



NWGA Legislative Report: January 27, 2017

WASHINGTON

WA Lobbyist: Holly Chisa hollychisa@comcast.net

A Republican State Senator was tapped this week by the Trump Administration, creating a vacancy in the Senate and a temporarily loss of the Republican majority status. A replacement could be appointed this week, and we fully expect that seat to remain Republican, however the vacancy provides a Republican-Democrat tie with the tie breaking vote going to the Lieutenant Governor – a Democrat.

HB 1047 – Pharmacy Takeback

Support with Amendments

Amendments are being worked on that will clarify it is a voluntary take back program, to strike the language requiring pharmacies provide take-back location information on demand and statewide preemption.

SB 5415 – Plastic Bag Tax

Oppose

Bill applies a \$.02 tax when a plastic bag is used by a consumer, collected and remitted back to the state, not the retailer. There may be a courtesy hearing, but we don't expect the bill to get out of committee.

HB 1537/SB 5397 – Signature Gathering

Support

This is NWGA's signature gathering bill, that is modeled on Oregon's process. Bill requires disclosure by entities that compensate for petition signatures. Holly is counting votes and working on a getting both bills scheduled in committees. **If NWGA members have recent stories from the last campaign season please share.**

HB 1298 / SB 5312 – Ban the Box

Monitor/Concerns

HB 1298 had a hearing this week and SB 5312 is scheduled for a hearing next week – we expect one of the two to move next week. NWGA has asked for a statewide preemption to be included, and will continue to monitor for amendments.

SB 5032/HB 1116 – Paid Family & Medical Leave

Oppose

The business community remains very divided on this issue. NFIB and other conservative groups are opposed to the concept altogether and are not willing to negotiate. **Please review attached comparison and share feedback as you receive from your HR teams.**

HB 1020 / 5006 – Small Distillery Sales

Monitor/Concerns

Would allow beer and/or wine specialty shops to sell products made by distillers that produce

sixty thousand gallons or less of spirits per year. Hearings were held for both bills last week, neither of which went well. We don't expect either bill to move, but continue to monitor.

HB 1054 / SB 5025 – Tobacco Sales

Monitor

Increases minimum legal age for sale of tobacco and vapor products. NWGA is staying out of this issue, but continues to monitor.

HB 1119/SB 5145 – Private Label Beer & Wine

Monitor

Holly met with WA LCB this week – the Board had been previously unaware of existing private label sales in groceries. They agree that this is not a public safety concern, and will send a letter within a week, to either request for a change in statute to allow groceries to continue their sales of private labels; or a statement that no change in statute is necessary. **Please calculate the amount of revenue collected on PRIVATE LABEL SPIRITS ONLY for the following:**

The two fees on the bottle:

-The 10% added at by the manufacturer or distributor when they sell to you the retailer = _____

-The 17% license fee added by the retailer to the price of the bottle for sales for both on and off premise consumption = _____

Standard taxes charged at the register* = _____

Spirits liter tax (\$3.7708) = _____

Spirits sales tax (20.5%) = _____

This data should be sent to: joe@nwgrocery.org

I believe the state double taxes. They add the liter tax and THEN hit it again with the 20.5%.

HB 1164 – Pharmacy Tax Exemptions

Oppose

NWGA testified against the bill in committee with the WA Pharmacy Association. The H. Finance Committee Chair held the bill, while NWGA & Pharmacy Association work with the primary sponsor on exploring educational opportunities, instead of passing a law. Holly met with the primary sponsor and its possible this bill will become a study bill. NWGA will continue to monitor.

IDAHO

ID Lobbyist: John Watts john@veritasadvisor.com

HB 2 – Qualifications For Licensure By Reciprocity

Monitor

Creates reciprocity between pharmacists in Idaho and other states. Clarifies that an applicant isn't eligible for license transfer if under active discipline that prevents applicant from practicing pharmacy in another state. This bill is in compliance with the intent of the model act of the National Association of Boards of Pharmacy (NABP).

HB 3 – Tuberculin Protein Products**Monitor**

This bill deals with pharmacy-based tuberculosis skin testing, a service that has become routine in other states. Pharmacists would take a sample, and people would return within 2 or 3 days to have it identified as negative or positive. Pharmacists would refer those who tested positive to a primary care physician. **Is there increased liability associated with this additional testing service? Other concerns?**

HB 4 – Tobacco Cessation Products**Monitor**

Allows pharmacists to prescribe tobacco cessation products. The bill had a hearing this week, where the Idaho Medical Association & Doctors testified in opposition. Nevertheless, the bill was sent to the floor with a do-pass recommendation. We expect a more robust lobbying effort from the medical lobby in the Senate.

58-0107-1601 – Underground Storage Tanks**Monitor**

This rulemaking adopts into state rules the newly revised federal Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks and to establish a fee structure. Fees will not exceed \$100/tank per year and will be collected by the state DEQ. Approved in the House & Senate.

SB 1028 – Underground Storage Tanks**Monitor**

This bill creates a dedicated fund for the underground storage tank fees, mentioned in the above-mentioned rulemaking, which did not previously dedicate a specific fund.

OREGON**OR Lobbyist: Shawn Miller Shawn@MillerPublicAffairs.com****Bottle Bill Update**

LC bill draft will be printed when session begins on Feb. 1st. Hearing tentatively scheduled on Feb 8th in House Economic Development and Trade Committee. Rep. Lininger is Chair and sponsoring the bill.

Current law provides that the bottle deposit in Oregon will rise from 5-cents to 10-cents on April 1, 2017. All containers must be labeled properly. In addition, new containers will be added to the bottle bill on January 1, 2018, and those containers must have correct labels. Given the reality of the marketplace, it is impossible to ensure that all containers will have the correct label when the new deposit requirements go into effect. The Oregon Liquor Control Commission has indicated that it will be flexible in allowing containers that do not have the correct label, but legislation is necessary to give the necessary flexibility to the agency.

Legislation:

Prior to April 1, 2017, all containers under the bottle bill will have a deposit and redemption value of 5-cents, no matter what refund value is on the label on the container. Containers with a 10-cent refund value on the label may be sold in Oregon prior to April 1, but that container will only have a 5-cent deposit requirement and a 5-cent refund value prior to April 1.

Beginning April 1, 2017, all containers under the bottle bill will have a deposit and refund value of 10-cents, no matter what refund value is on the label on the container. Containers with a refund value of 5-cents on the label may be sold in Oregon until September 30, 2018, but that container will still have a deposit and refund value of 10-cents.

When the new products come under the bottle bill on January 1, 2018, some containers will not have deposit labels on them. The new law will allow containers without a refund value on the label to be sold until December 31, 2018. However, beginning January 1, 2018, all containers under the bottle bill will have a deposit and refund value of 10-cents, no matter what is stated or not stated on the label.

Labor issues lobby strategy:

Paid Family Leave— Willing to negotiate for the following:

- (1) Family leave local preemption
- (2) Extend 2-year preemption on scheduling (permanent) [\(See attached - Predictive Scheduling Proposal compared to Seattle ordinance\)](#)
- (3) Fix recent BOLI overtime interpretation
- (4) Statewide scheduling bill dies

Business lobby will focus on Moderate D's in the House and Senate:

House: Clem, Witt, Meek, Bynum, Reardon, McKeown, Lively, Barker, Boone.

Senate: Roblan, Johnson, Barker, Manning, Monness Anderson, Hass.

Post-Measure 97 Business Community

Joe Gilliam will meet with additional stakeholders from the business community next week to discuss our approach going forward. We will continue our pro-active polling focus groups on PERS reform and taxation issues.