



NWGA Legislative Report: February 3, 2017

WASHINGTON

WA Lobbyist: Holly Chisa hollychisa@comcast.net

Washington Republicans have filled the seat vacated last week by the Trump Administration. There is another Republican Senator commuting back and forth to DC who is helping with Trump Administration's transition teams and continues to complicate the majority status.

HB 1047 – Pharmacy Takeback

Support with Amendments

We expect amendments in the next couple days. The bill has not been scheduled yet for a committee vote, but we expect it to move to the floor. The pharmaceutical industry is working hard against this bill, and we aren't sure yet where local governments will be with the preemption language.

SB 5032/HB 1116 – Paid Family & Medical Leave

Oppose

Hearings have been held for both bills. NWGA is meeting with a key Republican Senator this week to discuss a version that would be half employee paid/half employer paid, and to discuss negotiations with Democrats. NWGA is one of few employer groups willing to negotiate. [See attached comparison of the proposals.](#)

HB 1119/SB 5145 – Private Label Beer & Wine

Monitor

The Washington LCB is in agreement with NWGA on private label sales. A bill will be introduced for purpose of changing statute to allow groceries to continue their sales of private labels. This bill will need to move quickly to meet legislative deadlines. Have support from both distributors and manufacturers.

HB 1596 – CSPA Electronics

Oppose Unless Amended

Requires manufacturer to report what chemicals are contained in certain electronic products. The bill increases retailer liability for these products.

HB 1880 – Feminine Hygiene Products/Tax Exemption

Concerns

Provides sales and use tax exemption for feminine hygiene products for individuals receiving public assistance. Our concern is for what special programming would be required for our retailers. [Is this kind of exemption already being done for any other products? \(will you have to create/implement special programming?\)](#)

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. Hearings have been held for both bills. We expect one of these bills to move – not sure yet which one. Law enforcement associations have been the only group in opposition, and NWGA plans to meet with them next week.

HB 1893/SB5665

Oppose

Requires retailers to pick up the cost of interchange fees when using credit cards to purchase product. *Is this a practice used by NWGA members? If so, we need to hear from you, so that we can ask for an exemption.*

IDAHO

ID Lobbyist: John Watts john@veritasadvisor.com

HB 3 – Tuberculin Protein Products

Monitor

Bill passed out of the House with no opposition, and has also passed out of the S. Housing & Workforce Committee. It is anticipated the bill will pass the Senate next week.

HB 4 – Tobacco Cessation Products

Monitor

Allows pharmacists to prescribe tobacco cessation products. Bill passed out of the House with no opposition, and has also passed out of the S. Housing & Workforce Committee. Expected to pass the Senate next week.

58-0107-1601 – Underground Storage Tanks (Rules)

Monitor

The rules were approved this week. No further action required.

SB 1028 – Underground Storage Tanks

Monitor

This bill creates a dedicated fund for the underground storage tank fees. Sent to the Senate floor with a do-pass recommendation.

HB 67 – Income Tax / Individual / Corporate

Monitor

This bill eliminates taxes on the first \$750 of individual income, reduces the rate on the highest individual bracket to 7.2%, and reduces the corporate income tax rate from 7.4% to 7.2%. It passed out of the house on a party line vote 58-11-1.

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. There is an opt out for patients and parents.

HB 71 –Human Rights, Employer Acts

Monitor

This bill would preclude employers from asking job applicants about salary history. The bill is an effort by the minority party and is unlikely to get a hearing.

HB 72 – Minimum Wage

Monitor

The bill increases the minimum wage from the current federal minimum wage of \$7.25 per hour to \$8.75 per hour on July 1, 2017, and to \$10.50 on July 1, 2018, and \$12.00 per hour on July 1, 2019. It is unlikely this bill will receive a hearing.

First-Language Labels on Prescriptions

The Hispanic Affairs Council has reached out to NWGA to ask for our input on a proposal similar to California that requires pharmacies to provide prescription labels in an individual's first language. **Are you currently doing this? Is it a major change? Any help or input would be appreciated, especially if you have experience with this issue in other states.**

City of Seattle - Sugar Sweetened Beverage Tax Ordinance

The City of Seattle is considering a soda tax. The tax would likely be adopted by Council, not sent out to the voters. NWGA is talking with campaign consultants who have been hired by the soda manufacturers to organize an opposition coalition. We will continue to keep you updated as we learn more.

OREGON

OR Lobbyist: Shawn Miller Shawn@MillerPublicAffairs.com

The 2017 Oregon Legislative Session began on Wednesday 2/1/17. Bills of interest:

HB 2193 – 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. Prohibits large employers in specified industries from scheduling work shifts that do not allow sufficient break time in between shifts unless employee earns 1.5 times scheduled rate of pay. Requires large employers in specified industries to:

- Engage in interactive process toward resolution of schedule conflicts and to grant preferred schedule request to employee unless employer has bona fide business reason not to do so;
- Provide new employee with estimated work schedule;
- Provide current employee with two weeks' notice of employee work schedule;
- Pay penalty wage if employer changes scheduled shift with less than two weeks' notice;
- Consider internal applicant before hiring outside applicant and to maintain records relating to compliance for three years.

HB 2193 has been referred to H. Business & Labor Committee. NWGA plans to engage in discussion with moderate democrats in this committee. **See attached comparison to Seattle Ordinance.**

HB 2386 – Drug Take-back Program**Amend**

Directs each manufacturer to develop and implement drug take-back program for collection and disposal. NWGA is meeting with League of Oregon Cities to discuss local preemption issues. NWGA will push for amendments similar to Washington, that would make this a voluntary program and include local preemption.

HB 2395 – Prescription Drug Labels**Monitor**

The bill would direct a prescriber to write on the prescription label what the prescription is used for. While the bill has been scheduled for a hearing it is not expected to advance.

HB 2581 – Security Breach**Oppose**

HB 2581 was released this week and 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.

Please review this bill and provide additional feedback to our lobby team:

<https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2581/Introduced>

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. The bill was printed this week and we are awaiting a referral and public hearing. The Willamette Week story over the week, claiming these unredeemed nickels are lining the pockets of distributors has many concerned about the timing of this conversation.

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

Requires retail license to sell tobacco and e-cigarettes. NWGA will oppose this bill unless amended with the local preemption language we negotiated in 2015 session. A public hearing has been scheduled in S. Health Care Committee.

SB 329 – Work Schedule Preemption**Support**

This bill would make our local preemption on predictable scheduling (which expires July 1, 2017) permanent.