

## 2018 Washington State Legislative Session Weekly Report Far West Agribusiness Association January 26, 2018

### Week of January 22 to 26 Highlights

The Washington State Legislature is completing the third week of its scheduled 60-day session. We are now one week away from the February 2 house of origin policy committee cutoff. Any bill that doesn't pass out of its house of origin policy committee by February 2 will be dead unless it's necessary to implement the budget. While extraordinary procedural steps can be taken to bring bills back to life, it is unusual.

Below is a summary of the highlights from this week and events for next week.

#### **Business & Labor**

##### *Non-Compete Agreements*

Public hearings for [SB 6522](#) and [SB 6526](#), relating to non-competition agreements, were heard on January 25 in the Senate Committee on Labor & Commerce.

##### *Workplace Sexual Harassment*

On January 24 three bills introduced to fight workplace sexual harassment were heard in the Senate Labor & Commerce Committee. [SB 5996](#) bans, as a condition of employment, non disclosure contracts that prevent victims from speaking about sexual harassment. It also prohibits employers from retaliating against victims who report harassment. [SB 6313](#) prevents employee contracts that limit an employee's right to file a sexual harassment claim. And [SB 6471](#) develops model policies and best practices to prevent sexual harassment. Sen. Keiser (D-Seattle) sponsored two of the bills and cited the #MeToo movement as the impetus for the legislation, as noted in this Seattle Times [article](#).

##### *Manufacturing B&O Tax*

Bipartisan-sponsored legislation ([SB 6542](#)) lowering the Washington State business and occupation (B&O) tax for manufacturers was introduced on January 23 and is in the Senate Ways & Means Committee. The legislation reduces the state B&O tax rate to 0.2904% from the current 0.4840% rate over four years. Similar legislation ([HB 2393](#)) is in the House Finance Committee, but has not seen movement since it was introduced on January 8.

#### **Environment**

##### *Carbon Emissions*

Legislation reducing carbon emissions in Washington State continues to be a priority for Democrat Governor Jay Inslee. Governor Inslee's carbon tax proposal is [SB 6203](#) and has received a public hearing. Low carbon fuel standard legislation [SHB 2338](#) was voted out of the House Environment Committee along party lines on January 23. The bill requires fuel producers and importers to reduce greenhouse gas emissions as explained in this Associated Press [article](#).

### *Salmon*

Legislation ([HB 2902](#)) providing salmon access to habitat by improving culverts and other fish blockages was introduced on January 22. The bill had a public hearing on January 25 in the House Agriculture & Natural Resources Committee and is scheduled for an executive session on February 1.

## **Housing**

Rep. Macri (D-Seattle) has introduced legislation to provide some relief for the housing crisis in some areas of the state. [HB 2583](#) repeals existing rent control laws in Washington State to promote more housing construction. It had a public hearing on January 23 and is scheduled for an executive session on February 1 in the House Judiciary Committee. Its companion bill, [SB 6400](#), has a public hearing on January 30 in the Senate Committee on Financial Institutions & Insurance. [HB 2804](#), intended to protect renters by making eviction more difficult, is in House Judiciary.

## **Transportation**

Legislation ([EHB 2201](#)) drafted by Democrats to change the way Sound Transit 3 car tab fees are collected was passed out of the House with a 60-37 vote on January 24. As reported in this Everett Herald [article](#), some legislators reluctantly voted for the legislation with concerns that it did not do enough to address the issue.

## **Human Services**

### *Children & Foster Parent Services*

On January 24 the House passed [EHB 2008](#) by a count of 63-34. Among other things, the legislation addresses maintenance level funding, assessment tools for foster children, and forecasting for foster-care-related services. On January 22 the House passed [SHB 2256](#) with a 95-0 vote. The legislation requires all foster parent training to be made available online and as much pre-service training as possible to also be available online. It is now in the Senate Human Services & Corrections Committee.

