

Washington Farm Forestry Association Legislative Report – Jan. 25, 2019

The legislative session got off to a fast start with nearly 1400 bills introduced in the first two weeks. Several themes are emerging with multiple bills focused on clean energy, creating new taxes and labor issues.

During the first week of the legislative session, Heather presented for WFFA at a work session on Forest and Fish. During the second week, Elaine, Vic And Ken testified on our bill HB 1273. Jan. 31, the same bill will be heard in the Senate.

HB 1273 and SB 5330 would analyze the state’s regulatory impact on small forest landowners. Twenty years after Passage of Forests and Fish, the bill looks at how the law has been implemented with respect to small forest landowners and if land owned by small forest landowners is being converted. If so, why and what can the state do to incentive ownership of forestland by small forest landowners. The bill does need a bit of amending to clarify the study.

Another bill to watch is **SB 5597 - Creating a work group on aerial pesticide applications in forestlands.** This bill arose from citizen concerns about aerial application over forestland. There have been no incidents related to aerial application over forestland in Washington. The work group must develop recommendations for improving best management practices. It will review existing laws; review research and reports regarding the risks, environmental impacts, and forest management benefits of pesticides used in forestry; and develop recommendations for integrated pest management that combines chemical and natural pest control in forestry. As written, the work group will be co-chaired by the departments of ecology and natural resources. The work group must report to the governor, the legislature, and the forest practices board, by November 10, 2019.

For the next several weeks, bills will continue to be introduced at a rapid pace. In mid-February, new introductions will slow to a trickle. February 22 I the first cutoff date. After that, bills will begin to die, and the tracking list will get shorter.

As always, I welcome your input.

Upcoming Events

Rural Development, Agriculture, & Natural Resources (House) - HHR B, JLOB - 1/30 @ 8:00am

- HB 1348 - Public Hearing - Helping Washington businesses succeed by modifying certain business and occupation tax provisions. (Support/High)
- HB 1188 - Exec Session - Concerning rangeland fire protection associations. (Support/Low)
- HB 1273 - Exec Session - Analyzing state regulatory impact on small forest landowners. (Support/High)

Agriculture, Water, Natural Resources & Parks (Senate) - SHR 3, - 1/31 @ 1:30pm

- SB 5279 - Public Hearing - Regulating outdoor burning for the protection of life or property and for public health, safety, and welfare. (Support/High)
 - SB 5330 - Public Hearing - Analyzing state regulatory impact on small forest landowners. (Support/High)
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High Priority Bills

| <u>Bill Details</u> | <u>Status</u> | <u>Sponsor</u> | <u>Position</u> |
|---|------------------|-----------------|-----------------|
| <u>HB 1011</u> Working forests/real estate Revises the real estate disclosure statement, relating to the right to farm act, to include working forests, which gives home buyers a more accurate description of the effect of the act and science-based forest practices regulations that protect the state's public resources. | H Rules R | Reeves | Support |
| <u>HB 1046</u> Hunting with the aid of dogs Prohibits a person from hunting or pursuing black bear, cougar, bobcat, or lynx with the aid of a dog. | H RDev, Ag&NR | Appleton | Oppose |
| <u>HB 1172</u> <u>(SB 5314)</u> Capital gains tax/prop. tax Creates a capital gains tax. | H Finance | Santos/Wellman | Oppose |
| <u>HB 1228</u> <u>(SB 5130)</u> Fish barrier removal funding Helps fund state fish barrier removal by implementing a graduated real estate excise tax and increasing certain vehicle weight fees. | H Finance | Chapman/Rolfes | Oppose |
| <u>HB 1273</u> <u>(SB 5330)</u> Small forest landowners Creates a legislative work group to analyze the state regulatory impact on small forest landowners. Authorizes the work group to contract with outside entities such as the University of Washington. | H RDev, Ag&NR | Kretz/Braun | Support |
| <u>HB 1343</u> <u>(SB 5129)</u> Revenue Creates a capital gains tax and increases the business and occupation tax rate on certain services. | H Finance | Tarleton/Rolfes | Oppose |
| <u>HB 1348</u> B&O tax provisions Changes the business and occupation tax structure of manufacturers to encourage economic growth and lower the unemployment rate, especially in rural areas. Delays, from July 1, 2024, until July 1, 2056, the expiration date for the timber products business and occupation tax rate of the state forest practices habitat conservation plan. | H RDev, Ag&NR | Chapman | Support |
| <u>HB 1443</u> <u>(SB 5467)</u> Tax preferences/mass timber Extending the tax preferences in RCW 82.04.260(12). | H RDev, Ag&NR | Chapman/Liias | Support |
| <u>SB 5279</u> Outdoor burning Modifies the Washington clean air act. Requires the department of natural resources to develop policies that allow outdoor burning for the protection of life or property, and for the public health, safety, and welfare. Addresses a plan of the department of natural resources regarding silviculture forest burning, improving forest health and resiliency, restoring forest ecosystem functions, allowing for natural vegetation, and reducing fuel loads to address public safety and protect property from wildfire. | S Ag/Water/Natur | Van De Wege | Support |
| <u>SB 5597</u> Aerial pesticide application Creating a work group on aerial pesticide applications in forestlands. | S Ag/Water/Natur | Rolfes | Concerns |

Medium Priority Bills

| <u>Bill Details</u> | <u>Status</u> | <u>Sponsor</u> | <u>Position</u> |
|---|-------------------|----------------|-----------------|
| <u>SB 5241</u> Natural resources rulemaking Requires the department of natural resources and the forest practices board, before enacting a significant legislative rule, technical guidance documents, or habitat conservation plans, to identify the sources of scientific information relied upon by the agency in the course of preparing to take the activity. | S Ag/Water/Natura | Short | Support |

Low Priority Bills

| <u>Bill Details</u> | <u>Status</u> | <u>Sponsor</u> | <u>Position</u> |
|--|------------------|-----------------|-----------------|
| <u>HB 1088</u> Littering restitution Revises the waste reduction, recycling, and model litter control act regarding penalties and restitution. Requires the court, in addition to monetary penalties, to require a person to perform forty hours of community restitution removing litter from public property, private property, and/or state parks. | H Env & Energy | MacEwen | Support |
| <u>HB 1188</u> Rangeland fire associations Creates rangeland fire protection associations defined as a nonprofit that has entered into an agreement for the detection, prevention, or suppression of wildfires. | H RDev, Ag&NR | Dent | Support |
| <u>HB 1288</u> <u>(SB 5102)</u> DNR land acquisitions Addresses the restriction of certain public land acquisition processes and the encouragement of positive working relationships between private landowners and state agencies that manage public natural resource lands. | H Civil R & Judi | MacEwen/Sheldon | Neutral |
| <u>HJM 4000</u> <u>(SJM 8005)</u> Biochar Supports the continued research, development, production, and application of biochar from our forests and agricultural lands. | H RDev, Ag&NR | Shea/Short | Support |
| <u>SSB 5010</u> Protected lands/fire levies Addresses parcels of land that do not pay the forest fire protection assessment or a local fire district levy. | S Rules 2 | Rolfes | Support |

Monitoring Bills

| <u>Bill Details</u> | <u>Status</u> | <u>Sponsor</u> | <u>Position</u> |
|--|------------------|----------------|-----------------|
| <u>SB 5701</u> Authorizing the reconveyance of state forestlands to counties for the purpose of creating county-owned community forests. | | King | |
| <u>SJR 8204</u> Right to fish, hunt, etc. Amending the Constitution to guarantee the right to fish, hunt, and otherwise harvest wildlife. | S Ag/Water/Natur | Braun | |