

2018 Washington State Legislative Session Weekly Report Far West Agribusiness Association February 23, 2018

Week of February 19 to 23 Highlights

Two major events took place this week in the 2018 Washington State Legislative session. The first was the release of the 2018 supplemental operating, transportation and capital budget proposals by the House and Senate. The second is today's cutoff date that is the last day for policy committees to pass out bills originating in the other chamber. Measures from the opposite chamber assigned to fiscal committees must then be passed out by February 26. Thereafter, the Legislature will be on the floor considering bills until the scheduled end of session on March 8.

Please 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.

Supplemental Budget Proposals Released

This week the Senate and House released their proposed 2018 operating, capital and transportation supplemental budgets. Both the House and Senate supplemental operating budget proposals include property tax cuts following last year's property tax increase to fund basic education. On February 21 the Senate Ways & Means Committee passed its 2018 supplemental capital budget ([SSB 6095](#)) and operating budget ([SSB 6032](#)) out of committee. That same day the House Appropriations Committee passed its 2018 supplemental operating budget ([SHB 2299](#)).

Revenue Sources

A strong revised revenue forecast helped provide over \$1 billion in additional revenue to the state over the next four years for lawmakers to utilize. The House budget proposal also relies on revenue from a proposed new capital gains tax ([SHB 2967](#)). The capital gains tax legislation, which imposes a 7% tax on long-term capital gains, was passed out of the House Finance Committee on February 19. In contrast, the Senate's proposed budget draws more heavily from state reserves to fund its spending increases.

Business & Labor

Tourism

[E4SSB 5251](#) creates a public-private partnership to boost state tourism. The bill received both a public hearing and executive session on February 20. It was voted out of the House Community, Development, Housing & Tribal Affairs Committee that same day. It is now in the House Appropriations Committee.

Fair Chance Act

[HB 1298](#) had a February 19 public hearing and on February 21 was passed out 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. It is now in the Senate Ways & Means Committee.

Reducing Workplace Sexual Assault & Harassment

There are a number of bills in this category that remain under consideration this session. [SSB 5996](#) is designed to reduce sexual harassment and sexual assault in the workplace. On February 22 it was unanimously passed out of the House Committee on Labor & Workplace Standards. [SB 6471](#) intends to improve the workplace by developing model policies and best practices to prevent sexual harassment. That bill was passed out of the Labor & Workplace Standards Committee on February 20. [SSB 6313](#) would prevent employee contracts that limit an employee's right to file a sexual harassment complaint and it received a February 20 public hearing. On February 22 was passed out of the House Labor & Workplace Standards Committee. [EHB 2759](#), establishing a Women's Commission, had a public hearing on February 19 in the House State Government, Tribal Relations & Elections Committee and was voted out of that committee on February 21. It is now in the Senate Ways & Means Committee.

Paid Family Medical Leave Rule Making

The Paid Family Medical Leave (PFML) Advisory Committee has a February 23 meeting. You can view the committee's schedule [here](#). On February 20 the committee released this second [draft](#) of Phase 1 PFML details.

K-12 Education

"Breakfast After the Bell" legislation ([2ESHB 1508](#)) intends to promote student learning through meal and nutrition programs. It was passed by the House with an 87-8 (3 excused) vote on February 19. It is now waiting to be delivered to the governor to be signed into law.

State Government

Non-Profit Campaign Financing Reporting

[SSB 5991](#) is designed to increase transparency by creating the Washington State Disclose Act of 2018. The bill was voted out of the House State Government, Elections & Information Technology Committee with a 5-4 vote on February 21.

Public Records Act & Legislators

[SB 6617](#) was introduced on February 21 and is aimed at addressing a recent court ruling regarding the Public Records Act as reported in this *SpokesmanReview* [article](#). There was a work session regarding the bill on February 22 in a joint meeting of the House State Government, Elections & Information Technology Committee and the Senate State Government, Tribal Relations & Elections Committee.

Health Care

Medicaid Fraud

[SSB 6051](#) was voted out of the House Judiciary Committee on February 21 with an amendment. The legislation requires the Washington State Attorney General to establish and maintain a Medicaid Fraud Control Unit. [SB 6053](#) concerning Medicaid fraud false claims civil penalties was also passed out of the House Judiciary Committee on February 21.

Opioids

[ESHB 2489](#) intends to prevent opioid use disorder. Among other things, the legislation authorizes pharmacists to partially fill prescriptions at a patient or prescriber's request, requires health care practitioners to discuss the risk of opioids, and requires health care practitioners to take a continuing education course on best practices for opioid prescribing and to register for a Prescription Monitoring Program. The bill was passed out of the Senate Health & Long Term Care Committee on February 19 and is now in the Senate Ways & Means Committee.

