

LEGISLATIVE ANALYSIS SUMMARIES

HB1243 - Prohibiting the sale, donation or use of aborted fetal baby parts

Legislative Advisory: BCRP urges the adoption of this bill.

BCRP advises its legislative representatives to pressure the House Health Care and Wellness Committee to release this bill for further consideration and floor vote. Argument in Favor of the Action

- University of Washington's "Birth Defects Research Lab" is the largest bank of aborted baby parts in the country
- Washington State Legislators demanded that Attorney General Ferguson investigate whether Planned Parenthood was illegally profiting from the sale of aborted baby parts. However, Ferguson reported that nothing untoward was happening.
- As in other states, Washington's Attorney General Ferguson profits from Planned Parenthood's political gifts.
- University of Washington refused to release any documentation covering their dealings in baby body parts to Family Policy Institute of Washington under the Freedom of Information Act.
- After U.S. Senator Grassley's Investigative Panel reported, Senator Grassley was stirred to recommend criminal charges against four Planned Parenthood entities and three of their abortion industry allies.
- It is incumbent that a law be passed that disallows the grisly practice of selling aborted fetus body parts.
- Representatives Klippert and Haler helped to sponsor this bill.

HB2176 – Relating to real drivers' licenses and identi-cards

Legislative Advisory: BCRP Urges adoption of this bill

- Washington already offers, but does not mandate, REAL ID-compliant identification but the state still needs time to become fully compliant with the Department of Homeland Security's required Real ID required at airport checkpoints after Jan 22, 1018.
- In order for REAL ID to be issued certified identification must be presented.
- Homeland Security, which oversees the TSA, said it would begin enforcing a post-Sept. 11 law that required state-issued identifications to meet federal security standards enacted in 2005.
- If the state is given an extended grace period it will only be until October 2018.
- The state must re-issue driver's licenses and Identity Cards to replace old non-compliant ones.

BCRP urges this bill's introduction to the floor and its quick turn-around in Committee.

BCRP also urges our legislators to press for new voter registration which records only citizen voters.

HB1362 and SB5832 – Academic Bill of Rights

Legislative Advisory: BCRP urges the adoption of this bill.

This bill creates an official university policy that strongly affirms the importance of free expression, nullifying any existing restrictive speech codes in the process.

- It prevents administrators from disinviting speakers, no matter how controversial, whom members of the campus community wish to hear from.
- It establishes a system of disciplinary sanctions for students and anyone else who interferes with the free-speech rights of others.
- It allows persons whose free-speech rights have been improperly infringed by the university to recover court costs and attorney's fees.
- It reaffirms the principle that universities, at the official institutional level, ought to remain neutral on issues of public controversy to encourage the widest possible range of opinion and dialogue within the university itself.
- It ensures that students will be informed of the official policy on free expression.
- This bill deserves recognition as an essential step towards true diversity on college campuses where diversity has been sidelined for the sake of liberal close-mindedness.

HB2221 and SB5946 privatizing Evergreen State College over the course of five years

Legislative Advisory: BCRP urges the adoption of these bills.

- Evergreen State College is an example of tax-payers wasted dollars being used to indoctrinate students and promote restrictions that are aimed at shutting down free speech for dissenting opinions
- Establishing free speech zones and erecting administrative barriers to controversial speakers limit are unacceptable practices designed to underpin progressive beliefs and undermine conservative principles

Substitute SB 6105 - "Reproductive health access for all act."

Legislative Advisory: BCRP Urges rejection of this bill

This bill denies the freedom of conscious by giving the state the privilege of continuing to pay Planned Parenthood for abortions, and hormone therapy.

- Requires all insurance plans to cover abortion, contraception, and transgender hormones at no cost to the individual
- Requires employers that provide health insurance to cover abortion, contraception, including abortifacients, and transgender hormones violating the religious liberties of business owners who believe in the sanctity of life
- Creates an insurance mandate requiring pro-life Washington State taxpayers and business owners to pay for these sexual health treatment
- Force taxpayers to fund the creation of another government program to pay for sexual health treatments, including abortion, contraception, and transgender hormones and sex-change operations of illegal aliens

SHB 2214 Removing the prohibition on planning for a nuclear attack in emergency management plans

Action – Legislative Advisory: BCRP Urges adoption of this bill

- Current RCW prohibits the evacuation or relocation of residents in anticipation of a nuclear attack. This legislation removes that prohibition
- Passage of this bill would require that Emergency plans address actions to be taken in the event of nuclear attack
- Passage of this bill would also require that emergency plans address actions to be taken in the event of a nuclear initiated Electromagnet Pulse Attack
- The primary purpose of establishing governments is to provide for the mutual protection of citizens;
- There is the potential for either natural or human caused catastrophic events to threaten the lives, livelihood, and property of the citizens
- governmental entities at all levels must plan and prepare to manage catastrophic emergencies in order to maintain public safety and civil order;

SHB 2263 Requiring Continuity of Government During Emergency Periods

The proposed changes increase clarity of responsibility and therefore accountability at all levels of State and Local government and require these entities to prepare plans and take appropriate actions to assure continuity of operations and government.

