

# WA Farm Forestry Association Legislative Report – Feb. 23, 2019

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The first legislative cutoff was Friday, while many bills died, many more remain alive. Any bill that has money attached to it remains alive for now. Fiscal committee cutoff is next week. That will shorten the list a bit more. All the bills listed are still active.

Elaine, Vic and Ken have done yeoman's work repeatedly testifying on our bills to analyze the state regulatory impact on small forest landowners. So far, the bills continue to move.

Various different groups have spent a great deal of time discussing community forests over the past two weeks. There are a multitude of ideas about what should, or should not, be considered a community forest, how they should be funded, whether or not they should be working forests or conservation land and many other questions. The Senate bill dealing with community forests was amended to be a pilot project. I expect more discussion on the future. Note that any new money coming out of the capital budget competes with FREP and FFFPP for funding.

SB 5597 establishes a legislative work group to develop recommendations for improving best management practices for aerial application of herbicides on state and private forestlands. The group is structured similarly to last summer's work group on pesticide application safety in agriculture. The group includes a variety of state agencies as well as timberland owners, environmental groups, an aerial applicator and others. The group must report the Governor, the Legislature, and the Forest Practices Board by November 10, 2019. The bill was improved from its original form but still contains some concerning language including accepting information from nongovernmental organizations.

Both versions of the Pesticide Application Safety work group bill remain alive after the first cutoff. Both bills were amended to add the Pacific Northwest Ag Safety and Health Center (PNASH) from the University of Washington to the committee and to remove the Poison Center. The advisory group to the committee will meet only as needed and then has the option of meeting by teleconference. This change was necessary to decrease the fiscal note.

The pollinator bill was amended to remove mention of any specific classes of pesticides and any mention of critical areas. It still includes language directing the department of agriculture to develop educational materials regarding best practices for avoiding adverse effects from pesticides to bees, honey bees, and other pollinating insects. The department of agriculture must also create and chair a pollinator health task force.

More bills have been introduced that would increase fuel taxes. Stay tuned for more about these in the weeks ahead.

As always, I welcome your questions and your input.

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## High Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<p><b>Working forests/real estate</b></p> <p><a href="#">HB 1011</a> Adding proximity to working forests to the residential real estate disclosure statement. 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.</p>	H Rules R	Reeves	Support
<p><b>Capital gains tax/prop. tax</b></p> <p><a href="#">HB 1172</a> <a href="#">(SB 5314)</a> Capital gains tax.</p>	H Finance	Santos	Oppose
<p><b>Fish barrier removal funding</b></p> <p><a href="#">HB 1228</a> <a href="#">(SB 5130)</a> Creates a graduated real estate excise tax.</p>	H Finance	Chapman	Oppose
<p><b>Small forest landowners</b></p> <p><a href="#">SHB 1273</a> <a href="#">(SSB 5330)</a> Analyzing state regulatory impact on small forest landowners.</p>	H Approps	Kretz	Support
<p><b>Revenue</b></p> <p><a href="#">HB 1343</a> <a href="#">(SB 5129)</a> Capital gains tax.</p>	H Finance	Tarleton	Oppose
<p><b>B&amp;O tax provisions</b></p> <p><a href="#">SHB 1348</a> 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.</p>	H Finance	Chapman	Support
<p><b>Tax preferences/mass timber</b></p> <p><a href="#">HB 1443</a> <a href="#">(SB 5467)</a> Extends business and occupation tax preferences for mass timber products.</p>	H Finance	Chapman	Support
<p><b>Pesticide application safety</b></p> <p><a href="#">SHB 1725</a> <a href="#">(SB 5550)</a> Implementing the recommendations of the pesticide application safety work group.</p>	H Approps	Dent	Support
<p><b>Revenue</b></p> <p><a href="#">SB 5129</a> <a href="#">(HB 1343)</a> Capital gains tax.</p>	S Ways & Means	Rolfes	Oppose
<p><b>Fish barrier removal funding</b></p> <p><a href="#">SB 5130</a> <a href="#">(HB 1228)</a> Creates a graduated real estate excise tax.</p>	S Transportation	Rolfes	Oppose
<p><b>Outdoor burning</b></p> <p><a href="#">SSB 5279</a> Regulating outdoor burning for the protection of life or property and for public health, safety, and welfare.</p>	S Ways & Means	Van De Wege	Support

<a href="#"><u>SB 5314</u></a> (HB 1172)	<b>Capital gains tax/prop. tax</b> Capital gains tax.	S Ways & Means	Wellman	Oppose
<a href="#"><u>SSB 5330</u></a> (SHB 1273)	<b>Small forestland owners</b> Analyzing state regulatory impact on small forest landowners.	S Rules 2G	Braun	Support
<a href="#"><u>SB 5467</u></a> (HB 1443)	<b>Tax preferences/mass timber</b> Extends business and occupation tax preferences for mass timber products.	S Ways & Means	Liias	Support
<a href="#"><u>SB 5550</u></a> (SHB 1725)	<b>Pesticide application safety</b> Creates the pesticide application safety committee and requires it to: (1) Explore how the department of agriculture, the department of labor and industries, the department of health, and the Washington poison center collect and track data; and (2) Consider the feasibility and requirements of developing a shared database, including how the department of health could use existing tools, to better display multiagency data regarding pesticides. Creates an advisory work group to collect information and make recommendations to the full committee on topics requiring unique expertise and perspectives on issues within the jurisdiction of the committee. Expires July 1, 2025.	S Ways & Means	Saldaña	Support
<a href="#"><u>SSB 5597</u></a>	<b>Aerial herbicide application</b> Creating a work group on aerial pesticide applications in forestlands. <b>Includes a small forest landowner on the work group.</b>	S Rules 2	Rolfes	Concerns