Balance Billing Charges

[2ESHB 2114](#) is designed to protect consumers from balance billing charges. Those opposed to the bill raised concerns it could create an administrative burden and liability issues. The legislation had a February 20 public hearing in the Senate Health & Long Term Care Committee and a substitute version of the bill was passed out of the committee on February 22.

Individual Mandate

[ESSB 6084](#) requires the Washington State Insurance Commissioner to establish a task force on exploring individual maintenance and minimum health care coverage mandate enforcement mechanisms. The bill had a February 21 public hearing and is scheduled for a February 23 executive session in the House Health Care & Wellness Committee.

Continuity of Care

[SSB 6147](#) had a February 21 public hearing and will have a February 23 executive session in the House Health Care & Wellness Committee. This legislation requires health insurers to continue to cover prescription drugs for enrollees under certain circumstances. It also prohibits health insurers from increasing copayment or coinsurance amounts for prescription drugs under certain circumstances. [ESSB 6157](#) would help patients get access to health-care benefits by changing an insurance carrier's initial prior-authorization process so patients can have six consecutive treatment visits, without prior authorization, with specialty-care providers determined to be medically necessary. It received a February 20 public hearing and has a February 23 executive session scheduled in the House Health Care & Wellness Committee.

Cyber

Net Neutrality

With the intent of protecting net neutrality in Washington State, [SHB 2282](#) was passed out of the Senate Energy, Environment & Technology Committee on February 22. Among other things, this bill would prohibit both the blocking and the throttling of lawful content by internet service providers.

Law & Justice

Juvenile Justice Reform

[E2SSB 6160](#) makes changes to the court system with respect to juvenile offenders. It had a February 20 public hearing and is scheduled for executive action on February 23 in the House Early Learning & Human Services Committee.

Death Penalty

[SB 6052](#), which eliminates the death penalty in Washington State, had a February 20 public hearing and was passed out of the House Judiciary Committee on February 22.

I-940 De-Escalate Washington

On February 20 a hearing was held on "De-Escalate Washington" Initiative 940 ([I-940](#)) in the Senate Law & Justice Committee. I-940 revises the state law on use of deadly force in policing, as explained in this King 5 [news story](#). Legislators could approve the initiative this session or it could go to the ballot for voters to decide.

Environment

[SHB 2283](#) is scheduled for a public hearing and executive session on February 24 and an executive session on February 26. The legislation requires electric utilities to use electricity generated by clean energy resources to meet any new energy or capacity need starting January 1, 2020. This bill also establishes a tax preference for certain renewable energy and carbon reduction investments.

Mental Health

[E2SHB 2779](#) would reestablish the Children's Mental Health Work Group through 2020. This work group is focused on providing better mental health access for children. The bill also is designed to provide better capacity and improve mental health in schools and early learning programs. It had a February 20 public hearing and on February 21 it was passed out of the Senate Human Services & Corrections Committee. It is now in the Senate Ways & Means Committee.

Fall Elections

Representative Melanie Stambaugh (R-25th District) announced she would not be seeking re-election in the fall. She has served for four years as a legislator.

Far West Agribusiness Association

Upcoming Legislative Events

High Priority Bills

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

Summary: 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
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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.

Crew size on certain trains	H Rules C	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: Regulates minimum railroad crew staffing on trains carrying freight or passengers and trains transporting hazardous materials.

Crimes by corporations	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.

Pesticide exposure	H HC/Wellness	Ortiz-Self	Oppose
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Concerning pesticide exposure and notification of certain pesticide applications.

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

[HB 2878](#)
(SB 6322)

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.

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

[HB 2882](#)

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, Lias, 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.

[SB 6063](#)

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

facilities.

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>	
School levy lid revs./delay Delaying implementation of revisions to the school levy lid.	H Approps	Lytton	Neutral	
<u>SHB 1059</u> <u>(ESB 5023)</u>	<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.				
Seed buyer & dealer disputes Concerning dispute resolution between seed buyers and dealers.	H Ag & Nat Res	Buys	Neutral	
<u>HB 1132</u> <u>(SB 5075)</u>	<i>Sponsors:</i> Buys (Prime), Blake			
<i>Summary:</i> Revises the state seed act with regard to dispute resolution between seed buyers and dealers.				
Greenhouse gas emissions Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.	S Energy, Environ	Fitzgibbon	Neutral	
<u>E3SHB 1144</u>	<i>Sponsors:</i> Fitzgibbon (Prime), Doglio, Farrell, Fey, Goodman, Jinkins, Macri, Ormsby, Peterson, Pollet, Ryu, Stanford, Tarleton			
<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.				
<u>2SHB 1298</u>	Job applicants/arrests, etc.	S Ways & Means	Ortiz-Self	Neutral

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

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

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.