Legislative Advisory: BCRP urges adoption of SHB 2263

- **BCRP urges deletion of the following sentence in Subsection 3 of RCW 38.52.030: "*The comprehensive, all-hazard emergency plan authorized under this subsection may not include preparation for emergency evacuation or relocation of residents in anticipation of nuclear attack.*"**
- The primary purpose of establishing governments is to provide for the mutual protection of citizens;

- There is the potential for either natural or human caused catastrophic events to threaten the lives, livelihood, and property of the citizens
- governmental entities at all levels must plan and prepare to manage catastrophic emergencies in order to maintain public safety and civil order;
- HB 2263 clarifies the responsibility of all levels of government in our state to plan and prepare for catastrophic emergencies;

HB 1692 and HB 1692-S, Classifies Marijuana as an agricultural product

This bill revises the definition of farm products in the RCW. Marijuana and marijuana-infused products are reclassified to be agricultural and forest practices. Currently, marijuana is specifically restricted from being considered an agricultural product. The proposed bill would limit the community from filing nuisance lawsuits to objectionable odors or other activities associated with the production and processing of marijuana.

Legislative Advisory: BCRP urges the rejection of this bill.

- Adds marijuana, useable marijuana, and marijuana-infused products to the list of farm products whose production constitutes an "agricultural activity" so as to be presumed reasonable and not a nuisance.
- Provides that, for purposes of nuisance law, "agricultural activities" involving marijuana, useable marijuana, or marijuana-infused products are considered to have been established before surrounding nonagricultural and non-forestry activities if the activity was licensed by the Washington State Liquor and Cannabis Board before the effective date of the act.
- Modifies the business and occupation tax definition of "agricultural products" to remove the exclusion for marijuana, useable marijuana, and marijuana-infused products.

HB 1245 Provides tax incentives for labeling food products as genetically engineered, bioengineered, non-GMO products

This bill "provides a B&O tax credit of ten thousand dollars, product lines, per taxable year, for voluntarily labeling products with respect to non-genetically modified, genetically engineered, bioengineered, or products produced outside the United States.

Legislative Advisory: BCRP urges the rejection of this bill.

- This bill is a back-door attempt, through tax credits, at labeling genetically modified foods or those that may have components from genetically modified crops. This action was unsuccessfully attempted through Initiative 522 (2013).
- FDA, USDA and other food safety organizations have determined that genetically modified crops are safe for consumption.
- Using the tax credits to encourage labeling food produced outside the US is a violation of World Trade Organization agreements.
- While this bill may sound well intentioned it runs afoul of good science and international trade regulations.
- SB 6203 Establishes a tax on carbon dioxide emissions

Establishes *a tax on carbon dioxide emissions*, starting at \$20/ton, from fossil fuels and electricity from fossil fuel powerplants; increases annually by Consumer Price Index + 3.5%; projected revenues exceed \$800M annually by 2021. The bill also exempts agriculture, certain energy intensive manufacturing, and aviation uses of fossil fuels.

Legislative Advisory: BCRP urges legislators to oppose all bills implementing Carbon Taxes - SB 6203, SB 6096, SB 6335 and others that would establish a tax on carbon dioxide emissions.

- **If Carbon Tax bills cannot be defeated then try to amend the bills to earmark all revenues for development of alternatives to carbon-based energy system, with priority on activities that would additionally support energy independence by reducing demand for imported oil (e.g., charging stations for electric vehicles, hydrogen fuel cell vehicle fueling stations).**

- BCRP Platform: “We endorse the use of sound scientific, economic, and engineering principles in the analyses of, and solutions to, environmental problems. We encourage a wide range of economic incentives and disincentives, provided that they are consistent with a strong preference for market-based solutions, small government, and personal responsibility...”
- SB 6203 would direct 50% of the carbon tax revenues to be distributed to non-energy related pursuits:
 - Water and natural resource resilience (35%) – other environmental initiatives for clean water & habit preservation
 - Transition (15%) – cost offsets to disadvantaged individuals impacted by higher prices
- The imposition of an escalating carbon tax could have a detrimental effect on our state economy
- Industry believes that this bill, if passed, would be preferable to the results of an environmental activist crafted Initiative, the environmental activists are pressing progressive state representatives to make the bill more punitive to industry.
- If this bill is defeated, Republicans can take the lead in finding free-market solutions such as supporting the development of a hydrogen-based energy infrastructure.