### *K-12 Education - Learning Readiness*

[2ESHB 1508](#) would provide breakfast for students after the school day begins to promote student readiness and health. The bill had a public hearing in the Senate Ways & Means Committee on January 24.

## **Health Care & Mental Health**

### *Reproductive Health Care*

On January 22 the Senate Health & Long Term Care Committee scheduled action on women's reproduction-related legislation ([SB 6102](#), [SB 6105](#), [SSB 6219](#) and [SB 6381](#)). KOMO News reported on the hearing in this [news story](#). SB 6102 and SB 6105 received public hearings and SSB 6219 was voted out of committee along party lines. SB 6381 is now in the Senate Human Services & Corrections Committee scheduled for a public hearing on January 30. SSB 6219 was referred to Senate Ways & Means and received a public hearing on January 24 with action taken the next day.

## Long-term Local Community Mental Health Treatment

With a unanimous vote on January 22 the House passed [2EHB 2107](#) regarding mental health placements. It is now in the Senate Human Services & Corrections Committee. Among other things, the legislation directs the Department of Social & Health Services to assess the capacity of community hospitals and evaluation and treatment facilities to become certified in order to provide long-term mental health beds.

## Cyber

The House Technology & Economic Development Committee passed out the net neutrality bills [HB 2282](#) and [HB 2284](#) on January 25.

## Law & Justice

The House passed [HB 1058](#) regarding court-ordered restitution on January 24 with a unanimous vote. That same day, the Senate passed [2SSB 5610](#) regarding juvenile sentencing with a 31-18 vote. Among other things, the legislation allows the defendant's age, sophistication and role in the crime as mitigating factors for an exceptional sentence below the standard range.

## Far West Agribusiness Association

### Upcoming Legislative Events

#### Appropriations (House) - HHR A, JLOB - 1/29 @ 3:30pm

- E2SHB 1562 - Public Hearing - Continuing the work of the Washington food policy forum.

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

- SB 6180 - Public Hearing - Defining the planting and harvest dates for purposes of exemptions for agricultural transporters.

## High Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<b>Family &amp; med leave insurance</b> Implementing family and medical leave insurance.  <i>Sponsors:</i> Robinson (Prime), Appleton, Bergquist, Doglio, Dolan, Farrell, Frame, Goodman, Gregerson, Hudgins, Jenkins, Kagi, Kirby, Kloba, Lytton, Macri, McBride, Ormsby, Ortiz-Self, Peterson, Pollet, Reeves, Riccelli, Santos, Sells, Senn, Slatter, Stanford, Stonier, Tarleton, Tharinger, Wylie	H Labor & Workpla	Robinson	Oppose
<b><a href="#">SHB 1116</a> (SB 5032)</b>  <i>Summary:</i> 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. 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. Changes the name of the family leave insurance account to the family and medical leave insurance account. Requires the state treasurer to, on July 1, 2017, transfer forty-two million dollars from the state general fund to the family and medical leave insurance account. The transfer is a loan			

for start-up costs of the program.

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<b>Hazard. substance possession</b>	H Finance	Peterson	Concerns
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Concerning imposing a surtax on the possession of hazardous substances.

[HB 1663](#)  
(SB 5501)

*Sponsors:* Peterson (Prime), Fitzgibbon, Macri, Pollet

*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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<b>Crew size on certain trains</b>	H Rules R	Farrell	Oppose
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Establishing minimum crew size on certain trains.

[SHB 1669](#)  
(SB 5846)

*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:*

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<b>Crimes by corporations</b>	H Public Safety	Pellicciotti	Oppose
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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>Pesticide exposure</b>	H HC/Wellness	Ortiz-Self	Oppose
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Concerning pesticide exposure and notification of certain pesticide applications.