## Medium Priority Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>	
<a href="#"><u>SHB 1334</u></a> (SSB 5305)	<b>Electric utility wildland fires</b> Requires the commissioner of public lands to convene a utility wildland fire prevention task force with electrical power distribution utilities, and requires the task force to advise the department of natural resources on certain issues including electric utility wildland fire prevention. <b>Includes a small forest landowner on the work group.</b>	H Rules R	Blake	
<a href="#"><u>SHB 1546</u></a> (SSB 5547)	<b>Marbled murrelet strategy</b> Prohibits the board of natural resources from adopting a marbled murrelet long-term conservation strategy until the required analysis, mentioned below, has been finalized and made available for public review. Requires the joint legislative audit and review committee to analyze the harvest volume and revenue impacts of the department of natural resources' preferred alternative, alternative H, for the long-term conservation strategy to all department of natural resources' trust beneficiaries, including local governments and junior taxing districts.	H Approps	Blake	Support
<a href="#"><u>SHB 1784</u></a>	<b>Wildfire prevention</b> Concerning wildfire prevention.	H Approps	Kretz	Support
<a href="#"><u>SHB 1875</u></a>	<b>Ag. crop damage by wildlife</b> Concerning wildlife damage to agricultural crops.	H Approps	Eslick	Support

<a href="#"><u>HB 1921</u></a>	<b>Housing market</b> Addressing the regressive nature of the Washington state housing market.	H Finance	Frame	Concerns
<a href="#"><u>HB 1941</u></a>	<b>Wildfires impact review</b> Conducting a comprehensive review of the impact of catastrophic wildfires on communities as a means of improving government responses for the future.	H Approps	Kretz	Support
<a href="#"><u>SSB 5305</u></a> (SHB 1334)	<b>Electric utility wildland fires</b> Requires the commissioner of public lands to convene a utility wildland fire prevention task force with electrical power distribution utilities, and requires the task force to advise the department of natural resources on certain issues including electric utility wildland fire prevention. <b>Includes a small forest landowner on the work group.</b>	S 2nd RdConsCal	Van De Wege	
<a href="#"><u>SSB 5547</u></a> (SHB 1546)	<b>Marbled murrelet strategy</b> Prohibits the board of natural resources from adopting a marbled murrelet long-term conservation strategy until the required analysis, mentioned below, has been finalized and made available for public review. Requires the joint legislative audit and review committee to analyze the harvest volume and revenue impacts of the department of natural resources' preferred alternative, alternative H, for the long-term conservation strategy to all department of natural resources' trust beneficiaries, including local governments and junior taxing districts.	S Ways & Means	Van De Wege	Support
<b>Low Priority Bills</b>				
<b><u>Bill Details</u></b>		<b><u>Status</u></b>	<b><u>Sponsor</u></b>	<b><u>Position</u></b>
<a href="#"><u>SHB 1088</u></a>	<b>Littering restitution</b> Concerning repercussions for littering.	H Rules R	MacEwen	Support
<a href="#"><u>SHB 1110</u></a> (SB 5412)	<b>Greenhouse gas/transp. fuels</b> (1) Reduce levels of conventional air pollutants from diesel and gasoline that are harmful to public health; (2) Reduce greenhouse gas emissions associated with transportation fuels, which are the state's largest source of greenhouse gas emissions; and (3) Create jobs and spur economic development based on innovative clean fuel technologies. Requires the joint legislative audit and review committee to: (1) Analyze, by December 1, 2027, the impacts of the initial five years of clean fuels program implementation; and (2) Submit a report to the legislature that summarizes the analysis.	H Approps	Fitzgibbon	Concerns
<a href="#"><u>SHB 1188</u></a>	<b>Rangeland fire associations</b> Concerning rangeland fire protection associations.	H Approps	Dent	Support
<a href="#"><u>HB 1894</u></a>	<b>Wildland fire advisory comm.</b> Concerning additional temporary duties for the wildland fire advisory committee.	H Rules R	Dent	Support
<a href="#"><u>HB 1940</u></a>	<b>Wildland fire response/48 hr</b> Providing wildland fire response resources in the first forty-eight hours of a wildland fire.	H Approps	Kretz	Support

<a href="#"><u>SHB 1946</u></a> (SSB 5873)	<b>Community forests</b> Concerning community forests.	H Approps	Chapman	Concerns
<a href="#"><u>HJM 4000</u></a> (SJM 8005)	<b>Biochar</b> Supports the continued research, development, production, and application of biochar from our forests and agricultural lands.	H Rules R	Shea	Support
<a href="#"><u>SSB 5010</u></a>	<b>Protected lands/fire levies</b> Addresses parcels of land that do not pay the forest fire protection assessment or a local fire district levy.	H Local Govt	Rolfes	Support
<a href="#"><u>SSB 5873</u></a> (SHB 1946)	<b>Community forests pilot</b> Concerning community forests.	S Ways & Means	Hawkins	Concerns
<a href="#"><u>SB 5971</u></a>	<b>Transportation funding</b> Concerning transportation funding.	S Transportation	Hobbs	Concerns
<a href="#"><u>SJM 8005</u></a> (HJM 4000)	<b>Biochar</b> Supports the continued research, development, production, and application of biochar from our forests and agricultural lands.	S 2nd RdConsCal	Short	Support

## Other Bills

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<a href="#"><u>SHB 2047</u></a> <b>Carbon sequestration</b> Concerning carbon sequestration on natural and working lands as part of the state's climate change response.	H Approps	Ramos	