

2017 Washington State Legislative Session Weekly Report Far West Agribusiness Association January 13, 2017

January 9 marked the first day of the 105-day 2017 Washington State legislative session. Scheduled to end on April 23, it is highly likely one or more special 30-day sessions will be required to finish negotiations and adopt the 2017-19 operating, transportation and capital budgets.

2017 Session - Emerging Priority Issues

The Associated Press identified some of the key issues facing the 2017 Washington State Legislature in this [article](#). These include education funding, mental health reforms, REAL ID solutions, police use of deadly force, and dealing with federal changes to the Affordable Care Act. Your reports this session will keep you abreast of these topics, matters of concern to you and other issues as they emerge.

Following are highlights from this first week of the Washington State legislative session.

More Seats Filled in the Legislature

31st Legislative District

Rep. Phil Fortunato (R-31st) was appointed on January 8 to fill the vacancy left by Sen. Pam Roach when she resigned to assume her new position on the Pierce County Council. Filling Fortunato's empty House seat is Enumclaw City Councilmember Morgan Irwin (R).

48th Legislative District

Sen. Cyrus Habib (D-48th) is leaving his legislative seat after being elected as Washington State's Lieutenant Governor. Rep. Patty Kuderer (D) moved from the House to fill his open seat. Bellevue City Council member Vandana Slatter (D) filled Kuderer's open seat.

McCleary Update

As we've been discussing in our interim reports, much of the focus for the 2017 session will be on satisfying the 2012 Washington State Supreme Court McCleary decision mandate to fully fund K-12 basic education. One of the main challenges is addressing salary differences within the many school districts throughout the state, as explained in this *Kitsap Sun* [article](#). This is a significant hurdle because the McCleary decision holds that teacher salaries, commonly subsidized with local levy dollars, must be paid entirely by the state.

Budget Update

Hearings on the governor's budget proposals began this week in House Appropriations and Senate Ways & Means. As explained by the Associated Press in this [article](#), a showdown over new taxes is brewing with Democrats insistent that new revenue is necessary and Republicans committed to reprioritize spending within existing resources. Education Funding Task Force member Sen. Ann Rivers (R-18) suggested using

revenue from marijuana sales to fund education, as noted by King 5 News [here](#). With \$2 billion already added to K-12 education spending since the McCleary decision, a recent [Democratic proposal](#) to fully fund education allocates spending over \$7 billion more on education in the next four years. This funding proposal relies on closing tax exemptions and creating a new capital gains tax as revenue sources, which falls in line with the Governor's budget [proposals](#) released last month.

Business & Labor

Legislation ([SB 5032](#)/[HB 1116](#)) to implement family and medical leave insurance was introduced this week.

Human Trafficking

Bipartisan legislation to strengthen current Washington State human trafficking laws was introduced this week, as noted in this *Seattle Times* [article](#). The "Human Trafficking Protection Order Bill" ([HB 1079](#)/[SB 5029](#)) protects victims by creating a protection order or no-contact order. [HB 1078](#)/[SB 5030](#) extends the statute of limitations for human trafficking crimes from three to ten years. Neither bill has a financial impact on the state.

Police Use of Deadly Force

As reported during the interim, a task force is bringing new recommendations to update the state's police deadly force law. This NW News Network [article](#) outlines the proposed changes ([HB 1000](#)/[SB 5000](#)) and notes concerns about the proposed changes voiced by Senate Majority Leader Mark Schoesler (R) and support for more police training by Senate Minority Leader Sharon Nelson (D).

Transportation

Legislation aimed at facilitating compliance with the federal REAL ID Act, [SB 5008](#)/[HB 1041](#), was introduced this week. The bill modifies drivers' licenses and identicard design and fees.

Transgender

Legislation ([HB 1011](#)) was filed to repeal the late-2015 state ruling by the Human Rights Commission to [allow](#) transgender individuals to use the restroom with which they identify. More information about this controversial issue can be found in this *The Olympian* [article](#).

Health Care

State Legislators Watching Federal Activity on Affordable Care Act

The *Spokesman Review* featured this [article](#) on how uncertainty at the federal level regarding the Affordable Care Act (ACA) is impacting Washington State lawmakers in Olympia. If the law is repealed, it is estimated 750,000 Washington State residents would lose their health insurance if no replacement were provided. The state currently receives nearly \$3 billion in federal funding for ACA expansion. There is even some rumbling that a special session this fall may be required in Washington State to address any changes to the ACA made at the federal level.

Tribal Dental Therapists

Also introduced this week was tribal dental therapist legislation ([SB 5079](#)). The legislation's intent is to increase access to dental care for tribal members and points to a lack of dental health care professionals in tribal communities as the root of the issue.

Gun Responsibility

Legislation ([SB 5050/](#)[HB 1134](#)) banning the sales of assault-style rifles was introduced the first day of session by Washington State Attorney General Bob Ferguson (D). As explained in this *Seattle Times* [article](#), the legislation keeps these types of firearms legal, but makes purchasing them more difficult.