[HB 2878](#)  
(SB 6322)

*Sponsors:* Ortiz-Self (Prime), Macri, Pollet, Robinson, Valdez

*Summary:* Declares that community members should be protected from pesticide exposure and notified of certain pesticide applications to prevent unnecessary exposure. Requires a pesticide user to provide written notice of an intended pesticide application in accordance with certain requirements. Requires the department of health to develop a list of individuals who apply to receive notification of pesticide applications on adjacent property. Authorizes the department of health and the department of labor and industries to investigate and assess a civil fine in accordance with administrative procedures for certain violations in this act. Prohibits the civil fine from exceeding seven thousand five hundred dollars.

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<b>Agricultural activity odors</b>	H Environment	Kloba	Oppose
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Addressing the regulation of odors from agricultural activities under the state clean air act.

[HB 2882](#)

*Sponsors:* Kloba (Prime), Blake, Condotta, Sawyer

*Summary:* Modifies the Washington clean air act to: (1) Provide a definition for "produce facility" which is a state-licensed marijuana facility; (2) Include in the definition of "agricultural activity," the growing, raising, or production of flowers, fruit trees, vegetables, marijuana, usable marijuana, marijuana-infused products, and honey; and (3) Exempt from clean air act provisions, odors or

fugitive dust caused by agricultural activity consistent with good agricultural practices on produce facilities, unless they have a substantial adverse effect on public health.

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<b>Hazard. substance possession</b>	S Energy, Environ	Carlyle	Concerns
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Concerning imposing a surtax on the possession of hazardous substances.

[SB 5501](#)  
(HB 1663)

*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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<b>Fertilizer, etc./B&amp;O tax</b>	S Rules X	Walsh	Support
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Creating a business and occupation tax exemption for certain sales of commercial fertilizer, agricultural crop protection products, and seed.

[SB 5786](#)  
(HB 1916)

*Sponsors:* Walsh (Prime), Hobbs, Schoesler, Takko, Warnick

*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>Workers' compensation system</b>	S Rules X	Baumgartner	Support
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Improving workers' compensation system costs and administration and worker outcomes through modification of procedures for claims to self-insureds, clarification of recovery in third-party legal actions, clarification of occupational disease claims, and lowering age barriers for structured settlements.

*Sponsors:* Baumgartner (Prime), Angel, Bailey, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Honeyford, King, O'Ban, Padden, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, Zeiger

[SB 5822](#)

*Summary:* Revises the state industrial insurance act. Adopts a series of targeted reforms to address the costs and administration of workers' compensation. Clarifies the standards for occupational disease coverage and provides injured workers with a clear time period in which an occupational disease claim must be filed. Reduces the age restriction originally placed upon eligibility for the program. States that in light of certain developments and to align with past recommendations of the joint legislative audit and review committee, the legislature intends that the department of labor and industries' role in the management of claims by self-insured employers transition from readjudication to accountability oversight, first with respect to the allowance and denial of claims and by January 1, 2019, with respect to all claims management decisions.

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<b>Aerial crop protect./schools</b>	S Energy, Enviro	Wellman	Oppose
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Concerning aerial application of crop protection products from an agricultural aircraft near school facilities.

[SB 6063](#)

*Sponsors:* Wellman (Prime), Billig, Hasegawa, Hunt, Kuderer, Rolfes

*Summary:* Requires the applicator of crop protection products to provide written notification to an affected school facility forty-eight hours before an aerial application that is conducted within one-quarter mile of the school facility. Requires a school or a licensed day care center, that receives an aerial application notice, to post notification of the aerial application at least twenty-four hours before the application. Requires the licensed day care center to keep children inside the center during the

intended date and time of the application.

