

## **2017 Washington State Legislative Session Weekly Report Far West Agribusiness Association February 10, 2017**

We are now just one week away from the 2017 Washington State Legislative Session's first cut-off date. February 17 is the house of origin policy committee cut-off date for bill consideration. This means bills must pass out of the policy committees by end of business that day or they are dead for this session. The next cutoff date comes one week later with the fiscal committee cutoff on February 24. This means bills in the fiscal committees (e.g., House Finance, House Appropriations, House and Senate Transportation and Senate Ways & Means) need to pass out by this date. Any bill deemed NTIB (necessary to implement the budget) is exempt from these cut off deadlines. The upcoming week will have a heightened sense of urgency as legislators work to move as much legislation as possible past this first hurdle.

### **McCleary Funding Update**

Both Republicans and Democrats have released proposals for meeting the Washington State Supreme Court's 2012 McCleary decision requirement to fully fund K-12 basic education by 2018 without reliance on local levy dollars. *Crosscut* published this comprehensive [article](#) on how the two parties are working toward solving this issue. The article estimates the price tag for replacing local levy dollars with state funding at \$3.4 billion.

#### *House Holds Public Hearings on Education Funding/Spending Proposals*

On February 6, the House held a public hearing on the Democrat and Republican education investment proposals. The Senate Republican plan ([SSB 5607](#)), which passed out of the Senate on February 1, includes a levy swap as the solution for eliminating the reliance on local levy dollars for school district funding. The levy swap would involve replacing local levy dollars with a state property tax increase. The Republican plan also relies on \$1.4 billion in savings to be taken from other places in the state budget. The Democrat Caucus plan ([SHB 1843/SB 5623](#)) does not provide funding sources at this time. SHB 1843 passed out of committee on February 9.

#### *Analysis of Republican & Democrat Education Funding Proposals Released*

An [analysis](#) prepared by the Office of Financial Management (OFM) was released on February 8 showing how much each school district in Washington State would receive under the two funding proposals. OFM Director David Schumacher confirmed school districts would not lose funding under the Republican proposal. Schumacher also noted that Seattle would be paying almost half of the \$500 million raised by the Republican proposal's property tax shift.

### **Transportation**

#### *Oil Transportation Safety*

The House Environment Committee held a public hearing February 6 on [HB 1611](#). The legislation seeks to enhance oil transport safety, as noted in this Associated Press [article](#). It is scheduled for a public hearing

on February 14. Similar legislation in the Senate, [SB 5462](#), has not moved since it had a public hearing on February 2.

### *REAL ID Update*

Legislation [SB 5008](#) ([HB 1041](#)) to put Washington State's drivers license standards in compliance with the Federal ID Act was put on second reading in Senate Rules. It is anticipated that the bill will be pulled to the floor for a vote soon, as reported in this *Peninsula Daily News* [article](#).

## **Environment**

Legislation ([SHB 1144](#)) aimed at reducing climate change by amending the state greenhouse gas emissions limits is seeing considerable movement in the House, as noted in this *Everett Herald* [article](#). After passing out of its policy committee on February 2, the bill is now in House Appropriations and scheduled for a public hearing on February 15.

## **Higher Education**

### *UW Requesting More Medical Students in Spokane*

Partnering with Gonzaga University, the University of Washington is requesting \$9.3 million in state funding for 80 medical students in Spokane, as covered by the *Spokesman Review* [here](#). Growth projections indicate Washington State will need an additional 1,695 primary-care physicians between 2010 and 2030 (an average of 85 each year).

## **Mental Health**

### *Children's Mental Health*

Children's mental health legislation, [SHB 1713](#), passed out of the House Early Learning & Human Services Committee with a unanimous vote February 7. Among other things, the legislation requires the Health Care Authority to coordinate mental health services for Medicaid-eligible children and requires screenings for depression for those aged 11 to 21 years.

## **Water - Hirst Decision Update**

Two bills proposed to provide solutions to the Hirst decision, [HB 1885](#) and [HB 1918](#), had public hearings on February 7 in the House Agriculture & Natural Resources Committee. The Hirst decision, issued in October 2016, changes the standards for counties to decide whether to approve or deny building permits that rely on wells for a water source. The Tulalip Tribe testified against HB 1885 expressing concerns it would undermine the Hirst decision. Both bills are scheduled for executive action on February 16.

## **Local Government**

### *Public Records*

Both public records bills, [HB 1594](#) (with the intent to improve public records administration) and [HB 1595](#) (regarding costs associated with public records requests), are expected to see considerable movement next week. The bills are scheduled for public hearings on February 10 and executive sessions to follow. [SB 5710](#), which would slash penalty awards for public records violations, has a public hearing on February 17 in Senate State Government. The *Seattle Times* published this [editorial](#) expressing concern that legislation imposing fees for public records could reduce access.

## *Property Tax*

An effort by local government stakeholders is underway this session asking the 2017 Legislature to remove the existing 1% cap on property tax growth for counties, as reported in this *The Olympian* [article](#). [HB 1764](#) ([SB 5772](#)) would replace the 1% property tax limit with a limit tied to cost drivers such as inflation. The House bill has a hearing on February 10 in the House Finance Committee. The Senate companion bill has a public hearing on February 16 in Local Government.

## **Law & Justice**

### *Human Trafficking*

Waiting to be called to the floor for a vote, [SHB 1079](#) creates a criminal no-contact order for human trafficking and promoting prostitution-related offenses. This legislation is at the request of the Attorney General as explained in this *Kent Reporter* [article](#).

### *Calculating Prison Sentences*

Following the mistaken early release of nearly 3,000 prisoners last year, legislation ([HB 1680](#)) aimed at making prison sentence calculations more accurate received a public hearing on February 9, as reported in this *Seattle Times* [article](#).

