

2018 Washington State Legislative Session Weekly Report Far West Agribusiness Association February 16, 2018

Week of February 12 to 16 Highlights

This week marked crossover and the pace will quicken with only 3 weeks left in the 2018 regular legislative session. February 14 was the last day for chambers of origin to pass their own bills off the floor in order to proceed to the opposite chamber for consideration. The next cut off date is policy committee cutoff for the opposite chamber on February 23. This is the last day for policy committees to pass out bills from the opposite house. The fiscal committee cutoff for bills from the opposite house is February 26.

It is important to keep in mind that any bill deemed NTIB (necessary to implement the budget) can be exempt from these cut off deadlines. It is also important to note that "dead" bills can be brought back to life through either extraordinary procedural maneuvers or creative amendments on other bills moving through the process.

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

Budget

Revenue Forecast Higher

On February 15 the state's economic and revenue [forecast](#) was released by the Washington State Economic and Revenue Forecast Council. The forecast showed a significant boost from projections. Cumulatively, collections are \$184.9 million (3.5%) higher than what was forecasted in November 2017. Combined with forecast changes in other revenue sources, the total general fund-state (GF-S) forecast increase for the current biennium is \$647 million. The increase for the 2019-21 biennium is \$671 million.

Forecasted revenue for the 2017-19 biennium is now \$44.213 billion, 15.4% more than that of the 2015-17 biennium. Forecasted GF-S revenue for the 2019-21 biennium is now \$48.253 billion, 9.1% higher than expected 2017-19 biennial revenue. The initial forecast of GF-S revenue for the 2021-23 biennium is \$51.932 billion, an increase of 7.6% over that of the 2019-21 biennium.

Supplemental Budgets Released

During this short session, adjustments made to the enacted 2017-19 biennium operating, transportation and capital budgets are done through supplemental budgets. Next week the supplemental budgets will be released. The Senate proposals will come out first followed by the House.

New Revenue

Carbon Emissions Tax

This week, former US Secretary of State John Kerry was in Olympia to provide support for Governor Inslee's requested carbon tax bill, [SSB 6203](#). This bill would impose a new tax of \$12 per metric ton of carbon emissions beginning in July 2019. In 2021 the tax would increase \$1.80 per ton each year until capped at \$30 a ton. The bill received a public hearing in Senate Ways & Means on February 15.

Capital Gains Tax

Capital gains tax legislation [HB 2967](#) has a public hearing on February 16 and is scheduled for an executive session on February 19 in the House Finance Committee. The legislation imposes a 7% tax on long-term capital gains. It also funds a reduction in the state's property tax levy and the senior citizen, disabled persons, and qualifying veterans property tax exemption.

Business & Labor

B&O Tax Relief for Rural Manufacturers

[HB 2947](#) plans to provide business & occupation tax relief for rural manufacturers. The bill will have a public hearing on February 16 with executive session planned for February 19 in the House Finance Committee. The bill provides a preferential B&O tax rate for eligible manufacturers that would begin in January 2020.

Fair Chance Act

The "Fair Chance Act" ([2SHB 1298](#)) will have a February 19 public hearing and February 21 executive session in the Senate Labor & Commerce Committee. This bill prohibits employers from asking about a job applicant's prior criminal background until the employer has established the applicant is otherwise qualified for the position. Exemptions, such as for law enforcement and work with children, are included.

Sexual Harassment & Assault Prevention

[SSB 5996](#) is designed to reduce sexual harassment and sexual assault in the workplace. It had a public hearing on February 15 and executive action is scheduled for February 22 in the House Committee on Labor & Workplace Standards. In the same committee [SB 6471](#), which is designed to improve the workplace by developing model policies and best practices to prevent sexual harassment, had a February 15 public hearing and is scheduled for executive action on February 20. [SSB 6313](#) would prevent employee contracts that limit an employee's right to file a sexual harassment action. It unanimously passed the Senate on February 14. [EHB 2759](#), which establishes a Women's Commission, passed the House on February 13 with a 65-33 vote. It has a public hearing on February 19 in the House State Government, Tribal Relations & Elections Committee.