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## Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<b>School levy lid revs./delay</b> Delaying implementation of revisions to the school levy lid.	H Approps	Lytton	Neutral
<a href="#"><u>SHB 1059</u></a> <b>(ESB 5023)</b>  <i>Sponsors:</i> Lytton (Prime), Bergquist, Blake, Cody, Dolan, Farrell, Fitzgibbon, Frame, Hudgins, Jinkins, Kagi, Kilduff, Ormsby, Pollet, Senn, Sullivan, Tarleton  <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.			
<b>Seed buyer &amp; dealer disputes</b> Concerning dispute resolution between seed buyers and dealers.	H Ag & Nat Res	Buyts	Neutral
<a href="#"><u>HB 1132</u></a> <b>(SB 5075)</b>  <i>Sponsors:</i> Buyts (Prime), Blake  <i>Summary:</i> Revises the state seed act with regard to dispute resolution between seed buyers and dealers.			
<b>Greenhouse gas emissions</b> Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.		Fitzgibbon	Neutral
<a href="#"><u>3SHB 1144</u></a>  <i>Sponsors:</i> Fitzgibbon (Prime), Doglio, Farrell, Fey, Goodman, Jinkins, Macri, Ormsby, Peterson, Pollet, Ryu, Stanford, Tarleton  <i>Summary:</i>			
<b>Job applicants/arrests, etc.</b> Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.	H 2nd Reading	Ortiz-Self	Neutral
<a href="#"><u>2SHB 1298</u></a>  <i>Sponsors:</i> Ortiz-Self (Prime), Appleton, Bergquist, Farrell, Frame, Gregerson, Haler, Jinkins, Kagi, Kilduff, Lovick, Manweller, McBride, Ormsby, Santos, Sells, Senn, Stanford, Tarleton, Young  <i>Summary:</i> 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. Provides that this act is null and void if appropriations are not approved.			
<b>WA food policy forum</b> Continuing the work of the Washington food policy forum.	H Approps	Gregerson	Neutral
<a href="#"><u>E2SHB 1562</u></a>  <i>Sponsors:</i> 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:* Establishes the Washington food policy forum, as a public-private partnership, and requires the forum to: (1) Increase the direct marketing sales of local farm products; (2) Reduce food insecurity in the state; (3) Identify opportunities to improve coordination between local food policy councils and state and federal agencies; and (4) Identify rules and regulations impeding the viability of small acreage agriculture. Gives responsibility to the directors of the state conservation commission and the department of agriculture for appointing participating members of the forum. Expires July 1, 2019. Provides that this act is null and void if appropriations are not approved.

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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

[SHB 1692](#)

*Summary:* Addresses marijuana, useable marijuana, and marijuana-infused products with regard to agricultural activities and forest practices; farm products; business and occupation taxes; unemployment compensation; and overtime laws found in chapter 49.46 RCW (the minimum wage act).

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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.

*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

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

*Summary:* HB 1843-S - DIGEST 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: (1) Convene a technical working group to provide recommendations for revising school district accounting practices for the purpose of improving fiscal transparency by establishing methods for separate accounting of school district expenditures made to support the state's program of basic education and those made as locally determined enrichments with local or other funding sources; and (2) Convene a work group to determine whether the funded enrollment percent for special education programs of twelve and seven-tenths should be adjusted. Establishes an accountability monitoring and reporting system as part of a continuing effort to make meaningful and substantial progress toward meeting long-term performance goals in K-12 education.

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<b>Rural food &amp; forest products</b>	H Tech & Econ D	Walsh	Neutral
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Encouraging the economic vitality of rural food and forest product businesses.

*Sponsors:* Walsh (Prime), Barkis, Blake, Buys, Griffey, Haler, Kraft, MacEwen, Muri, Stambaugh, Van Werven

[HB 2133](#)

*Summary:* Requires the department of agriculture to: (1) Establish a pilot program to create an omnibus permitting process for businesses that process or engage in other value-added activities that involve: (a) Raw products of agriculture, fisheries, and aquaculture, including shellfish aquaculture; (b) food, food products, or cottage food products; (c) forest products; and (d) specialized forest products, processed cedar products, or specialty wood; and (2) Coordinate with the office of regulatory assistance and state agencies and local governments responsible for issuing each permit included in the omnibus permit, including the department of ecology, the department of health, and the relevant county. Prohibits the department from charging an additional fee for the use of the omnibus permitting process. Requires the department of ecology to: (1) Undertake a comprehensive analysis of

common value-added food and forest product manufacturing processes that generate wastes; (2) Consult with the department of natural resources and the department of agriculture in identifying common food and forest product production processes and their associated wastes; and (3) When making grants or loans for water pollution control facilities, consider whether the project will support the viability of local agriculture, aquaculture, fisheries, or silviculture, and associated food or forest product processing. Requires the community economic revitalization board, when prioritizing each proposed public facilities project, to consider whether the project will support rural economic development by facilitating the long-term sustainability of local agriculture, aquaculture, fisheries, and silviculture, and associated food and forest product processing activities.