## **Cyber**

### *Cyber-Security Response*

Legislation ([HB 1419](#)) granting the governor authority to proclaim a state of emergency in the event of a substantial cyber security incident is waiting to be called to the floor for a vote.

### *Promoting Tech Savvy Workforce*

[HB 1697](#), promoting more trained cyber security and IT professionals to address a current shortage in Washington State agencies, received a hearing on February 8 in the House Higher Education Committee.

### *Telecommunications*

An effort to move Washington State cellular service from 4G to 5G is underway this session with the introduction of [SB 5711](#) ([HB 1921](#)). SB 5711 passed out of the Senate Committee on Energy, Environment & Telecommunications on February 7, as noted by KIRO News [here](#). The House companion bill had a public hearing on February 8. Currently, an estimated 30 states are considering similar legislation.

## **Marijuana**

### *Speculation Continues with Appointment of New US AG*

With six states having legalized recreational marijuana and 28 states allowing medicinal marijuana, it is estimated that the industry will have a \$22 billion market value by 2020. As reported by *The Olympian* [here](#), speculation abounds about how the newly appointed US Attorney General Jeff Sessions will approach the marijuana industry in Washington State.

## **Business & Labor**

### *Business & Labor Occupation Tax Reform*

On February 9, Rep. Drew MacEwen (R-Union) released this [video](#) explaining and advocating for Business & Occupation (B&O) tax reform legislation ([HB 2068](#)) he introduced the next day. MacEwen explains that the reforms would simplify the B&O system, be revenue-neutral (no impact on state budget), allow start-ups to avoid paying B&O tax on their first \$250,000 of income, and provide a tax cut for businesses with gross receipts under \$3.5 million.

### *Statewide Tourism Program*

After being eliminated in 2011, a new push for a statewide tourism program is happening this session as outlined in this Associated Press [article](#). If passed, the Washington Tourism Marketing Authority would be funded with a 0.1% diversion of retail taxes from lodging, rental cars, and restaurants.

### *Tax Breaks for Building Class A Office Space*

The *Tacoma News Tribune* reported in this [article](#) that [SHB 1495](#) would provide a tax preference for building Class A office space in cities neighboring King County. Among other things, Class A office space is defined as being at least 50,000 square feet, three stories, professionally managed and located near public transportation. The legislation passed out of committee on February 9.

### *Packed Hearing for "Right to Work" Legislation*

On February 8, the capitol campus was flooded with over 1,000 labor representatives opposing Republican-sponsored "Right to Work" [SB 5692](#), which had a public hearing in Senate Commerce, Labor & Sports.

## **Far West Agribusiness Association**

### **Upcoming Legislative Events**

#### **Labor & Workplace Standards (House) - HHR E, JLOB - 2/13 @ 1:30pm**

- HB 1669 - Exec Session - Establishing minimum crew size on certain trains.

#### **Public Safety (House) - HHR D, JLOB - 2/13 @ 1:30pm**

- HB 1806 - Public Hearing - Increasing monetary penalties for crimes committed by corporations.

#### **Agriculture, Water, Trade & Economic Development (Senate) - SHR 1, JACB - 2/14 @ 8:00am**

- SB 5720 - Public Hearing - Addressing the payment of production-based compensation wages for the employment and use of labor in agricultural activities and in the production, handling, and storage of farm products.

#### **State Government, Elections & Information Technology (House) - HHR E, JLOB - 2/14 @ 8:00am**

- HB 1352 - Exec Session - Concerning licensing and regulatory requirements of small business owners.

### **Early Learning & K-12 Education (Senate) - SHR 1, JACB - 2/14 @ 1:30pm**

- SB 5318 - Exec Session - Promoting agriculture science education in schools.

### **Education (House) - HHR A, JLOB - 2/14 @ 1:30pm**

- HB 1453 - Exec Session - Promoting agriculture science education in schools.

### **Agriculture & Natural Resources (House) - HHR B, JLOB - 2/15 @ 8:00am**

- HB 1692 - Public Hearing - Concerning agriculture and farming.
- HB 1916 - Public Hearing - Creating a business and occupation tax exemption for certain sales of commercial fertilizer, agricultural crop protection products, and seed.

### **State Government, Elections & Information Technology (House) - HHR E, JLOB - 2/15 @ 1:30pm**

- HB 1352 - Exec Session - Concerning licensing and regulatory requirements of small business owners.

### **Appropriations (House) - HHR A, JLOB - 2/15 @ 3:30pm**

- SHB 1144 - Public Hearing - Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.
- HB 1301 - Public Hearing - Concerning the employee antiretaliation act.

### **Education (House) - HHR A, JLOB - 2/16 @ 8:00am**

- HB 1453 - Exec Session - Promoting agriculture science education in schools.

### **Public Safety (House) - HHR D, JLOB - 2/16 @ 8:00am**

- HB 1806 - Exec Session - Increasing monetary penalties for crimes committed by corporations.

### **Appropriations (House) - HHR A, JLOB - 2/16 @ 3:30pm**

- HB 1298 - Public Hearing - Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.

### **Public Safety (House) - HHR D, JLOB - 2/16 @ 6:00pm**

- HB 1806 - Exec Session - Increasing monetary penalties for crimes committed by corporations.

### **Health Care & Wellness (House) - HHR A, JLOB - 2/17 @ 10:00am**

- HB 1564 - Public Hearing - Concerning pesticide exposure and notification of certain pesticide applications.

### **State Government, Elections & Information Technology (House) - HHR E, JLOB - 2/17 @ 10:00am**

- HB 1352 - Exec Session - Concerning licensing and regulatory requirements of small business owners.