Transportation

Transportation Benefit Districts

There was a February 15 public hearing in the Senate Local Government Committee on [HB 1606](#). The bill would require transportation benefit districts to hold a public hearing prior to imposing fees or charges by a vote of the governing board. Also impacting transportation, a recent federal budget proposal would eliminate federal funding for planned Washington State transit lines. As noted in this *Seattle Times* [article](#), eight transit projects in the state would lose funding under the proposal.

Autonomous Vehicle Work Group

[SHB 2970](#), establishing an autonomous vehicle work group, passed the House (96-2) on February 14 and has a February 19 public hearing in the Senate Transportation Committee.

Elections 9

Voting Rights Act legislation ([ESSB 6002](#)) was passed out of the House State Government, Elections & Information Technology Committee on February 15. This bill creates a state Voting Rights Act to protect the equal opportunity for minority groups to participate in local elections. It also creates a cause of action and authorizes courts to order appropriate remedies for a violation of the Act, including redistricting. Finally, it authorizes local governments to change their election systems to remedy violations of the Act.

Environment

The House passed (50-48) greenhouse gas emission reduction legislation [E3SHB 1144](#) on February 14. This legislation requires the state's Department of Ecology and Department of Commerce to provide a per capita and greenhouse gas emissions report to the governor and legislators. Among other things, the bill requires the calculation of greenhouse gas emissions from wildfires in Washington State.

Health Care

Reproductive Health Care

[SSB 6219](#) is scheduled for executive action on February 16 in the House Committee on Health Care & Wellness. This legislation requires health carriers to cover contraceptives without cost-sharing. It also requires health plans that cover maternity care to cover voluntary termination of a pregnancy. [SSB 6102](#), enacting the Employee Reproductive Choice Act, was passed by the Senate with a vote of 26-21 (2 excused) on February 12 and now is in the House Judiciary Committee. This legislation makes it an unfair practice for an employer to not provide employees contraceptive coverage at no cost to the employees. It also makes it an unfair practice for an employer not regulated by the state due to federal preemption to not comply with Affordable Care Act and federal rules on barrier-free access to contraceptive coverage.

Rural Health Care Access

The House unanimously passed [ESHB 2408](#) on February 14 and it has a February 19 public hearing in the Senate Health & Long Term Care Committee. This legislation requires for plan years beginning in January 2020, a health carrier offering a health plan approved by the School Employees Board to offer a qualified health plan in counties where no qualified health plans are offered on the Health Benefit Exchange. It also allows an individual until December 2019 to purchase a health plan outside of his or her county of residence, but within same geographic rating area, under certain circumstances.

Drug Take Back Program

[ESHB 1047](#) creates a system for safe and secure collection and disposal of unwanted medications. The bill has a public hearing on February 19 in the Senate Health & Long Term Care Committee.

Health Benefit Exchange

On February 12 the House passed [SHB 2516](#) with a 58-40 vote. It was referred to the Senate Health & Long Term Care Committee and has a public hearing scheduled for February 20. Among other things, this legislation removes all references to the Affordable Care Act found in the Health Benefit Exchange (Exchange) statutes. It also allows an assessment on insurers that is imposed only if the funds are insufficient to fund Exchange operations for the following calendar year, to include three months of additional operating costs.

Law & Justice

Legal Financial Obligations

[E2SHB 1783](#) was passed out of the Senate Law & Justice Committee on February 15. The intent of the legal financial obligations bill is to prioritize victim restitution and give judges the ability to reduce or waive other fees and fines if a defendant is found to be indigent at the time of sentencing.

Eliminating the Death Penalty

On February 14, the Senate passed [SB 6052](#) to eliminate the death penalty with a vote of 26-22 (1 excused). The bill replaces the death penalty with life imprisonment without possibility of release or parole as the sentence for aggravated first-degree murder. It is now in the House Judiciary Committee.