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

[**3SHB 1562**](#)

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, 2020. Provides that this act is null and void if appropriations are not approved.

Agriculture and farming	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).

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

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

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.

[SHB 2133](#)

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)

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.

[SHB 2182](#)

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.

[SHB 2186](#)

Sponsors: Lytton (Prime), Jinkins, Macri

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 APPDPS	Ormsby	Neutral
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Making 2018 supplemental operating appropriations.

[SHB 2299](#)
(SSB 6032)

Sponsors: Ormsby (Prime)

Summary:

State property tax reduction	H Finance	Condotta	Neutral
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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
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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.

CDL medical certificates	S Rules 2	Valdez	Neutral
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Concerning medical certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits.

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

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 the medical examiner's certificate from the federal motor carrier safety administration, to post a medical qualification status of "certified" on the CDLIS driver record for the driver.

[SHB 2696](#)
(SSB 6330)

Ag competitiveness/emissions	H Environment	Maycumber	Neutral
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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.

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.

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.

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.

[SHB 2992](#)

Rural manuf., etc./B&O tax H Rules R Chapman Neutral

Modifying the business and occupation tax structure for rural manufacturers and timber and wood

product manufacturers, extractors, and wholesalers.

Sponsors: Chapman (Prime), Maycumber, Muri

Summary:

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.

[SB 5032](#)
(SHB 1116)

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

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

Carbon pollution tax

S Rules X

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.

[SB 5230](#)

Small business owners

S Labor &

Wilson

Neutral

(HB 1352)

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

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

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.

[SB 5423](#)

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.

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.

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

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.

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

Tax exemptions

H Finance

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

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.

[SB 5564](#)

Vehicle taxation

S Transportation

Fortunato

Neutral

Concerning vehicle taxation.

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

Summary: Modifies provisions relating to vehicle taxation.

[SB 5570](#)

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.

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
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Concerning education.

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

[SSB 5607](#)

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.

Production-based comp. wages	S Rules X	Hawkins	Neutral
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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 X	Short	Neutral
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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.

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 Enhancing enforcement of the equal pay act.	S Rules X	Fain	Neutral
<u>SB 5836</u>	<i>Sponsors:</i> Fain (Prime), Baumgartner, Braun, Cleveland, Conway, Hasegawa, Hunt, Keiser, Saldaña <i>Summary:</i> 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 Concerning the review process of the citizen commission for performance measurement of tax preferences.	S Rules X	Carlyle	Neutral
<u>SSB 5847</u>	<i>Sponsors:</i> Carlyle (Prime), Hasegawa, Hunt <i>Summary:</i> 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; (2) An analysis of the general effects on the overall state economy and regions within the state, including the effects on the consumption and expenditures of persons and businesses within the state, employment, and personal income; and (3) 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.			
	B&O manufacturing tax rate Lowering the ceiling of the business and occupation manufacturing tax rate to 0.2904 percent.	S Rules X	Baumgartner	Neutral
<u>SB 5888</u>	<i>Sponsors:</i> Baumgartner (Prime), Hobbs, Padden, Sheldon, Takko <i>Summary:</i> 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 Reducing the state property tax in calendar year 2018.	S Ways & Means	Mullet	Neutral
<u>SB 6004</u> <u>(HB 2303)</u>	<i>Sponsors:</i> Mullet (Prime), Braun, Keiser, Sheldon, Wilson <i>Summary:</i> Changes the state property tax, for calendar year 2018, to two dollars and forty cents per thousand dollars of assessed value.			
	Supp. operating budget Making 2018 supplemental operating appropriations.	S 2nd Reading	Rolfes	Neutral
<u>SSB 6032</u> <u>(SHB 2299)</u>	<i>Sponsors:</i> Rolfes (Prime), Braun <i>Summary:</i>			
	State property tax reduction Reducing the state property tax in calendar year 2018.	S Ways & Means	Ericksen	Neutral
<u>SB 6033</u> <u>(HB 2434)</u>	<i>Sponsors:</i> Ericksen (Prime) <i>Summary:</i> Decreases the 2018 state property tax.			

Planting and harvest dates H Trans Hobbs Neutral
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
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
Concerning pesticide exposure and notification of certain pesticide applications.

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

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

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
Creating a fossil fuel carbon pollution tax.

[SB 6335](#)

Sponsors: Hobbs (Prime), Salda?a

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
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.

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

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.

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

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

E2SSB 6529

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.
