



## NWGA Legislative Report: March 3, 2017

### WASHINGTON

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This week the WA Legislature is working through committees, to meet the March 8<sup>th</sup> deadline for bills to be out of the originating chambers. We should expect a tax package from the Democrats in the next week or two.

#### **HB 1047 – Pharmacy Takeback**

#### **Support/Amended**

The bill has been amended to reflect our needed changes, including 18 months grandfathering. The bill was pulled out of the rules committee and is now eligible for a vote on the floor. We may see a fight on the floor – a Republican member is working for an amendment to put the cost burden on retail pharmacies.

#### **SB 5855/5856 – Nexus Standards**

#### **Support**

The bills were introduced by a Senate Democrat and would move to adopt retail sale nexus standards to require retail sales tax collection by remote sellers selling into Washington. This is often referred to as the “Main Street Bill” or “Main Street Act.” The retail community is strongly supportive of both bills. Amazon is staying out of it and EBay is strongly opposed.

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

#### **Oppose**

Negotiations continue to craft a paid family leave program that would model the soon-to-become state law on paid sick leave. Both of these programs cover illness of a family member, adoption, etc. The question is how to transition employee from one program to the another. The Dept. of Labor wants the program constructed so employers don't run into unemployment charges/insurance when laying off temporary employees.

#### **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. Work continues to identify two democrats to cross the aisle and support the bill, however it is possible the bill dies without enough support in the Senate.

#### **HB 2000/SB 5145 – Private Labels**

#### **Support**

Allows for all (retailers/on premise) to provide private labels. Both bills are waiting for a floor vote in house and senate. A single wine and beer distributor has come out in opposition, and

they are working hard to kill both bills. NWGA is focused on the Senate bill and is hoping to advance it.

**HB 5744 – Mail Order Prescriptions**

**Support**

This bill requires that an insurer notify a patient when they've been rolled into mandatory mail order programs, and requires that the patient opt in to the program to be required to use it. PHARMA is still strongly opposed. Senate Republican Leadership is holding the bill while NWGA works on a compromise.

**HB 1076 – Food Bank Bill**

**Concerns**

Allows for homebakers to donate to local food banks. Seattle Gospel Mission and King County church want to donate prepared food to local food banks. The Washington Health Department has concerns with this bill as does the foodbanks. **NWGA Members: If you hear from Food Lifeline, please feel free to refer them directly to Holly.**

**IDAHO**

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

**SB 1106 – 21+ Tobacco**

**Monitor**

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

**Draft Proposal – Grocery Tax Repeal**

**Monitor**

The bill would phase out the grocery tax over two years, while eliminating the credit. When Idaho first enacted its grocery tax credit, it was seen as a means to offset a portion of the sales tax individuals pay on food. **We will share a copy of the proposal once it is released.**

**OREGON**

**OR Lobbyist: Shawn Miller [Shawn@MillerPublicAffairs.com](mailto:Shawn@MillerPublicAffairs.com)**

**HB 2005 – Pay Equity Bill**

**Oppose**

Both versions of the bill have been heard in their respective committees. This will be a tough issue to stop this Session. NWGA is in discussions with the broader business community and Democrat supporters to craft something that mirrors the first step of the CA pay equity bill (gender only) and align major provisions of both laws.

**HB 2193 / 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. The Senate Bill had a public hearing this week. The Senate committee does not have the votes to move the bill, however efforts will continue in the House.

**HB 2386 – Drug Takeback****No Position**

Directs manufacturers of certain types of drugs that are sold within this state to develop and implement drug take-back program for purpose of collecting drugs for disposal. This is the Counties' version of drug takeback program, that mirrors Washington's efforts. It is a voluntary program but does not include preemption, which NWGA is pushing for. The bill is scheduled for a hearing on Monday, along with a similar takeback bill (HB 2645).

**HB 2615 – Stolen Merchandise Penalty****Oppose**

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 and a Loss Prevention manager from Fred Meyer testified alongside the District Attorneys in opposition. The Chair has told us that he does not expect to move the bill and all Republican members are opposed.

**HB 2746 – Bottle Bill****Support**

The bill moved out of the House and is awaiting a hearing in the Senate Environment and Natural Resources Committee. We are on track to get this to the Governor's desk before April 1<sup>st</sup>.

**HB 3315 – Drug Takeback****No Position**

Directs Oregon Health Authority to establish a program that oversees establishment of kiosks for purpose of collecting from consumers and disposing of certain drugs. This is Republican Member Representative Buehler's version of the drug takeback program. The bill has not yet been scheduled for a hearing.

**SB 113 – Gift Card Bill****Oppose**

Unused remaining balances on gift cards would be transferred to the Department of State Lands under this bill, provided that the cardholder has not used the gift card within five years after date of last transaction. The bill has been scheduled for a public hearing. It is introduced by Sen. Riley (Rep. Rayfield backed off on his earlier attempts to craft a bill). We are working on key votes in the Committee.

**SB 301 – Drug Free Work Environment****Oppose**

This bill would make it illegal to condition employment on refraining from using any substance that is lawful to use in this state (marijuana). While the bill may have the votes to come out of Committee, it does not have the needed votes to pass off the floor.

**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. We are waiting on an amendment to mirror the Washington law and include preemption. After review, and if our changes are

included, will move from 'oppose' to 'neutral.'

### **SB 83 – Toxic-Free-Kids Fix Bill**

### **Support**

This is the American Chemistry Council's fix bill to correct our concerns from last session's Toxic-Free-Kids Act. Redefines "de minimis level" and exempts any component of children's product that is inaccessible. NWGA has been asked to sign onto a coalition letter in support.

**Please review the attached letter and let us know if you have any concerns with NWGA signing on?**

### **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. A grandfather clause added to the ordinance will make implementation a bit more complicated on the retail side. NWGA sent a letter to Lane County last week, addressing our concerns for the grandfather clause. The Lane County Commission Chair has reached out to us and let us know he will try to remove the grandfather clause at the Commission's next meeting on March 14<sup>th</sup>.

### **SB 984 – BOLI Overtime Fix**

BOLI's overtime fix bill was introduced this week. This is a proactive bill that revises how you calculate overtime. **NWGA Members: Please review bill:**

<https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/SB984>