Local Government

Bipartisan legislation reforming the Open Records Act is being drafted, as noted in this *Everett Herald* [article](#). As many as three bills on this issue are expected to be introduced as early as next week and are the result of stakeholder meetings over the last seven months.

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Upcoming Legislative Events

Agriculture, Water, Trade & Economic Development (Senate) - SHR 1, JACB - 1/19 @ 8:00am

- SB 5051 - Public Hearing - Concerning nondefault termination provisions in state land leases for agricultural or grazing purposes.

Labor & Workplace Standards (House) - HHR E, JLOB - 1/19 @ 8:00am

- HB 1116 - Public Hearing - Implementing family and medical leave insurance.

High Priority Bills

No bills.

Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
Ecology rules/peer review Establishing a peer review process to ensure robust economic analysis of department of ecology administrative rules. <i>Sponsors:</i> Shea (Prime), Buys, Haler, Holy, McCaslin, Pike, Short, Taylor, Young HB 1014 <i>Summary:</i> Requires the department of ecology to: (1) Before making available a preliminary cost-benefit analysis or finalizing a small business economic impact statement, solicit peer review of the draft economic analyses by qualified professionals; and (2) Incorporate both the optimistic and pessimistic economic impact scenarios into the final cost-benefit analysis. Prohibits the department of ecology from adopting a rule whose probable benefits are less than its probable costs.	H Environment	Shea	Neutral
HB 1116 (SB 5032) Family & med leave insurance Implementing family and medical leave insurance.	H Labor & Workpl	Robinson	Neutral

Sponsors: Robinson (Prime), Appleton, Bergquist, Doglio, Dolan, Farrell, Frame, Goodman, Gregerson, Hudgins, Jinkins, Kagi, Kirby, Kloba, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Peterson, Pollet, Reeves, Riccelli, Santos, Sells, Senn, Slatter, Stanford, Stonier, Tarleton, Tharinger, Wylie

Summary: Allows workers to: (1) Care for family members with a serious health condition or to recover from their own serious health condition; and (2) Deal with exigencies arising out of the military service of a family member. Requires the employment security department to: (1) Establish and administer a family and medical leave insurance program; and (2) Pay family and medical leave insurance benefits. Changes the name of the family leave insurance account to the family and medical leave insurance account.

Greenhouse gas emissions	H Environment	Fitzgibbon	Neutral
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Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.

[HB 1144](#)

Sponsors: Fitzgibbon (Prime), Doglio, Farrell, Fey, Goodman, Jinkins, Macri, Ormsby, Peterson, Pollet, Ryu, Stanford, Tarleton

Summary: Addresses the most recent assessment of climate change science and changes certain requirements of the state with regard to emissions of greenhouse gases.

State estate tax, repealing	H Finance	Young	Neutral
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Repealing the state estate tax.

[HB 1206](#)

Sponsors: Young (Prime), McCaslin, Taylor, Walsh

Summary:

Water banks/permanent avail.	S Ag/Water/Trade&	Honeyford	Neutral
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Requiring certain water banks to replace leased water rights provided for mitigation with water rights that will be permanently available.

[SB 5002](#)

Sponsors: Honeyford (Prime)

Summary: Requires a county-operated water bank that leases water rights to offer for mitigation to replace the rights with rights that will be permanently available for mitigation before the expiration of the lease.

Business corporation act	S Law & Justice	Pedersen	Neutral
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Concerning the business corporation act.

[SB 5011](#)

Sponsors: Pedersen (Prime), Fain, Frockt, Kuderer, Padden

Summary: Revises the Washington business corporation act.

Family & med leave insurance	S Com/Labor/Spor	Keiser	Neutral
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Implementing family and medical leave insurance.

[SB 5032](#)
[\(HB 1116\)](#)

Sponsors: Keiser (Prime), Billig, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hobbs, Hunt, McCoy, Nelson, Palumbo, Pedersen, Ranker, Rolfes

Summary: Allows workers to: (1) Care for family members with a serious health condition or to recover from their own serious health condition; and (2) Deal with exigencies arising out of the military service of a family member. Requires the employment security department to: (1) Establish and administer a family and medical leave insurance program; and (2) Pay family and medical leave insurance benefits. Changes the name of the family leave insurance account to the family and medical leave insurance account.

State land lease termination

S
Ag/Water/Trade

Brown

Neutral

Concerning nondefault termination provisions in state land leases for agricultural or grazing purposes.

Sponsors: Brown (Prime), Becker, Honeyford, Schoesler, Warnick

[SB 5051](#)

Summary: Requires a nondefault termination provision included in a state land lease for agricultural or grazing purposes to: (1) Require advance written notice of at least one hundred eighty days by the department of natural resources to the lessee before termination of the lease; and (2) Require the department to provide written documentation to the lessee demonstrating that the department has included the leased land in a plan for higher and better use, land exchange, or sale.

Low Priority Bills

No bills.

Monitoring Bills

No bills.

Other Bills

No bills.