## High Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<p><b>Family &amp; med leave insurance</b> Implementing family and medical leave insurance.</p> <p><i>Sponsors:</i> 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</p> <p><i>Summary:</i> 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.</p>	H Approps	Robinson	Oppose
<p><a href="#">HB 1116</a> (SB 5032)</p>			
<p><b>Product labeling tax incent.</b> Providing a tax incentive for the labeling of products.</p> <p><i>Sponsors:</i> Taylor (Prime), Buys, Condotta, Haler, Kretz, Shea, Short</p> <p><i>Summary:</i> Provides a tax credit, in computing business and occupation taxes, of ten thousand dollars per product line per taxable year for a person who voluntarily labels a line of products: (1) For food offered for retail sale in the state if it is or may have been produced through bioengineering or genetically engineered; (2) For food offered for retail sale in the state that has not been bioengineered or genetically engineered; and (3) For an agricultural product or food offered for retail sale in the state if it is or may have been produced outside of the United States.</p>	H Ag & Nat Res	Taylor	Oppose
<p><a href="#">HB 1245</a></p>			
<p><b>Pesticide exposure</b> Concerning pesticide exposure and notification of certain pesticide applications.</p> <p><i>Sponsors:</i> Ortiz-Self (Prime), Bergquist, Cody, Doglio, Fitzgibbon, Macri, Pettigrew, Pollet, Riccelli, Robinson, Ryu, Sells, Stonier</p> <p><i>Summary:</i> Requires a person who applies, or causes to be applied, pesticides by aerial application, air-blast sprayer, or fumigation, to provide written notice of an intended pesticide application to a person who owns, manages, or controls property adjacent to the property of intended pesticide application.</p>	H HC/Wellness	Ortiz-Self	Oppose
<p><a href="#">HB 1564</a></p>			
<p><b>Hazard. substance possession</b> Concerning imposing a surtax on the possession of hazardous substances.</p> <p><i>Sponsors:</i> Peterson (Prime), Fitzgibbon, Macri, Pollet</p> <p><i>Summary:</i> Revises the model toxics control act to impose a surtax on those persons who are subject to the hazardous substance tax.</p>	H Finance	Peterson	Concerns
<p><a href="#">HB 1663</a> (SB 5501)</p>			
<p><b>Hazard. substance possession</b></p>	S Energy, Enviro	Carlyle	Concerns
<p><a href="#">SB 5501</a> (HB 1663)</p>			

Concerning imposing a surtax on the possession of hazardous substances.

*Sponsors:* Carlyle (Prime), Chase, Frockt, Hunt, Liias, Rolfes

*Summary:* Revises the model toxics control act to impose a surtax on those persons who are subject to the hazardous substance tax.

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## Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<p><b>Ecology rules/peer review</b> Establishing a peer review process to ensure robust economic analysis of department of ecology administrative rules.</p>	H Environment	Shea	Neutral
<p><a href="#"><u>HB 1014</u></a></p> <p><i>Sponsors:</i> Shea (Prime), Buys, Haler, Holy, McCaslin, Pike, Short, Taylor, Young</p> <p><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.</p>			
<p><b>School levy lid revs./delay</b> Delaying implementation of revisions to the school levy lid.</p>	S Ways & Means	Lytton	Neutral
<p><a href="#"><u>SHB 1059</u></a> <a href="#"><u>(SB 5023)</u></a></p> <p><i>Sponsors:</i> Lytton (Prime), Bergquist, Blake, Cody, Dolan, Farrell, Fitzgibbon, Frame, Hudgins, Jinkins, Kagi, Kilduff, Ormsby, Pollet, Senn, Sullivan, Tarleton</p> <p><i>Summary:</i> Extends current statutory policies on local enrichment through calendar year 2018 to promote a school district's ability to plan for the future during the 2017 transition period.</p>			
<p><b>Greenhouse gas emissions</b> Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.</p>	H Approps	Fitzgibbon	Neutral
<p><a href="#"><u>SHB 1144</u></a></p> <p><i>Sponsors:</i> Fitzgibbon (Prime), Doglio, Farrell, Fey, Goodman, Jinkins, Macri, Ormsby, Peterson, Pollet, Ryu, Stanford, Tarleton</p> <p><i>Summary:</i> Addresses the most recent assessment of climate change science and changes certain requirements of the state with regard to emissions of greenhouse gases. Requires the department of ecology to: (1) Report, by individual institution, the total emissions of greenhouse gases from state universities, regional universities, and the state college; (2) Identify the annual costs incurred by each institution to meet the greenhouse gas emissions reduction goals; and (3) In coordination with the department of natural resources, calculate and include in its reporting the total emissions of greenhouse gases from wildfires in the state.</p>			
<p><b>State estate tax, repealing</b> Repealing the state estate tax.</p>	H Finance	Young	Neutral
<p><a href="#"><u>HB 1206</u></a></p> <p><i>Sponsors:</i> Young (Prime), McCaslin, Muri, Shea, Taylor, Walsh</p>			

*Summary:* Repeals the state estate tax.

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**Job applicants/arrests, etc.**

H Approps

Ortiz-Self

Neutral

Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.

*Sponsors:* Ortiz-Self (Prime), Appleton, Bergquist, Farrell, Frame, Gregerson, Haler, Jinkins, Kagi, Kilduff, Lovick, Manweller, McBride, Ormsby, Santos, Sells, Senn, Stanford, Tarleton, Young

[HB 1298](#)

*Summary:* Establishes the Washington fair chance act. Prohibits an employer from including any question on an application for employment, from inquiring either orally or in writing, from receiving information through a criminal history background check, or from otherwise obtaining information about an applicant's criminal record until after the employer initially determines that the applicant is otherwise qualified for the position. Requires the state attorney general's office to enforce this act.

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**Employee antiretaliation**

H Approps

Ryu

Neutral

Concerning the employee antiretaliation act.