Tribal

Fuel compact legislation [SHB 1063](#) was passed with a vote of 52-46 on February 13. It has a February 19 public hearing in the Senate Transportation Committee. Among other things, this bill allows the Department of Licensing to enter into fuel tax agreements with certain federally recognized tribes with lands held in trust.

Far West Agribusiness Association

Upcoming Legislative Events

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

- HB 2947 - Public Hearing - Providing business and occupation tax relief to rural manufacturers.

Labor & Commerce (Senate) - SHR 4, JACB - 2/19 @ 1:30pm

- 2SHB 1298 - Public Hearing - Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.

Finance (House) - HHR A, JLOB - 2/19 @ 3:30pm

- HB 2947 - Exec Session - Providing business and occupation tax relief to rural manufacturers.

Transportation (Senate) - SHR 1, JACB - 2/19 @ 3:30pm

- SHB 2696 - Public Hearing - Concerning medical certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits.

Agriculture, Water, Natural Resources & Parks (Senate) - SHR 3, JACB - 2/20 @ 1:30pm

- 3SHB 1562 - Public Hearing - Continuing the work of the Washington food policy forum.

Appropriations (House) - HHR A, JLOB - 2/20 @ 3:30pm

- HB 2299 - Public Hearing - Making supplemental operating appropriations.

Ways & Means (Senate) - SHR 4, JACB - 2/20 @ 3:30pm

- SB 6032 - Public Hearing - Making supplemental operating appropriations. (Hearing is on the Proposed Substitute.)

Health Care & Wellness (House) - HHR A, JLOB - 2/21 @ 1:30pm

- E2SSB 6529 - Public Hearing - Establishing a pesticide application safety work group.

Labor & Commerce (Senate) - SHR 4, JACB - 2/21 @ 1:30pm

- 2SHB 1298 - Exec Session - Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.

Appropriations (House) - HHR A, JLOB - 2/21 @ 3:30pm

- HB 2299 - Exec Session - Making supplemental operating appropriations.

Transportation (House) - HHR B, JLOB - 2/21 @ 3:30pm

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

Ways & Means (Senate) - SHR 4, JACB - 2/21 @ 3:30pm

- SB 6032 - Exec Session - Making supplemental operating appropriations.

Finance (House) - HHR A, JLOB - 2/22 @ 3:30pm

- ESSB 5513 - Public Hearing - Increasing tax exemption transparency and accountability.
- ESSB 5513 - Exec Session - Increasing tax exemption transparency and accountability.

Ways & Means (Senate) - SHR 4, JACB - 2/22 @ 3:30pm

- SB 6433 - Public Hearing - Providing a business and occupation tax credit for certain processing.

High Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
Family & med leave insurance Implementing family and medical leave insurance.	H Labor & Workpla	Robinson	Oppose
SHB 1116 (SB 5032)	<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		
	<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.

Hazard. substance possession H Finance Peterson Concerns
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.

Crew size on certain trains H 2nd Reading Farrell Oppose
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: Regulates minimum railroad crew staffing on trains carrying freight or passengers and trains transporting hazardous materials.

Crimes by corporations H Public Safety Pellicciotti Oppose
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.

Pesticide exposure H HC/Wellness Ortiz-Self Oppose
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.

Agricultural activity odors H Environment Kloba Oppose
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.

Hazard. substance possession

S Energy,
Environ

Carlyle

Concerns

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.

Fertilizer, etc./B&O tax

S Rules X

Walsh

Support

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.

Workers' compensation system

S Rules X

Baumgartner

Support

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.

Aerial crop protect./schools

S Energy,
Enviro

Wellman

Oppose

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.

Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<p>School levy lid revs./delay Delaying implementation of revisions to the school levy lid.</p> <p><u>SHB 1059</u> <u>(ESB 5023)</u></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>	H Approps	Lytton	Neutral
<p>Seed buyer & dealer disputes Concerning dispute resolution between seed buyers and dealers.</p> <p><u>HB 1132</u> <u>(SB 5075)</u></p> <p><i>Sponsors:</i> Buys (Prime), Blake</p> <p><i>Summary:</i> Revises the state seed act with regard to dispute resolution between seed buyers and dealers.</p>	H Ag & Nat Res	Buy's	Neutral
<p>Greenhouse gas emissions Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.</p> <p><i>Sponsors:</i> Fitzgibbon (Prime), Doglio, Farrell, Fey, Goodman, Jinkins, Macri, Ormsby, Peterson, Pollet, Ryu, Stanford, Tarleton</p> <p><u>E3SHB 1144</u></p> <p><i>Summary:</i> HB 1144-S3 - DIGEST Addresses the most recent assessment of climate change science and changes certain requirements of the state with regard to greenhouse gas emission limits. Requires the department of ecology and the department of commerce to include the following in the report to the governor and certain committees of the senate and house: A description of Washington's per capita and total greenhouse gas emissions as compared to the per capita and total greenhouse gas emissions of other states, including Washington's ranking among other states as an emitter of greenhouse gases on both a per capita and total emissions basis. Requires the department of ecology to: (1) Survey state agencies to determine each agency's annual expenditures made during the biennium to reduce greenhouse gas emissions and to support the achievement of the reduction goals; and (2) 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>	S Energy, Environ	Fitzgibbon	Neutral
<p>Job applicants/arrests, etc. Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.</p> <p><u>2SHB 1298</u></p>	S Labor & Commerc	Ortiz-Self	Neutral

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

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. Provides that this act is null and void if appropriations are not approved.

WA food policy forum	S Ag/Water/Natura	Gregerson	Neutral
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Continuing the work of the Washington food policy forum.

[**3SHB 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:

Agriculture and farming	H Ag & Nat Res	Buys	Neutral
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Concerning agriculture and farming.

[**SHB 1692**](#)

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

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).

Basic education program	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.

Rural food & forest products	H Approps	Walsh	Neutral
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Encouraging the economic vitality of rural food and forest product businesses.

[**SHB 2133**](#)

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

Summary:

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.

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.

Supp. operating budget

H Approps

Ormsby

Neutral

Making supplemental operating appropriations.

[HB 2299](#)

(SB 6032)

Sponsors: Ormsby (Prime)

Summary: Makes supplemental operating appropriations.

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.

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.

[SHB 2696](#)
(SSB 6330) **CDL medical certificates** S Transportation Valdez Neutral
Concerning medical certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits.

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

Summary:

[HB 2768](#) **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.

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.

[HB 2769](#) **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

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.

[HB 2879](#) **Clean air act** H Environment Fitzgibbon Neutral
Concerning the Washington clean air act.

Sponsors: Fitzgibbon (Prime), Macri, Pollet

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.

Rural small businesses/taxes

H Finance

Chapman

Neutral

Providing tax relief to small businesses located in rural counties.

[HB 2946](#)

Sponsors: Chapman (Prime), Haler, Maycumber, Schmick, Steele

Summary: Provides a business and occupation tax credit to qualified small businesses as that term is defined in this act. Expires January 1, 2019.

Rural manufacturers B&O tax

H Finance

Chapman

Neutral

Providing business and occupation tax relief to rural manufacturers.

[HB 2947](#)

(SB 6596)

Sponsors: Chapman (Prime), Haler, Maycumber, Schmick, Steele, Tharinger

Summary: Provides relief, from business and occupation taxes, to manufacturers located in rural counties.

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.

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.

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.

Paid family leave

S Labor &
Commerc

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.

Small business owners

S Labor &
Commerc

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.

Seeds, agency procurement of

S
Ag/Water/Natura

Warnick

Neutral

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.

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.

Greenhouse gas emissions	S Energy, Environ	Chase	Neutral
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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.

Workplace bullying	S Labor & Commerc	Chase	Neutral
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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.

Carbon tax	S Energy, Environ	Carlyle	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: Carlyle (Prime), Frockt, Hunt, Ranker, Salda?a

[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.