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**Hazardous substance tax**

H Cap Budget

Peterson

Neutral

Relating to providing a tiered tax on the possession of hazardous substances to provide for the current program's immediate needs and a more stable source of revenue in the future.

*Sponsors:* Peterson (Prime)

[SHB 2182](#)

*Summary:* Provides a tiered tax on the possession of hazardous substances to provide for the current program's immediate needs and a more stable source of revenue in the future. Requires the department of ecology, in consultation with the department of revenue, to provide a report regarding cleanup and stormwater projects and projected hazardous substance tax revenues to the office of financial management and legislative fiscal committees by October 1, 2018, 2020, 2022, and 2024.

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**Taxes**

H Finance

Lytton

Neutral

Concerning investing in Washington families by improving the fairness of the state's excise tax system by narrowing or eliminating tax preferences, imposing a business and occupation tax surcharge while eliminating tax liability for small businesses, enacting an excise tax on capital gains, modifying the real estate excise tax, making administrative changes, and implementing marketplace fairness in Washington.

*Sponsors:* Lytton (Prime), Jinkins, Macri

[SHB 2186](#)

*Summary:* Addresses the state's tax system with regard to: (1) Capital gains taxes; (2) Business and occupation tax rate change and deduction; (3) Eliminating the sales and use tax exemption for bottled water; (4) Repealing the preferential business and occupation tax rate for warehousing and reselling prescription drugs; (5) Narrowing a use tax exemption for self-produced fuel; (6) Eliminating the preferential business and occupation tax rate for international investment management services; (7) Nonresident sales tax exemption remittances; (8) Graduated real estate excise tax rates; (9) Real estate excise tax on foreclosures; (10) Requiring local governments that issue building permits to supply subcontractor information to the department of revenue; (11) Remote sellers, referrers, and marketplace facilitators; (12) The expansion of an individual's liability for an entity's unpaid tax obligations; (13) Reducing interest on tax refunds; and (14) Transfers to the education legacy trust account.

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**Supp. operating budget**

H Approps

Ormsby

Neutral

Making supplemental operating appropriations.

[HB 2299](#)

(SB 6032)

*Sponsors:* Ormsby (Prime)

*Summary:* Makes supplemental operating appropriations.

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**State property tax reduction**

H Finance

Condotta

Neutral

Reducing the state property tax in calendar year 2018.

[HB 2303](#)

(SB 6004)

*Sponsors:* Condotta (Prime), Chapman, Haler, Orcutt, Shea, Stokesbary, Taylor, Van Werven, Vick,

Wilcox

*Summary:* Changes the state property tax, for calendar year 2018, to two dollars and forty cents per thousand dollars of assessed value.

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**Retired farmers/property tax**

H Finance

Kraft

Neutral

Exempting land removed from open space or farm and agricultural land classification from additional tax, interest, and other penalties if the land is owned in whole or in part by a retired farmer.

[HB 2349](#)

*Sponsors:* Kraft (Prime), Haler, Shea, Young

*Summary:* Provides an exemption from additional tax, interest, and other penalties on land that is removed from open space or farm and agricultural land classification if the land is owned by a retired farmer.

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**CDL medical certificates**

H Trans

Valdez

Neutral

Concerning medical certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits.