*Sponsors:* Ryu (Prime), Farrell, Frame, Goodman, Gregerson, Jinkins, Macri, McBride, Ormsby, Peterson, Pollet, Santos, Senn, Stanford, Stonier, Tarleton

[HB 1301](#)  
[\(SB 5528\)](#)

*Summary:* Addresses retaliation and discrimination against employees and providing protection for employees.

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**Wage violations, damages for**

H Rules R

Frame

Neutral

Providing damages for wage violations.

*Sponsors:* Frame (Prime), Farrell, Goodman, Gregerson, Jinkins, Macri, Ormsby, Peterson, Ryu, Santos, Stanford

[HB 1302](#)

*Summary:* Increases the penalty for certain wage violations.

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**Small business owners**

H State Governme

Barkis

Neutral

Concerning licensing and regulatory requirements of small business owners.

*Sponsors:* Barkis (Prime), Blake, Caldier, Chapman, Cody, Condotta, Haler, Harmsworth, Harris, Hayes, Holy, Jinkins, Kilduff, Kirby, Koster, Kretz, Lytton, MacEwen, Manweller, McCabe, Muri, Nealey, Orcutt, Pike, Schmick, Shea, Short, Smith, Springer, Steele, Stokesbary, Tarleton, Taylor, Tharinger, Vick, Walsh, Wilcox

[HB 1352](#)  
[\(SB 5230\)](#)

*Summary:* Requires the attorney general to review the administrative procedure act, as well as related administrative rules, similar statutes, and case law, to identify the current rights and protections afforded to small business owners selected for agency enforcement actions including inspections, audits, site visits, or record review. Requires the department of agriculture, department of ecology, employment security department, department of labor and industries, department of revenue, and state fire marshal to: (1) Review provisions of their governing statutes, administrative rules, policy statements, guidance, and directives to identify the current rights and protections afforded to small business owners that are selected for inspection, audit, or other enforcement action by the agency; and (2) No later than August 31, 2017, provide the attorney general with certain information. Expires December 31, 2017.

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**Workforce study/ag., etc.**

H HEDPS

Tarleton

Neutral

Conducting a workforce study of employment opportunities in the agriculture, environment, and natural resources economic sectors intended to provide educators with the information needed for

[SHB 1404](#)  
[\(SSB 5285\)](#)

informing students about employment opportunities in the studied fields.

*Sponsors:* Tarleton (Prime), Chandler, Haler, Santos, Sells, Stambaugh, Stanford, Van Werven, Wilcox

*Summary:*

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**Agriculture science ed.**

H Education

Blake

Neutral

Promoting agriculture science education in schools.

*Sponsors:* Blake (Prime), Chandler, Haler, Hayes, Kretz, Lytton, Santos, Stanford, Tarleton

**[HB 1453](#)**  
**(SB 5318)**

*Summary:* Creates the agriculture science education grant program. Requires the superintendent of public instruction to: (1) Designate one or more high schools to serve as resources and examples of how to combine an interdisciplinary curriculum for agriculture science education with a strong focus on science, technology, engineering, and mathematics and an active partnership with businesses and the local community to connect learning beyond the classroom; and (2) Establish and publish funding criteria for agriculture science education equipment and professional development grants to school districts. Creates the curriculum for agriculture science education lighthouse account.

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**Tax exemptions**

H Finance

Pollet

Neutral

Increasing tax exemption transparency and accountability.

*Sponsors:* Pollet (Prime), Appleton, Bergquist, Cody, Doglio, Dolan, Farrell, Fitzgibbon, Frame, Goodman, Hudgins, Jinkins, Kagi, Kirby, Kloba, Lovick, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Riccelli, Ryu, Santos, Sells, Stanford, Stonier, Tarleton, Tharinger, Wylie

**[HB 1500](#)**  
**(SB 5513)**

*Summary:* Establishes the tax exemption transparency and accountability act. Creates a tax expenditure budget as part of the biennial budget adopted by the legislature. Reforms the tax expenditure process by including tax expenditures in a tax expenditure budget in the biennial state budget process and requires they be readopted every two years as part of the budget process or they expire. Requires the department of revenue to prepare a tax expenditure budget. Requires the joint legislative audit and review committee to report its findings and recommendations for scheduled tax expenditures to the citizen commission for performance measurement of tax expenditures by June 30th of each year.

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**Carbon pollution tax**

H Finance

Lytton

Neutral

Establishing a carbon pollution tax and investment program to reduce greenhouse gas emissions, facilitate the transition to a clean energy economy, and invest in K-12 education and other vital public services.

**[HB 1555](#)**  
**(SB 5127)**

*Sponsors:* Lytton (Prime), Doglio

*Summary:* Establishes the carbon pollution tax and investment act. Imposes a carbon pollution tax on: (1) The sale or use of fossil fuels, including fossil fuels used in generating electricity; or (2) The sale or consumption of electricity generated through the combustion of fossil fuels. Creates the carbon pollution reduction account and the carbon reduction investment fund.

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**WA food policy forum**

H Ag & Nat Res

Gregerson

Neutral

Continuing the work of the Washington food policy forum.

**[HB 1562](#)**

*Sponsors:* Gregerson (Prime), Bergquist, Cody, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Hudgins, Lovick, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Peterson, Pike, Pollet, Riccelli, Ryu, Santos, Sawyer, Senn, Slatter, Stanford, Stonier, Tharinger

*Summary:* Requires the Washington food policy forum to build on the work of the forum that was temporarily established in the 2016 supplemental omnibus operating appropriations act to develop recommendations to advance certain food system goals. Gives responsibility to the director of the state conservation commission for appointing participating members of the forum. Expires July 1, 2019.

