or Senate

Committee: Choose the committee where your bill is being heard

Meetings: Choose the date of the hearing

Select the bill you want from the list.

Select:

I would like to submit written testimony.

I would like to testify live during the hearing.

I would like my position noted for the legislative record.

You may check to see who else has signed in to testify.

On the next screen, fill in all the blanks and submit.

You will receive an email with a link for the hearing. At the appropriate time, join the meeting and wait to be admitted.

When you are called to speak, introduce yourself and speak for 1-2 minutes.

To prepare, write down what you want to say. Read it aloud several times. Time yourself.

To find hearings not listed below, look here:

<https://app.leg.wa.gov/committeeschedules/>

Things to remember

If you do not know who your legislators are, find out here: <http://app.leg.wa.gov/districtfinder>. Find your legislators e-mail address here:

<http://app.leg.wa.gov/MemberEmail/Default.aspx?Chamber=H> Legislator phone numbers and office addresses are available on the individual member pages. Links to the member pages can be found on the House site, the Senate site or on the Member Roster lists. If you would like to send a message to your legislators regarding a specific bill, you may use the Bill Comments form. Learn more here: <https://app.leg.wa.gov/pbc/>.

Toll-Free Hotline - 1-800-562-6000 allows you to leave a message for your legislators. When leaving a message with the Hotline, please be prepared to give your name and street address. During the Legislative session, the Hotline is open from 8:00 a.m. to 8:00 p.m. Monday through Friday.

Upcoming Events

Environment, Energy & Technology (Senate) - Virtual, - 3/4 @ 8:00am

1. SB 5373 - Public Hearing - Concerning carbon pollution. (Hearing is on the Proposed Substitute.) (Remote testimony.) (Concerns/High)

High Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<u>2SHB 1117</u> Comp. planning/salmon Promoting salmon recovery through revisions to the state's comprehensive planning framework.	H 2nd Reading	Lekanoff	Oppose
<u>HB 1135</u> Transp. budget 2021-2023 (<u>SB 5165</u>) Making transportation appropriations for the 2021-2023 fiscal biennium.	H Transportation	Fey	Concerns

ESHB 1336	Public telecomm. service Creating and expanding unrestricted authority for public entities to provide telecommunications services to end users.	S Environment, En	Hansen	Support
HB 1465	Estate tax Making the estate tax more progressive by exempting small estates, reducing estate taxes on medium estates, increasing the estate tax on larger estates, and addressing equity in homeownership and homelessness.	H Finance	Orwall	Concerns
2SSB 5045	Meat & poultry inspection Establishing a state meat and poultry inspection program.	S 2nd Reading	Warnick	Support
SSB 5096	Capital gains tax Concerning an excise tax on gains from the sale or exchange of certain capital assets.	S Rules 2	Robinson	Oppose
SB 5165 (HB 1135)	Transp. budget 2021-2023 Making transportation appropriations for the 2021-2023 fiscal biennium.	S Transportation	Hobbs	Concerns
SSB 5172 (HB 1217)	Overtime claim retroactivity Concerning the retroactivity of overtime claims in exceptional cases.	S Rules 2	King	Support
SSB 5317	Pesticide registration Concerning pesticide registration and pesticide licensing fees.	S Rules 2	Warnick	Neutral
SB 5373	Carbon pollution Concerning carbon pollution.	S Environment, E	Lovelett	Concerns

Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>	
2SHB 1091 (SB 5231)	Transportation fuel/carbon Reducing greenhouse gas emissions by reducing the carbon intensity of transportation fuel.	H 2nd Reading	Fitzgibbon	Concerns
2SHB 1099	Comprehensive planning Improving the state's climate response through updates to the state's comprehensive planning framework.	H 2nd Reading	Duerr	Concerns
ESHB 1196 (SSB 5325)	Audio-only telemedicine Concerning audio-only telemedicine.	S Health & Long T	Riccelli	Support
EHB 1199	DNR lease termination	S Ag/Water/Natura	Corry	Support

Providing compensation to department of natural resources lessees whose leases are terminated for reasons other than default.

SHB 1355	Noxious weeds Concerning noxious weeds.	H 2nd Reading	Dent	Support
SHB 1380	Custom farming, etc./tax Restoring the business and occupation and public utility tax exemption for custom farming and hauling farm products.	H Rules R	Dufault	Support
SSB 5126	Climate commitment act Concerning the Washington climate commitment act.	S Ways & Means	Carlyle	Oppose
2SSB 5141	Env. justice task force recs Implementing the recommendations of the environmental justice task force.	S 2nd Reading	Saldaña	Concerns
SB 5159	WDFW payments/property tax Concerning payments in lieu of real property taxes by the department of the fish and wildlife.	S 2nd Reading	Warnick	Support
2SSB 5253	Pollinator health Implementing the recommendations of the pollinator health task force.	S Rules 2	Liias	Neutral
SSB 5325 (ESHB 1196)	Telemedicine Concerning audio-only telemedicine.	S Passed 3rd	Muzzall	Support
2SSB 5362	Agricultural fair funding Ensuring the funding of agricultural fairs.	S 2nd Reading	McCune	Support
ESSB 5439	Broadband/state highways Facilitating the coordinated installation of broadband along state highways.	S Passed 3rd	Saldaña	Support

Low Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>	
2SHB 1263	Rural infrastructure Concerning rural infrastructure.	H 2nd Reading	Abbarno	Support
SB 5063	Invasive species council exp Concerning the expiration date of the invasive species council.	S 2nd Reading	Honeyford	Support
SB 5300	Feeding of garbage to swine Prohibiting the feeding of garbage to swine.	H RDev, Ag&NR	Van De Wege	Support

Other Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<u>E2SHB 1050</u> Fluorinated gases Reducing greenhouse gas emissions from fluorinated gases.	S Environment, En	Fitzgibbon	
<u>HB 1080 (SB 5083)</u> Capital budget 2021-2023 Concerning the capital budget.	H Cap Budget	Tharinger	
<u>HB 1094 (SB 5092)</u> Operating budget 2021-2023 Making 2021-2023 fiscal biennium operating appropriations.	H Approps	Ormsby	
<u>SHB 1204 (SB 5256)</u> Transp. electrification Concerning the electrification of transportation.	H Rules R	Macri	
<u>SHB 1283</u> Criminal mischief/weapons Including the open carry or display of weapons within the offense of criminal mischief.	H Rules R	Senn	
<u>ESSB 5038</u> Open carry of weapons Prohibiting the open carry of certain weapons at public demonstrations and the state capitol.	H Civil R & Judi	Kuderer	
<u>2SSB 5383</u> Public telecomm. services Authorizing a public utility district to provide retail telecommunications services in unserved areas under certain conditions.	S Passed 3rd	Wellman	

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