*Sponsors:* Valdez (Prime), Eslick, Jinkins, Orcutt

[HB 2696](#)  
[\(SB 6330\)](#)

*Summary:* Modifies the uniform commercial driver's license act with regard to: Medical certificate requirements for applicants and holders; traffic infractions for licensees while being downgraded for not maintaining a current medical certificate; excepted or nonexcepted intrastate and excepted or nonexcepted interstate; and revision of the definition of "nonexcepted intrastate" and "excepted intrastate," relating to obtaining a certificate and wishing to maintain a CDL or CLP but not operate a commercial motor vehicle without changing his or her self-certification type. Requires the department of licensing, upon receiving an electronic copy of a certificate from the federal motor carrier safety administration, to post the status on the CDLIS driver record.

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**Ag competitiveness/emissions**

H Environment

Maycumber

Neutral

Ensuring that attempts to limit greenhouse gas emissions in Washington state do not make Washington's agricultural products and food processing businesses economically uncompetitive, thereby shifting emissions to jurisdictions without similar greenhouse gas policies.

[HB 2768](#)

*Sponsors:* Maycumber (Prime), Haler

*Summary:* Requires food processing facilities to be designated as energy intense trade-exposed industries for the purposes of policies adopted or implemented by the state that limit greenhouse gas emissions or are otherwise intended to support the achievement of certain limits.

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**Ag/greenhouse emission rules**

H Environment

Maycumber

Neutral

Providing regulatory relief from greenhouse gas emissions rules for producers of agricultural commodities and food products.

*Sponsors:* Maycumber (Prime), Haler

[HB 2769](#)

*Summary:* States that, if a rule is created that regulates greenhouse gas emissions of agricultural activities and food processing, the producers of agricultural commodities or food products may request the department of ecology to calculate greenhouse gas emissions in a comparison of a specified competitor's agricultural commodity or food product imported from out-of-state against the same type of agricultural commodity if obtained in the state. Requires the department of commerce, in consultation with the department of ecology, transportation-industry experts, and other business-related interests, to create a greenhouse gas emissions shipping modeling tool that allows a producer

of a product to estimate the amount of greenhouse gas emissions produced when importing products and goods from out-of-state locations.

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**Clean air act** H Environment Fitzgibbon Neutral  
Concerning the Washington clean air act.

*Sponsors:* Fitzgibbon (Prime), Macri, Pollet

[HB 2879](#)

*Summary:* Authorizes the department of ecology to require persons who produce or distribute fossil fuels to comply with emission standards or emission limits on emissions of greenhouse gases from those fossil fuels when the fossil fuels are used in this state. Modifies the Washington clean air act regarding the emission credits banking program; requirements to report emissions of greenhouse gases where the emissions are from fossil fuels sold in this state by a single supplier; and adoption of rules on certain emissions of carbon dioxide, methodologies established to ensure that emissions occurring outside of this state are not reported to the department, requiring a person to use a specific method to complete their report, and requiring persons to have a third party verify their report.

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**Water banks/permanent avail.** S Econ Developmen 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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**Family & med leave insurance** S Labor & Commerc Keiser Neutral

Implementing family and medical leave insurance.

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

[SB 5032](#)  
(SHB 1116)

*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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**Carbon pollution tax** S Rules 2 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 Labor & Fain Neutral  
Commerc

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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**Small business owners** S Labor & Wilson Neutral  
Commerc

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 Warnick Neutral  
Ag/Water/Natura

Concerning the procurement of seeds by state agencies.

[ESSB 5263](#)

*Sponsors:* Warnick (Prime)

*Summary:* SB 5263-S - DIGEST Requires agencies, when purchasing seed through a contract that is over two thousand five hundred dollars in value, 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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**Carbon pollution tax** S Energy, Environ Hobbs Neutral

Creating a fossil fuel carbon pollution tax.

*Sponsors:* Hobbs (Prime), Hunt

[SB 5385](#)

*Summary:* 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.

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**Greenhouse gas emissions** S Energy, Environ Chase Neutral  
Reducing greenhouse gas emissions.