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<b>Carbon tax</b>	H Environment	Fitzgibbon	Neutral
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Promoting an equitable clean energy economy by creating a carbon tax that allows investment in clean energy, clean air, healthy forests, and Washington's communities.

*Sponsors:* Fitzgibbon (Prime), Appleton, Cody, Doglio, Fey, Goodman, Jinkins, Macri, McBride, Pollet

*Summary:* Creates a carbon pollution mitigation tax on fossil fuel emissions of greenhouse gases that contribute to global climate change. Creates the carbon program oversight board to oversee implementation of this act and advise the governor on the achievement of greenhouse gas emission reductions. Creates an economic and environmental justice oversight panel as a joint body between the office of the governor, the department of ecology, and the department of health. Requires the department of revenue to establish and administer a low-income carbon pollution mitigation tax grant for state residents to assist in the equitable transition to lower carbon emission energy sources. Involves the following in some role regarding the imposition of the carbon tax: The department of ecology, the department of revenue, the department of commerce, the department of health, the Washington State University extension energy office, the recreation and conservation office, the office of the attorney general, and other state agencies with control of expenditures of carbon pollution mitigation tax receipts. Creates the clean energy account, the clean water climate program account, the sustainable forest health account, the carbon reduction investment fund, the sustainable infrastructure fund, and the equitable transition fund.

[HB 1646](#)  
(SB 5509)

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<b>Crew size on certain trains</b>	H Labor & Workpl	Farrell	Neutral
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Establishing minimum crew size on certain trains.

*Sponsors:* Farrell (Prime), Barkis, Bergquist, Blake, Chandler, Chapman, Doglio, Fey, Fitzgibbon, Goodman, Haler, Harmsworth, Harris, Holy, Hudgins, Irwin, Jinkins, Johnson, Koster, Lovick, Lytton, MacEwen, Macri, McBride, McCaslin, Muri, Ormsby, Ortiz-Self, Pollet, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Stambaugh, Stanford, Stokesbary, Stonier, Tarleton, Vick, Walsh, Wilcox, Wylie, Young

*Summary:* Regulates minimum railroad crew staffing on trains carrying freight or passengers and trains transporting hazardous materials.

[HB 1669](#)

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<b>Agriculture and farming</b>	H Ag & Nat Res	Buys	Neutral
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Concerning agriculture and farming.

*Sponsors:* Buys (Prime), Blake, Chapman, Condotta, Fitzgibbon, Lytton, Sawyer, Stanford, Vick

*Summary:* Revises the definition of "farm product" to include marijuana, useable marijuana, and marijuana-infused products, for purposes of RCW 7.48.305 (section 2 of this act) relating to agricultural activities and forest practices.

[HB 1692](#)

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<b>Capital gains excise tax</b>	H Finance	Jinkins	Neutral
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Enacting an excise tax on capital gains to improve the fairness of Washington's tax system and provide funding for the education legacy trust account.

[HB 1730](#)  
(SB 5111)

*Sponsors:* Jinkins (Prime), Appleton, Fey, Frame, Pollet, Tarleton, Tharinger

*Summary:* Provides funding for the education legacy trust account. Imposes a tax on individuals for the privilege of: (1) Selling or exchanging long-term capital assets; or (2) Receiving Washington capital gains.

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<b>Perfluorinated chemicals</b>	H Environment	McBride	Neutral
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Concerning the use of perfluorinated chemicals in food packaging.

[HB 1744](#)

*Sponsors:* McBride (Prime), Fey, Goodman, Kilduff, Kirby, Macri, Ortiz-Self

*Summary:* Prohibits a manufacturer, wholesaler, or retailer from manufacturing, knowingly selling, offering for sale, distributing for sale, or distributing for use in this state food packaging to which perfluoroalkyl or polyfluoroalkyl chemicals have been intentionally added in any amount.

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<b>Crimes by corporations</b>	H Public Safety	Pellicciotti	Neutral
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Increasing monetary penalties for crimes committed by corporations.

[HB 1806](#)

*Sponsors:* Pellicciotti (Prime), Appleton, Bergquist, Chapman, Clibborn, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hudgins, Jinkins, Kilduff, Lovick, Macri, McBride, Ormsby, Orwall, Pettigrew, Pollet, Riccelli, Robinson, Ryu, Sawyer, Sells, Senn, Stanford, Stonier, Tharinger, Wylie

*Summary:* Addresses the penalties imposed for criminal offenses by corporations.

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<b>Basic education program</b>	H Approps	Sullivan	Neutral
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Fulfilling the state's paramount duty for all children through equitable and responsible investments in the state's basic education program and reductions to local effort contributions.

[HB 1843](#)  
[\(SB 5623\)](#)

*Sponsors:* Sullivan (Prime), Appleton, Chapman, Doglio, Farrell, Fey, Fitzgibbon, Goodman, Hudgins, Jinkins, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Orwall, Pollet, Santos, Slatter, Springer, Tarleton, Tharinger

*Summary:* Addresses equitable and responsible investments in the state's basic education program and reductions to local effort contributions to fulfill the state's paramount duty for all children. Requires the superintendent of public instruction to convene a technical working group to provide recommendations for revising school district accounting practices.

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<b>Fertilizer, etc./B&amp;O tax</b>	H Ag & Nat Res	Schmick	Neutral
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Creating a business and occupation tax exemption for certain sales of commercial fertilizer, agricultural crop protection products, and seed.

[HB 1916](#)  
[\(SB 5786\)](#)

*Sponsors:* Schmick (Prime), Blake, Buys, Dye, Haler, Jenkin, Nealey

*Summary:* Provides a business and occupation tax exemption for wholesale sales of commercial fertilizer, agricultural crop protection products, and seed by an eligible distributor to an eligible retailer.

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<b>Capital gains excise tax</b>	H Finance	Pollet	Neutral
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Enacting an excise tax on capital gains to improve the fairness of Washington's tax system and provide funding for the education legacy trust account.

