



NWGA Legislative Report: February 24, 2017

WASHINGTON

WA Lobbyist: Holly Chisa hollychisa@comcast.net

This week the WA Legislature is working through budget committees, and a bit of floor action. Bills must be out of the fiscal committees by Feb 24, to be considered further in the legislative process. Beginning Monday, it will be almost entirely floor action. Bills must be out of the originating chamber by March 8. The House passed out its proposal for fixing the school funding issue earlier this week, but didn't include any money to pay for the proposal. We haven't seen a budget proposal with dollars from either the House or the Senate yet.

HB 1047 – Pharmacy Takeback

Support/Amended

The bill has been amended to reflect our needed changes, including 18 months grandfathering. There are still some uncertainties if it will move out of the Senate. Going forward, we may use this bill as model legislation, as this is a priority in the Oregon Legislature, as well.

HB 1880 – Feminine Hygiene Products/Tax Exemption

Concerns

Provides sales and use tax exemption for feminine hygiene products for individuals receiving public assistance. NWGA has recommended a reimbursement/grant program for individuals who qualify for assistance, rather than requiring retailers to discount sales tax for specific products.

HB 1975 – Sugary Beverage Tax

Oppose

Applies a wholesale tax of \$.02 on all beverages sold other than water. We saw this bill in 2010, which was passed but repealed through a ballot initiative. NWGA is actively participating in a coalition pulled together by the beverage industry.

SB 5032/HB 1116/SB 5829 – Paid Family & Medical Leave

Oppose

All of the proposals are currently being negotiated. NWGA is working with the larger business community and meeting with leadership. Our ask is a statewide solution we can dovetail into our existing programs and preemption.

SB 5822 – Omnibus Workers Comp

Support

NWGA supports this omnibus bill, which focuses on 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. The bill is now in Senate Rules waiting for a full vote of the Senate.

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. We anticipate for both of these bills to continue moving forward.

HB 2000 – Private Labels**Support**

Allows for all (retailers/on premise) to provide private labels Nobody signed in as opposed during the hearing this week, and the bill was voted out committee unanimously. The bill is out of committee and on its way to Rules.

IDAHO**ID Lobbyist: John Watts john@veritasadvisor.com****HB 3 – Tuberculin Protein Products****Support**

Relating to pharmacy based tuberculosis skin testing. This is a service that has become routine in other states. Pharmacists will take a sample and then people will return within two to three days to have it identified as negative or positive. If the test is positive they will refer them to a physician. The bill was signed by the Governor, and will take effect in July of this year.

HB 4 – Tobacco Cessation Products**Monitor**

The bill was signed by the Governor, and will take effect in July 2017.

SB 1028 – Underground Storage Tanks**Support**

The bill passed both chambers and is on its way to the Governor for signature.

HB 91 – “Immunization – Registry”**Monitor**

The bill died in the House

SB 1106 – 21+ Tobacco**Monitor**

Raises legal age to purchase tobacco from 18 to 21. The bill has not been scheduled for a hearing yet.

SB 1107 – Drivers Licenses Fees**Monitor**

This legislation would allow the free market to determine prices for the Commercial Driver's License skills testing organizations with a cap at \$190. The Idaho Transportation Dept. will continue to receive \$10 for administrative purposes; total maximum fee charged will be \$200. The CDL skill testing fee in other states is an average of \$122.

HB 129 – Dieticians Practice**Monitor**

After several items of concern were raised by national nutritionist associations, these items were removed from the draft and inserted into a new version of the bill (HB 129). The Board of Medicine presented the bill and there were two witnesses that testified in favor its passage. No

one testified against the measure. The bill passed the House 44-23-3, and is waiting a hearing in the Senate.

HB 191 Pharmacy Authorization

Support

HB 191 authorizes the Board of Pharmacy to prescribe and administer low risk conditions that don't require a diagnosis, are self-limiting, and are short term associations. Has been sent to the Floor with a do-pass recommendation.

OREGON

OR Lobbyist: Shawn Miller Shawn@MillerPublicAffairs.com

HB 2005 – Pay Equity Bill

Oppose

NWGA's position is that while we don't oppose pay equity, we oppose the process' complications for employers. This is another labor issue that will be tough to stop this Session. We will continue efforts to either stop the bill on the floor, or work into our bigger labor package negotiations.

HB 2114 – Opioid Prescriptions

Neutral

Prohibits issuing initial prescription for opioids or opiates to adults for outpatient use in quantity exceeding seven-day supply. As drafted, HB 2114 would expose pharmacists to significant liability. Legislative Counsel has determined that according to the controlled substance act, this bill would not apply to pharmacy and pharmacists. If the bill moves forward, this exception would be clarified.

HB 2615 – Stolen Merchandise Penalty

Monitor

This bill matches the penalty of returning stolen merchandise (valued under \$1,000), to the penalty of getting caught leaving a store with stolen merchandise. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both, if value of merchandise is \$100 or more, or maximum of 30 days' imprisonment, \$1,250 fine, or both, if value of merchandise is under \$100. **NWGA Members: We need input from your loss prevention staff. Please review this bill and let us know if you have feedback and if there's any interest in testifying. The hearing is 3/1.** <https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2615/Introduced>

HB 2746 – Bottle Bill

Support

The bill moved out of the policy committee last week and will be on the House floor for a full vote next week. We are on track to get this to the Governor's desk before April 1st.

SB 235 – Tobacco Retail Licensing

Oppose Unless Amended

Requires retail license to sell tobacco and e-cigarettes. SB 235 is likely dead and NWGA continues to work with the Health Care Chair and Senator Boquist to introduce a new bill before the deadline next week.

SB 301 – Drug Free Work Environment

Oppose

This bill would make it illegal to have conditioning employment on refraining from using any

substance that is lawful to use in this state. A public hearing was held in Senate Judiciary this week. NWGA is working with the broader business lobby to stop this bill from moving out of committee.

SB 743 – Cough Syrup ID Bill

Oppose

This bill was requested by the Consumer Healthcare Products Association. The bill prohibits business that makes retail sales of product containing dextromethorphan to individual 17 years of age or younger unless individual has valid prescription. NWGA is working on amendments to get this closer to Washington's policy, including preemption. The Committee has taken all our input and will try to include in the bill.

SB 828 – Predictive Scheduling

Oppose

Requires employer to pay employee equivalent of at least four hours of work if employee is scheduled or called in to work but, due to employer, does not work entire shift. Prohibits employer from retaliating against employee who requests preferred work schedule.

A hearing has been scheduled for February 27th and NWGA plans to testify. [See attached bill summary compared to Seattle ordinance.](#)

Lane County 21+ Tobacco Ordinance

The Lane County Board of Commissioners is considering legislation to prohibit the sale of tobacco and electronic smoking devices and accessories to individuals under 21 years of age. This proposal applies to all areas of Lane County, including incorporated and unincorporated areas, and impacts six of our stores in Eugene, Springfield and Cottage Grove.

Unlike many similar bills being passed nationwide, a grandfather clause added to the ordinance will make implementation a bit more complicated on the retail side. An exception for purchase and possession will be made for individuals who were 18 years or older on April 15, 2017. Their intent was to not penalize 18 year olds who are already addicted to smoking.

Numerous other organizations are opposed to the grandfather clause for current youth smokers as they believe it makes the ordinance ineffective for the first three years. It will also create confusion as the signage requirements state you must be 21 to purchase. [Draft letter attached for NWGA member approval to send to Lane County.](#)