Tax exemptions	H Finance	Frockt	Neutral
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Increasing tax exemption transparency and accountability.

[ESSB 5513](#)
[\(HB 1500\)](#)

Sponsors: Frockt (Prime), Billig, Chase, Conway, Darneille, Hasegawa, Hunt, Keiser, Kuderer, McCoy, Miloscia, Rolfes, Salda?a, Wellman

Summary: Declares an intent to: (1) Incorporate a more explicit recognition of the fiscal impact of tax preferences on the state budget; and (2) Reform the tax preference expenditure process by including the fiscal impact of tax preference expenditures in the budget outlook document that is created as part

of the biennial state budget process.

<u>SB 5564</u>	Vehicle taxation Concerning vehicle taxation.	S Transportation	Fortunato	Neutral
	<i>Sponsors:</i> Fortunato (Prime), Hawkins, King, O'Ban			
	<i>Summary:</i> Modifies provisions relating to vehicle taxation.			
<u>SB 5570</u>	Foreign national ownership Concerning certification of the level of foreign national ownership for corporations that participate in Washington state elections.	S State Govt/Trib	Billig	Neutral
	<i>Sponsors:</i> Billig (Prime), Hasegawa, Hunt, Keiser, Kuderer, Miloscia, Rolfes, Zeiger			
	<i>Summary:</i> 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.			
<u>SSB 5607</u>	Education Concerning education.	S Rules X	Braun	Neutral
	<i>Sponsors:</i> Braun (Prime), Angel, Becker, Brown, Fain, Honeyford, King, Miloscia, Rivers, Schoesler, Sheldon, Warnick, Wilson, Zeiger			
	<i>Summary:</i> 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.			
<u>ESB 5720</u> (HB 2049)	Production-based comp. wages 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.	S Rules X	Hawkins	Neutral
	<i>Sponsors:</i> Hawkins (Prime), Baumgartner, Brown, Hobbs, King, Schoesler, Sheldon, Takko			
	<i>Summary:</i> 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.			
<u>SB 5754</u>	Noxious weeds on state lands	S Rules 3	Short	Neutral

Concerning the management of noxious weeds on state lands.

Sponsors: Short (Prime), Schoesler

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

Food flavor products tax	S Rules X	Ranker	Neutral
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Extending the expiration date of the sales and use tax exemptions for certain products that impart flavor to food.

[SSB 5799](#)
(HB 2089)

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.

Equal pay act enforcement	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.

Tax prefs citizen commission	S Rules 2	Carlyle	Neutral
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Concerning the review process of the citizen commission for performance measurement of tax preferences.

[SSB 5847](#)

Sponsors: Carlyle (Prime), Hasegawa, Hunt

Summary:

B&O manufacturing tax rate	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.

State property tax reduction	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.

Supp. operating budget	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.

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

[SB 6033](#)
(HB 2434)

Sponsors: Ericksen (Prime)

Summary: Decreases the 2018 state property tax.

Planting and harvest dates	H Trans	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.

Hazardous substance tax	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.

Pesticide exposure	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.

Carbon pollution tax	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.

Processing B&O credit	S Ways & Means	Keiser	Neutral
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Providing a business and occupation tax credit for certain processing.

[SB 6433](#)

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.

Hazardous substance tax	S Energy, Enviro	Ranker	Neutral
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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.

[SB 6463](#)

Sponsors: Ranker (Prime), Frockt, Rolfes, Salda?a

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.

Pesticide application safety	H HC/Wellness	Salda?a	Neutral
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Establishing a pesticide application safety work group.

[E2SSB 6529](#)

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

Summary: Creates the pesticide application safety work group to develop recommendations for improving the safety of pesticide applications. Expires December 31, 2018.

Rural manufacturers B&O tax	S Ways & Means	Takko	Neutral
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Providing business and occupation tax relief to rural manufacturers.

[SB 6596](#)
[\(HB 2947\)](#)

Sponsors: Takko (Prime), Palumbo

Summary: Provides relief, from business and occupation taxes, to manufacturers located in rural counties.