[HB 1926](#)

*Sponsors:* Pollet (Prime), Santos

*Summary:* Imposes a tax on individuals for the privilege of: (1) Selling or exchanging long-term capital assets; or (2) Receiving Washington capital gains. Allows a business and occupation tax deduction

against a person's gross income of the business to the extent necessary to avoid taxing the same amounts under chapter 82.04 RCW and this act. Provides funding for the education legacy trust account.

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**Labor relations violations**

H Labor & Workpl

Ryu

Neutral

Disqualifying employers from tax credits and tax incentives when there have been certain violations of labor relations.

[HB 1941](#)  
(SB 5774)

*Sponsors:* Ryu (Prime), Bergquist, Blake, Fitzgibbon, Goodman, Gregerson, Jinkins, Kloba, Ormsby, Ortiz-Self, Peterson, Pollet, Sawyer, Senn, Stanford, Stonier, Tarleton

*Summary:* Prohibits a person from claiming a tax credit or benefit from a tax incentive if, within the previous five years from the date the person is claiming the tax credit or benefiting from the tax incentive, the national labor relations board or a court has issued a final order finding that the person engaged in certain unfair labor practices with regard to an employee supporting a union or engaging in lawful union activities.

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**Agritourism liability**

H Judiciary

Manweller

Neutral

Concerning limitations on liability for agritourism activities.

[HB 2020](#)

*Sponsors:* Manweller (Prime), Irwin

*Summary:* Requires an agritourism professional, in order to invoke the privilege of immunity, to post and maintain signs that contain a specific warning notice which must be placed at the entrance to the agritourism location and at the site of the agritourism activity.

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**Production-based comp. wages**

H Labor &  
Workpla

Blake

Neutral

Addressing the payment of production-based compensation wages for the employment and use of labor in agricultural activities and in the production, handling, and storage of farm products.

[HB 2049](#)  
(SB 5720)

*Sponsors:* Blake (Prime), Buys, Condotta, Dye, Springer, Steele

*Summary:* Addresses production-based safe harbor compensation which is a wage rate paid to employees in connection with work related to the growing, production, handling, or storage of farm products or in performing agricultural activities based upon the employee's job performance as measured through the number of: (1) Units picked, packed, or manufactured; (2) Tasks performed; (3) Events completed; or (4) Other measurable recurring circumstances produced, completed, or performed.

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**Water banks/permanent avail.**

S  
Ag/Water/Trade&

Honeyford

Neutral

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.

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**Business corporation act**

H Judiciary

Pedersen

Neutral

[SB 5011](#)

Concerning the business corporation act.

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

*Summary:* Revises the Washington business corporation act.

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**School levy lid revs./delay** S EL/K-12 Wellman Neutral  
Delaying implementation of revisions to the school levy lid.

[SB 5023](#)  
(SHB 1059)

*Sponsors:* Wellman (Prime), Billig, Carlyle, Chase, Conway, Darneille, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Rolfes, Salda?a

*Summary:* Extends current statutory policies on local enrichment through calendar year 2019 to promote a school district's ability to plan for the future during the 2017 transition period.

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**Family & med leave insurance** S Com/Labor/Spor Keiser Neutral  
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.

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**State land lease termination** S AWTEDEPS Brown Neutral  
Concerning nondefault termination provisions in state land leases for agricultural or grazing purposes.

[SB 5051](#)

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

*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.

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**Capital gains excise tax** S Ways & Means Braun Neutral  
Enacting an excise tax on capital gains to improve the fairness of Washington's tax system and provide funding for the education legacy trust account.

[SB 5111](#)  
(HB 1730)

*Sponsors:* Braun (Prime), Hunt, Ranker

*Summary:* Provides funding for the education legacy trust account. Imposes a tax on individuals for the privilege of: (1) Selling or exchanging long-term capital assets; or (2) Receiving Washington capital gains.

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**Carbon pollution tax** S Ways & Means Braun Neutral  
Establishing a carbon pollution tax and investment program to reduce greenhouse gas emissions, facilitate the transition to a clean energy economy, and invest in K-12 education and other vital public services.

[SB 5127](#)  
(HB 1555)

*Sponsors:* Braun (Prime), Hunt, Ranker

*Summary:* Establishes the carbon pollution tax and investment act. Imposes a carbon pollution tax on: (1) The sale or use of fossil fuels, including fossil fuels used in generating electricity; or (2) The sale or consumption of electricity generated through the combustion of fossil fuels. Creates the carbon pollution reduction account and the carbon reduction investment fund.

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**Paid family leave**

S  
Com/Labor/Spor

Fain

Neutral

Addressing paid family leave.

[SB 5149](#)

*Sponsors:* Fain (Prime), Baumgartner, Braun, Hobbs, Miloscia, Palumbo, Rivers, Walsh, Warnick, Zeiger

*Summary:* Provides family leave benefits to certain employees and those employees continue to be eligible for the benefits during employment with a covered employer. Requires the employment security department to administer family leave provisions.

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**Rural jobs**

S  
Ag/Water/Trade

Warnick

Neutral

Creating the Washington rural jobs act.

[SB 5208](#)  
(HB 1422)

*Sponsors:* Warnick (Prime), Brown, Dandel, Hawkins, Mullet, Saldaña, Schoesler, Takko, Wellman

*Summary:* Establishes the Washington rural jobs act. Requires the department of commerce to accept applications for approval as a rural growth fund. Allows a nonrefundable tax credit, for taxpayers that made a credit-eligible capital contribution to the rural growth fund and were issued a tax credit certificate, and allows the credit to be claimed against the following: Business and occupation taxes; insurance premium taxes; and retaliatory taxes. Provides a July 1, 2023, contingent expiration date.

