



NWGA Legislative Report: February 10, 2017

WASHINGTON

WA Lobbyist: Holly Chisa hollychisa@comcast.net

HB 1047 – Pharmacy Takeback

Support with Amendments

NWGA continues to work with the Chief Sponsor, and we should expect a vote next week in Committee. There remains resistance from King County which does not want to lose their current takeback program.

SB 5762 – Mercury-Containing Light Stewardship

Monitor

This bill concerns the financing of the mercury- containing light stewardship program. Manufacturers have asked for a reduction in annual fees. Retailers, including grocers, embed this fee into the cost of lights, and the money is remitted back to the manufacturer for disposal and awareness funds. NWGA has asked the sponsor what the expectation would be for retailers and how this might affect our members.

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. The Secretary of State had previously supported the bill, but suddenly withdrew support the night before the bill's hearing. NWGA testified along with the entire retail community in support of the bill. NWGA is working with the SOS office to make changes, while keeping some consistency with Oregon's process.

SB 5032/HB 1116 – Paid Family & Medical Leave

Oppose

The fiscal note came back this week and was not well received by the business community. Senate Republicans are also likely to oppose this bill. NWGA continues negotiations, but did not testify in the hearing this week. We are still waiting for Republican version in the House (would include cost share & preemption). The Senate version did come out this week, and Holly will be sending comparisons this weekend.

HB 1880 – Feminine Hygiene Products/Tax Exemption

Concerns

Provides sales and use tax exemption for feminine hygiene products for individuals receiving public assistance. NWGA testified with an "other" position, as we are still waiting for member feedback regarding feasibility of excluding certain products from sales tax collections. **NWGA**

Members: Are you aware of a similar exemption for other specific product types? Is it feasible/affordable/reasonable to exempt these produces in your POS systems?

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. A bill needs to move out of Committee next week so we have a vehicle to continue the conversation.

HB 1893/SB5665 – Credit Card Interchange Fee**Oppose**

Requires retailers to pick up the cost of interchange fees when using credit cards to purchase product. **NWGA Members: Is this a practice used by NWGA members?**

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.

HB 2000 – Private Labels**Support**

Allows for all (retailers/on premise) to provide private labels. Despite what we heard last week from the Liquor Board, it turns out that grocers will need permission to have private labels. So far, we have agreement from manufacturers, distributors and retailers. OLCC agrees this is not a public safety issue. A hearing is tentatively scheduled for next Tuesday in the House Commerce Committee.

HB 5699 – PBM Appeal Program**Support**

Allows larger pharmacies into the PBM appeal program. This is an issue that NWGA dealt with all last Session. NWGA plans to testify in support, and discuss the need for grocery inclusion in the program.

IDAHO**ID Lobbyist: John Watts john@veritasadvisor.com****HB 117 – Property Tax Exemptions****Monitor**

This bill would increase the personal property tax exemption cap from \$100,000 to \$250,000. A business would no longer have to pay a tax for furniture, equipment, shelving, etc. unless the aggregate value exceeds \$250,000. A business with multiple stores in a single county will still be subject to a single aggregate \$250,000 total value. A company with stores in multiple counties will be allowed up to \$250,000 exemption per county. We do expect this bill to move forward.

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

HB 91 requires all providers and pharmacists who immunize a patient to enter the immunizations they administer into IRIS with the exception of adult influenza vaccines. Idaho Pharmacy Association & Idaho Retailers Association are neutral on the bill.

OREGON**OR Lobbyist: Shawn Miller Shawn@MillerPublicAffairs.com**

HB 2114 – Opioid Prescriptions**Oppose Unless Amended**

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.

HB 2395 – Prescription Drug Labels**Monitor**

The bill would direct a prescriber to write on the prescription label what the prescription is used for. A courtesy hearing was held this week, and we don't expect further action.

HB 2581 – Security Breach**Oppose**

HB 2581 could have a serious impact on anyone that processes credit/debit cards or stores credit/debit card information. Current law requires persons who own or license personal information to provide notice in the event that personal information is subject to a breach of security. HB 2581 would (1) expand this requirement to all who **possess or have access to personal information as a consequence of consumer transactions**, even if they do not own or license the information and (2) **create a private right of action** allowing financial institutions to recover security breach-related costs from those that have access to personal information from consumer transactions. The right of action would entitle a financial institution to broad cost recovery, including costs of canceling/reissuing credit/debit cards, stopping payments or blocking transactions, closing or reopening an account, refusing or crediting consumer transactions, or notifying consumers of a breach. To recover, financial institutions would have to establish that a person failed to secure account information in accordance with security standards promulgated by the Department of Consumer and Business Services and that this failure amounted to gross negligence.

NWGA continues to oppose this bill, due to concerns for increased liability for retailers. NWGA has found that the bill originates from OSU Credit Union. **NWGA Members: are you aware of added security measures for your credit union transactions in other states?**

HB 2746 – Bottle Bill**Support**

This bill has been drafted by the manufacturers and distributors (and OBRC and NWGA) to allow for a transition period as the bottle deposit increases to \$.10 on April 1, 2017. A public hearing has been scheduled for Wednesday and we expect the bill to advance out of Committee.

SB 235 – Tobacco Retail Licensing**Oppose Unless Amended**

Requires retail license to sell tobacco and e-cigarettes. Shawn testified in opposition this week, explaining our extensive involvement in the Multnomah County process, and desires for this model to be taken statewide. We will continue to work on amendments for the bill.

SB 743 – Cough Syrup ID Bill**Oppose**

This is a new bill, printed this week at the request of the Consumer Healthcare Products Assoc. 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 Members: This bill mirrors a similar law passed in WA. Please let us know if the process is working for you in WA. Our understanding is you have had to enter certain product codes into the**

system to flag when an ID is required. Was obtaining this list difficult? Would you prefer the burden for product lists be placed on the manufacturer?

HB 2167 – Workplace Bully Bill

Oppose

Creates unlawful employment practice and violation of Oregon Safe Employment Act for creating or maintaining abusive work environment. NWGA is working with the broader business community in opposition to this and other similar labor bills.

HB 2005 – Pay Equity Bill

Oppose

Provides definitions relating to comparable work for purposes of pay equity provisions. Puts restrictions on hiring practices and prohibits asking for previous salary rate. We have been told this bill would mirror California policy. **NWGA Members: we are told this bill mirrors recent law adopted in CA. Please ask your HR teams to review and provide feedback. Bill link: <https://olis.leg.state.or.us/liz/2017R1/Measures/Overview/HB2005>**

PERS Reform:

Informational hearings were held this week on SB 559 & SB 560, both propose changes to the Public Employees Retirement System. PERS negotiations will be integral to the revenue discussion this Session, as Republican consideration of new taxes will largely hinge on serious PERS reformation. Hearings on these two bills will continue into next week.