[SB 5421](#)

*Sponsors:* Chase (Prime), Hasegawa, Salda?a

*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 Labor & Commerc 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, Salda?a

*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, Environ 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, Salda?a

*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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[SB 5509](#)  
(HB 1646)

**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, Salda?a, 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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**Foreign national ownership**

S State Govt/Trib

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.

**Education**

S Rules X

Braun

Neutral

Concerning education.

*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.

[SSB 5607](#)**Production-based comp. wages**

S Rules X

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.

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

[ESB 5720](#)  
(HB 2049)

*Summary:* SB 5720 - DIGEST 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.

**Noxious weeds on state lands**

S Rules 3

Short

Neutral

Concerning the management of noxious weeds on state lands.

[SB 5754](#)

*Sponsors:* Short (Prime), Schoesler

*Summary:* Addresses liens, with regard to the management of noxious weeds, on lands owned by the state.

[SSB 5799](#)  
(HB 2089)**Food flavor products tax**

S Rules X

Ranker

Neutral

Extending the expiration date of the sales and use tax exemptions for certain products that impart

flavor to food.

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

*Summary:* Changes the July 1, 2017, expiration date to January 1, 2028, on the sales and use tax exemptions for products sold to restaurants that impart flavor to food during the cooking process.

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<b>Equal pay act enforcement</b>	S Rules X	Fain	Neutral
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Enhancing enforcement of the equal pay act.

[SB 5836](#)

*Sponsors:* Fain (Prime), Baumgartner, Braun, Cleveland, Conway, Hasegawa, Hunt, Keiser, Saldaña

*Summary:* Updates the existing state equal pay act to reflect the equal status of workers in the state and requires men and women in the same job to be compensated as equals.

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<b>Tax prefs citizen commission</b>	S Ways & Means	Carlyle	Neutral
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Concerning the review process of the citizen commission for performance measurement of tax preferences.

[SB 5847](#)

*Sponsors:* Carlyle (Prime), Hasegawa, Hunt

*Summary:* Requires the joint legislative audit and review committee, when reviewing tax preferences, to include the following: (1) The overall effective tax rate for the industry groups benefiting from the tax preference; and (2) Using economic modeling techniques, evaluate potential economic impacts of the tax preference compared to the economic impact of government activities funded at the same level as the preference.

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<b>B&amp;O manufacturing tax rate</b>	S Rules X	Baumgartner	Neutral
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Lowering the ceiling of the business and occupation manufacturing tax rate to 0.2904 percent.

[SB 5888](#)

*Sponsors:* Baumgartner (Prime), Hobbs, Padden, Sheldon, Takko

*Summary:* Lowers the manufacturing rate for those manufacturing industries still taxed at the highest rate to create greater equity in taxation of manufacturers and reduce the tax burden on manufacturers.

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<b>State property tax reduction</b>	S Ways & Means	Mullet	Neutral
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Reducing the state property tax in calendar year 2018.

[SB 6004](#)  
(HB 2303)

*Sponsors:* Mullet (Prime), Braun, Keiser, Sheldon, Wilson

*Summary:* Changes the state property tax, for calendar year 2018, to two dollars and forty cents per thousand dollars of assessed value.

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<b>Supp. operating budget</b>	S Ways & Means	Rolfes	Neutral
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Making supplemental operating appropriations.

[SB 6032](#)  
(HB 2299)

*Sponsors:* Rolfes (Prime), Braun

*Summary:* Makes supplemental operating appropriations.

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[SB 6033](#)  
(HB 2434)

<b>State property tax reduction</b>	S Ways & Means	Ericksen	Neutral
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Reducing the state property tax in calendar year 2018.

*Sponsors:* Ericksen (Prime)

*Summary:* Decreases the 2018 state property tax.

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<b>Planting and harvest dates</b>	S Transportation	Hobbs	Neutral
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Defining the planting and harvest dates for purposes of exemptions for agricultural transporters.

[SB 6180](#)

*Sponsors:* Hobbs (Prime), King, Schoesler, Takko

*Summary:* States that the planting and harvesting seasons are January 1st through December 31st of each year, with regard to the exemption for agricultural transporters.