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**Small business owners**

S WMw/o Rec

Wilson

Neutral

Concerning licensing and regulatory requirements of small business owners.

*Sponsors:* Wilson (Prime), Angel, Bailey, Baumgartner, Becker, Braun, Brown, Chase, Hasegawa, Hawkins, Hobbs, Keiser, King, Miloscia, Mullet, O'Ban, Padden, Palumbo, Sheldon, Takko, Walsh, Warnick

[SB 5230](#)  
(HB 1352)

*Summary:* Requires the attorney general to review the administrative procedure act, as well as related administrative rules, similar statutes, and case law, to identify the current rights and protections afforded to small business owners selected for agency enforcement actions including inspections, audits, site visits, or record review. Requires the department of agriculture, department of ecology, employment security department, department of labor and industries, department of revenue, and state fire marshal to: (1) Review provisions of their governing statutes, administrative rules, policy statements, guidance, and directives to identify the current rights and protections afforded to small business owners that are selected for inspection, audit, or other enforcement action by the agency; and (2) No later than August 31, 2017, provide the attorney general with certain information. Expires December 31, 2017.

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**Seeds, agency procurement of**

S  
Ag/Water/Trade&

Warnick

Neutral

Concerning the procurement of seeds by state agencies.

[SB 5263](#)

*Sponsors:* Warnick (Prime)

*Summary:* Requires agencies, when purchasing seed, to require suppliers of the seed to ensure the identity and purity of the seed through appropriate testing performed by the department of agriculture

or certain other agencies to ensure the identity and purity of the seed.

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<a href="#"><u>SSB 5285</u></a> <a href="#"><u>(SHB 1404)</u></a>	<b>Workforce study/ag., etc.</b> Conducting a workforce study of employment opportunities in the agriculture, environment, and natural resources economic sectors intended to provide educators with the information needed for informing students about employment opportunities in the studied fields.	S Ways & Means	Wilson	Neutral
	<i>Sponsors:</i> Wilson (Prime), Palumbo			
	<i>Summary:</i> Requires the workforce training and education coordinating board to conduct a workforce assessment for the agriculture, natural resources, and environment sectors to assess the available data on current and projected employment levels and hiring demand for skilled mid-level workers in those sectors.			
<a href="#"><u>SB 5298</u></a>	<b>Levy auth/local eff assist</b> Lowering the levy authority and local effort assistance.	S Ways & Means	Ranker	Neutral
	<i>Sponsors:</i> Ranker (Prime)			
	<i>Summary:</i> Lowers the levy authority and local effort assistance.			
<a href="#"><u>SB 5318</u></a> <a href="#"><u>(HB 1453)</u></a>	<b>Agriculture science ed.</b> Promoting agriculture science education in schools.	S EL/K-12	Hunt	Neutral
	<i>Sponsors:</i> Hunt (Prime), Bailey, Brown, Conway, Rolfes, Takko, Warnick			
	<i>Summary:</i> Creates the agriculture science education grant program. Requires the superintendent of public instruction to: (1) Designate one or more high schools to serve as resources and examples of how to combine an interdisciplinary curriculum for agriculture science education with a strong focus on science, technology, engineering, and mathematics and an active partnership with businesses and the local community to connect learning beyond the classroom; and (2) Establish and publish funding criteria for agriculture science education equipment and professional development grants to school districts. Creates the curriculum for agriculture science education lighthouse account.			
<a href="#"><u>SB 5385</u></a>	<b>Carbon pollution tax</b> Creating a fossil fuel carbon pollution tax.	S Energy, Enviro	Hobbs	Neutral
	<i>Sponsors:</i> Hobbs (Prime), Hunt			
	<i>Summary:</i> Imposes a fossil fuel carbon pollution tax, at the time of the first taxable event and upon the first taxable person within the state, on the carbon content of fossil fuels extracted, manufactured, or introduced into the state equal to fifteen dollars per metric ton of carbon dioxide. Requires the department of revenue to: (1) Calculate the carbon content of fossil fuels, in consultation with the department of ecology; and (2) If practical, integrate the administration and collection of the fossil fuel carbon pollution taxes with the administration and collection of other taxes imposed on the taxpayer. Exempts certain fossil fuels from the tax. Creates the carbon pollution revenues account. Requires at least fifty percent of the funds transferred to the multimodal transportation account from the carbon pollution revenues account to be expended to assist certain school district programs.			
<a href="#"><u>SB 5421</u></a>	<b>Greenhouse gas emissions</b> Reducing greenhouse gas emissions.	S Energy, Enviro	Chase	Neutral
	<i>Sponsors:</i> Chase (Prime), Hasegawa, Saldaña			

*Summary:* Requires the state to limit emissions of greenhouse gases to reduce, by 2025, overall emissions of greenhouse gases in the state to twenty percent below 1990 levels.

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**Workplace bullying**

S  
Com/Labor/Spor

Chase

Neutral

Addressing workplace bullying by making it an unfair practice to subject an employee to an abusive work environment.

[SB 5423](#)

*Sponsors:* Chase (Prime), Hasegawa, Hunt, Kuderer, Saldaña

*Summary:* Revises the state civil rights act to provide: (1) Legal recourse for employees who have been harmed by being deliberately subjected to abusive work environments; and (2) Legal incentives for employers to prevent and respond to mistreatment of employees at work.

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**Carbon tax**

S Energy, Enviro

Carlyle

Neutral

Promoting an equitable clean energy economy by creating a carbon tax that allows investment in clean energy, clean air, healthy forests, and Washington's communities.

