



## NWGA Legislative Report: January 20, 2017

### NWGA Website: [www.nwgrocery.org](http://www.nwgrocery.org)

We have added our weekly legislative reports to the website. You will find under the 'Legislative' option – drop down to “Weekly NWGA Calls.” Please also use this site to access previous Legislative Reports and our lobby team’s anticipated issues for 2017 documents.

<http://www.nwgrocery.org/weekly-nwga-calls.html>

### WASHINGTON

WA Lobbyist: Holly Chisa    [hollychisa@comcast.net](mailto:hollychisa@comcast.net)

The Washington Legislature is wrapping up its second week of Session. Many members are attending the Presidential Inauguration in DC, so the hearing schedule has been lighter this week. We should expect more action next week. Bills of interest:

#### **HB 1047 – Pharmacy Takeback**

**Monitor**

The H. Health Care & Wellness Committee held a hearing this week. Holly met with the primary sponsor to include language to make the bill clear that it's a voluntary program, and to strike the language requiring pharmacies provide take-back location information on demand. If amendments are added, NWGA could support the bill.

#### **HB 1143 – Local Government Ordinances/Exemptions**

**Monitor**

This is a preemption bill for all wage and hour laws. We are watching for a likely companion bill in the Senate.

#### **HB 1298 – Ban the Box**

**Monitor/Concerns**

The bill reflects our previous negotiations on the issue, and allows employers to ask the question in the second round. (Initial application is round one.) Provides exemptions for components of our industry i.e. drug conviction, don't need to move through the process if applying for a pharmacy position. Likely hearings in House and Senate next week.

#### **SB 5032/HB 1116 – Paid Family & Medical Leave**

**Oppose**

This is the Democratic version of the paid family leave bill. Covers all employers with 8 or more employees. Employer paid. CBAs are recognized only to negotiate the contract to have it comply with the statute. Republicans will present alternative proposal (SB 5149) which is an employee funded model and based on the law just adopted by New York. NWGA's concern: Likely initiative in 2018 to implement statewide paid family leave program, similar to minimum wage and paid sick leave in 2016. We are hoping to have something on the table for preemption negotiations by next month. **Please review attached comparison of the plans.**

**HB 1119/SB 5145 – Private Label Beer & Wine****Monitor**

Allows those who sell private labels of spirits in an on-premise facility for off-premise consumption. NWGA continues to receive conflicting information from the liquor board on whether retailer private labels would or would not be affected. WA LCB unclear - hope to have this issue resolved this next week.

**HB 1351/SB 5194 – Off-premise single Licensure****Support**

NWGA's licensure bill: Authorizing, under one license, the sale of spirits, beer, and wine at retail for off-premises consumption. Hearing was held in the Senate and there were no issues presented. We hope to have SB 5194 passed out of the Senate within the next two weeks.

**HB 1164 – Pharmacy Tax Exemptions****Monitor**

Concerning public awareness of tax exemptions for over-the-counter drugs dispensed to patients pursuant to a prescription. 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.

**IDAHO****ID Lobbyist: John Watts [john@veritasadvisor.com](mailto:john@veritasadvisor.com)**

Bills of interest:

**35-110-1601 – Idaho Cigarette & Tobacco Products****Monitor**

Rule stems from HB 376 (2016), and describes bonding procedure for cigarette and tobacco taxes authorized by Idaho code. Rule is amended to mirror HB 376. It's very unlikely HB 376 nor this rule will affect current grocery operations within NWGA. House and Senate both approved.

**HB 4 – Tobacco Cessation Products****Monitor**

Allows pharmacists to prescribe tobacco cessation products. Pharmacists would be required to: complete training on tobacco cessation; screen patients for appropriateness; document services provided; develop follow-up care plan; and notify the patient's primary care provider of medications initiated.

**OREGON****OR Lobbyist: Shawn Miller [Shawn@MillerPublicAffairs.com](mailto:Shawn@MillerPublicAffairs.com)****Changes to Driver Licenses**

In order to respond to a recent Multnomah County Circuit Court order stating that an Oregonian's sex is non-binary; DMV is moving forward with administrative rule making and programming changes to **add a third designation for sex on a driver license**, driver permit or identification card. **This third sex designation will be an "X" for "not-specified"**. Therefore, you

may start to see valid Oregon driver licenses, driver permits or identification cards where the face of the card shows an X in the sex field and where the information contained within the bar code on the back of the card indicates the person's sex is X. DMV's target to complete necessary rulemaking and programming for the third sex designation is July 1, 2017. **DMV has reached out to NWGA and would like to know:**

1. Will your stores be impacted by this change?
2. Will there be costs to re-program your system?
3. What do you estimate those costs to be?
4. Can you complete that work by July 1, 2017?
5. If the answer to #3 is no, when do you estimate such a change could be made?

### **Co-Chairs Budget**

Co-Chairs Devlin and Nathanson released the Co-Chairs Budget and acknowledge that it is insufficient to provide current service levels: "This starting point is hundreds of millions of dollars less than the Governor used to produce her budget proposal, which relied on revenue that does not exist today and is not part of current law. Like the Governor, we believe additional resources will be needed to provide the programs and services Oregonians expect and deserve, but we cannot ignore the fact that the state's bank account does not have the new revenue assumed in the Governor's budget."

Caucus Battle lines:

**Senator Majority Leader Burdick Quote:** "Just to maintain existing services to Oregonians in education, public safety, health and other areas, it will take an additional \$1.8 billion. The fact that we face such a deficit during a booming economic period in our state demonstrates the need for comprehensive revenue reform."

**Senate Republican Press Release:** Headline says it all from the R's: "**Senate Republicans applaud Joint Ways and Means Committee budget, Co-chairs release statute-based budget, offers glimpse of reality compared to Brown's La La Land budget**"

### **Oregon Department of Agriculture Food Safety Update**

Alexis Taylor, new ODA director, begins work on January 23rd. She previously served as the Deputy Under Secretary for the Farm and Foreign Agriculture Services at USDA.

### **ODA Budget Update**

ODA will reduce federal inspections which are consuming and contributing to the increase in backlog of routine state inspections. The Governor's budget allocates a \$500,000 one-time agency fund shift within the agency to avoid a high ending fund balance which is a target for general fund sweep. ODA is currently filling 2 limited duration positions and governor's budget authorizes 2 additional full time positions and 3 additional limited duration positions. Ending balance would be reduced from \$6.4 projected ending balance to a projected \$2.5 ending balance.

### **Paid Family Leave**

We continue to watch Washington negotiations closely. Business lobbyists are meeting next week to discuss strategy regarding labor bills including negotiating a paid family leave bill in exchange for permanent local preemption on scheduling and a fix to BOLI overtime interpretation.

#### **City of McMinnville – Plastic Bag Ban**

The City Council held a work session on January 10<sup>th</sup>, 2017 to direct staff to prepare an ordinance. NWGA provided testimony and our model ordinance. There was considerable discussion regarding the various policy issues related to the proposed ban and Council provided the City Attorney with direction on details for the draft ordinance, including a request to include the five cent charge on paper. A public hearing will be held on January 24<sup>th</sup>. The draft ordinance includes a five cent charge on paper and is attached. We will continue to monitor and keep members apprised of adoption.

#### **Post-Measure 97 Business Community**

Joe Gilliam, Costco, Fred Meyer and Safeway executives attended a positive meeting with the Measure 97 business community this week. There is a lot of interest from the group to stay together moving forward. NWGA will continue our public research and polling effort and will share updates with the business group.