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<b>Hazardous substance tax</b>	S Energy, Enviro	Palumbo	Neutral
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Creating the hazardous substance tax stabilization act.

[SB 6285](#)

*Sponsors:* Palumbo (Prime)

*Summary:* Creates the hazardous substance tax stabilization act to support and provide financial reliability for local governments to implement large-scale environmental clean-up construction projects managed by a single local government with construction expected to span multiple biennia. Creates the hazardous substance tax stabilization escrow trust account.

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<b>Pesticide exposure</b>	S Energy, Enviro	Salda?a	Neutral
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Concerning pesticide exposure and notification of certain pesticide applications.

*Sponsors:* Salda?a (Prime), Chase, Cleveland, Conway, Hasegawa, Hunt, McCoy, Ranker, Rolfes, Van De Wege

[SB 6322](#)  
[\(HB 2878\)](#)

*Summary:* Declares that community members should be protected from pesticide exposure and notified of certain pesticide applications to prevent unnecessary exposure. Requires a pesticide user to provide written notice of an intended pesticide application in accordance with certain requirements. Requires the department of health to develop a list of individuals who apply to receive notification of pesticide applications on adjacent property. Authorizes the department of health and the department of labor and industries to investigate and assess a civil fine in accordance with administrative procedures for certain violations in this act. Prohibits the civil fine from exceeding seven thousand five hundred dollars.

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<b>Carbon pollution tax</b>	S Energy, Enviro	Hobbs	Neutral
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Creating a fossil fuel carbon pollution tax.

*Sponsors:* Hobbs (Prime), Salda?a

[SB 6335](#)

*Summary:* Imposes a fossil fuel carbon pollution tax on the carbon content of fossil fuels extracted, manufactured, or introduced into the state. 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 the joint legislative audit and review committee, in consultation with the department of revenue, the department of commerce, and the department of ecology, to conduct a review of the imposed tax which will be submitted to the governor and the appropriate legislative committees.

[SB 6433](#)

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<b>Processing B&amp;O credit</b>	S Ways & Means	Keiser	Neutral
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Providing a business and occupation tax credit for certain processing.

*Sponsors:* Keiser (Prime), Fain

*Summary:* Provides a sales tax exemption, in the form of a remittance, to certain wholesalers and third-party warehouse owners who own or operate warehouses or grain elevators and retailers who own or operate distribution centers.

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**Hazardous substance tax**

S Energy, Enviro

Ranker

Neutral

Providing a tiered tax on the possession of hazardous substances to provide for the current program's immediate needs and a more stable source of revenue in the future.

*Sponsors:* Ranker (Prime), Frockt, Rolfes, Saldaña

**SB 6463**

*Summary:* Changes the hazardous substance tax rate, from July 1, 2018, through June 30, 2026, until the department of revenue determines that total aggregate taxes for the current fiscal year collected equal or exceed one hundred ten million dollars. Requires the department of ecology, in consultation with the department of revenue, to provide a report regarding cleanup and stormwater projects and projected hazardous substance tax revenues.

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**Pesticides/ag. workers**

S Labor &  
Commer

Saldaña

Neutral

Protecting agricultural workers and community members from pesticides.

*Sponsors:* Saldaña (Prime), Chase, Cleveland, Conway, Hasegawa, Hunt, Keiser, McCoy, Miloscia, Ranker, Rolfes, Van De Wege

**SB 6529**

*Summary:* Declares that agricultural workers and community members should be protected from pesticide exposure and notified of certain pesticide applications to prevent unnecessary exposure. Requires a pesticide user to provide written notice of an intended pesticide application in accordance with certain requirements provided by the department of health. Requires the department of health to develop a list of individuals who apply to receive notification of pesticide applications on adjacent property. Authorizes the department of health and the department of labor and industries to investigate and assess a civil fine in accordance with administrative procedures for certain violations of this act. Prohibits the civil fine from exceeding seven thousand five hundred dollars.

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