*Sponsors:* Carlyle (Prime), Frockt, Hunt, Ranker, Saldaña

[SB 5509](#)  
(HB 1646)

*Summary:* Creates a carbon pollution mitigation tax on fossil fuel emissions of greenhouse gases that contribute to global climate change. Creates the carbon program oversight board to oversee implementation of this act and advise the governor on the achievement of greenhouse gas emission reductions. Creates an economic and environmental justice oversight panel as a joint body between the office of the governor, the department of ecology, and the department of health. Requires the department of revenue to establish and administer a low-income carbon pollution mitigation tax grant for state residents to assist in the equitable transition to lower carbon emission energy sources. Involves the following in some role regarding the imposition of the carbon tax: The department of ecology, the department of revenue, the department of commerce, the department of health, the Washington State University extension energy office, the recreation and conservation office, the office of the attorney general, and other state agencies with control of expenditures of carbon pollution mitigation tax receipts. Creates the clean energy account, the clean water climate program account, the sustainable forest health account, the carbon reduction investment fund, the sustainable infrastructure fund, and the equitable transition fund.

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**Tax exemptions**

S Ways & Means

Frockt

Neutral

Increasing tax exemption transparency and accountability.

*Sponsors:* Frockt (Prime), Billig, Chase, Conway, Darneille, Hasegawa, Hunt, Keiser, Kuderer, McCoy, Miloscia, Rolfes, Saldaña, Wellman

[SB 5513](#)  
(HB 1500)

*Summary:* Establishes the tax exemption transparency and accountability act. Creates a tax expenditure budget as part of the biennial budget adopted by the legislature. Reforms the tax expenditure process by including tax expenditures in a tax expenditure budget in the biennial state budget process and requires they be readopted every two years as part of the budget process or they expire. Requires the department of revenue to prepare a tax expenditure budget. Requires the joint legislative audit and review committee to report its findings and recommendations for scheduled tax expenditures to the citizen commission for performance measurement of tax expenditures by June 30th of each year.

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**Vehicle taxation**

S Transportation

Fortunato

Neutral

Concerning vehicle taxation.

[SB 5564](#)

*Sponsors:* Fortunato (Prime), Hawkins, King, O'Ban

*Summary:* Modifies provisions relating to vehicle taxation.

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**Foreign national ownership**

S State Governme

Billig

Neutral

Concerning certification of the level of foreign national ownership for corporations that participate in Washington state elections.

[SB 5570](#)

*Sponsors:* Billig (Prime), Hasegawa, Hunt, Keiser, Kuderer, Miloscia, Rolfes, Zeiger

*Summary:* Requires each treasurer, candidate, and political committee to include the following in the report they file with the public disclosure commission: A certification from each corporation making a contribution to the candidate or political committee that, in compliance with the federal foreign agents registration act, the corporation's ownership comprises less than fifty percent foreign nationals.

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**Education**

H Approps

Braun

Neutral

Concerning education.

[SSB 5607](#)

*Sponsors:* Braun (Prime), Angel, Becker, Brown, Fain, Honeyford, King, Miloscia, Rivers, Schoesler, Sheldon, Warnick, Wilson, Zeiger

*Summary:* Revises education provisions with regard to: The weighted per pupil funding model; local effort levy; local excess levy authority for calendar year 2020 and thereafter; providing a one-year delay in the levy lid reduction; compensation and salary; housing allowance; national board for professional teaching standards bonus; state-funded extended year contracts; health care benefits; measures of a school district's success; accountability through improved accounting transparency; providing flexibility to school districts; recognizing school districts meeting the performance targets; addressing school districts not meeting the performance targets; establishing the top teacher recognition grant program; conforming future collective bargaining agreements to this act; prohibiting teacher strikes; student absenteeism; paraeducators; technical amendments to align statutes with the per pupil funding distribution model and recognizing and rewarding school districts that meet the measures of success; education sector excellence assessment framework; and authority to remove teachers that are detrimental to student academic performance. Provides for submission of this act to a vote of the people.

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**Production-based comp. wages**

S  
Ag/Water/Trade&

Hawkins

Neutral

Addressing the payment of production-based compensation wages for the employment and use of labor in agricultural activities and in the production, handling, and storage of farm products.

[SB 5720](#)  
[\(HB 2049\)](#)

*Sponsors:* Hawkins (Prime), Baumgartner, Brown, Hobbs, King, Schoesler, Sheldon, Takko

*Summary:* Addresses production-based safe harbor compensation which is a wage rate paid to employees in connection with work related to the growing, production, handling, or storage of farm products or in performing agricultural activities based upon the employee's job performance as measured through the number of: (1) Units picked, packed, or manufactured; (2) Tasks performed; (3) Events completed; or (4) Other measurable recurring circumstances produced, completed, or performed.

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**Tax exemptions & deductions**

S Ways & Means

Hasegawa

Neutral

Repealing certain tax exemptions and deductions to help pay for the full funding of basic education.

[SB 5765](#)

*Sponsors:* Hasegawa (Prime)

*Summary:* Repeals certain tax exemptions and deductions for international banking facilities and

professional employer organizations to help pay for the full funding of basic education.

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<b>Tax preferences repeal</b>	S Ways & Means	Chase	Neutral
Repealing existing tax preferences.			
<a href="#">SB 5775</a>			
<i>Sponsors:</i> Chase (Prime)			
<i>Summary:</i> Repeals the state's tax preferences.			

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<b>Fertilizer, etc./B&amp;O tax</b>	S Ag/Water/Trade&	Walsh	Neutral
Creating a business and occupation tax exemption for certain sales of commercial fertilizer, agricultural crop protection products, and seed.			
<a href="#">SB 5786</a> <b>(HB 1916)</b>			
<i>Sponsors:</i> Walsh (Prime), Hobbs, Schoesler, Takko, Warnick			
<i>Summary:</i>			

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### Low Priority Bills

No bills.

### Monitoring Bills

No bills.

### Other Bills

No bills.