Internal Recommendation:

- BCRP can establish a working group to examine energy and climate issues and provide advice to BCRP and the Washington State Republican Party. The working group can help prepare arguments against punitive approaches such as Carbon Taxes or Cap and Trade and also develop alternative solutions that propose funding and facilitating the transition from carbon-based infrastructure to alternatives such as hydrogen-based infrastructure.
- Benton County includes a substantial number of individuals with expertise in relevant areas:
 - **Climate scientists** – many of whom are concerned about the rate of global warming and believe that the predominant cause by increases in atmospheric CO₂ (and other greenhouse gases) and
 - **Energy technology experts** -- whose expertise includes non-carbon and lean-carbon energy conversion systems as well as the economics of energy systems, who are capable of being tapped to deliver expertise advice on climate change and potential mitigations solutions.

HB 2336 regarding prohibitions, rights, and responsibilities of local governments with regard to the production, processing, or sale of marijuana.

This bill has three major components.

- First, it usurps local officials (city councils, county commissions) authority to enact bans on recreational marijuana activities including production, processing and retailing.
- Second, it requires that should the local officials desire to enact a ban, it must be put before the people as a ballot measure and narrowly defines who may vote on such measure.
- Finally, should a ban be passed by the voters, it directs the LCB not to issue or renew a marijuana-related license in the affected jurisdiction area.

Legislative Advisory: BCRP urges legislators to oppose this bill.

- Not a good bill in that the state seizes control from local jurisdictions but at least provides a vehicle to get a prohibition in place that has real teeth. Note: Presently cities such as Richland and Kennewick have bans, but the Liquor Control Board continues to approve and re-issue licenses, those these businesses are prevented from operating due to the lack of business licenses being issued.
- This bill is a double-edged sword. On the negative side, it usurps local officials from exercising their authority given to them in the State Constitution, Title XI, Section 11. In effect, the legislature is saying only it has the authority to regulate recreational marijuana. While this bill does provide a vehicle to enact bans, it narrowly

restricts those ballot measures to the specific jurisdiction affected and pays no heed to neighboring stakeholders.

- On the positive side, this bill does provide for the abatement of recreational marijuana businesses should a ballot measure banning them be passed by the voters by directing the LCB not to renew a license.

HB 2301 appropriate moneys from marijuana tax revenues to fund legal fees for indigent defendants in criminal cases

This bill directs all excise tax proceeds from marijuana sales within a county to be used exclusively for the purposes of funding legal services for indigent defendants.

Legislative Advisory: BCRP urges legislators to oppose this bill.

- This bill is bad for the simple reason that the legislature is directing how a county can spend its tax revenues thus eroding the tenants of governance at a local level. However, this is not an uncommon practice (earmarks funds) and further research needs to be conducted to determine whether or not counties prefer this concept as legal services consume considerable finance resources.

HB 2471 Relating to establishing state preemption of local government regulation of medical marijuana cooperatives

This bill usurps local officials (city councils, county commissioners) authority to enact bans on medical marijuana.

Legislative Advisory: BCRP urges legislators to oppose this bill.

- This bill usurps local officials from exercising their authority given to them in the State Constitution, Title XI, Section 11. In effect, the legislature is saying only it has the authority to regulate medical marijuana.
- The bill affords no mechanisms for local governments to manage this situation.

HB 2559 Relating to home cultivation of marijuana

This bill authorizes growing of up to six marijuana plants in a housing unit for recreational purposes. The bill also increases the amount of recreational marijuana in personal possession from 16 ounces to 24 ounces.

Legislative Advisory: BCRP urges legislators to oppose this bill.

This bill is absurd for two reasons.

- First, it affords no protections on protected classes such as schools, parks, playgrounds, etc. that are currently in-place for licensed marijuana producers. (This includes fencing/barriers to keep it out of sight).
- Second, simple logic dictates that “home grows” will threaten the tax revenue generated through the current regulated recreational marijuana trade.

HB 2124 Prohibiting the use of public resources to assist the federal government in any activity that might impede or interfere with revenue to the operating budget

Prohibits public employees from assisting or expending state resources to knowingly aid or assist the federal government with respect to an activity or inquiry related to a federal action or effort that results in the loss of revenue through interference with the state's marijuana market.

Legislative Advisory: BCRP urges legislators to oppose this bill.

- This is perhaps the most absurd bill of all as it effectively induces public employees (anyone who works for state or local governments, including law enforcement) to obstruct justice by not-cooperating with a Federal law enforcement action that could result in diminished tax revenues from recreational marijuana. For example, let's say that a person who owns a marijuana retailer is under investigation for non-marijuana related offences and a court order is issued to produce certain records to pursue the investigation and ultimately, the person under investigation is prosecuted and, as a result closes the retail store. The government employee fulfilling that records request is subject to disciplinary action including termination.

SB 5722 - Restricting the practice of conversion therapy

This Bill claims that it is "unprofessional conduct for any license holder" to perform "conversion therapy" on any patient under the age of eighteen. ("Conversion therapy" means a regime that seeks to change an individual's sexual orientation or gender identity.

Legislative Advisory: BCRP urges legislators to oppose this bill.

- The meaning of "Conversion therapy" used in the law is actually "any regime that seeks to help an individual who has questions as to whether or not to change their orientation and identity.")
- This bill should be withdrawn from the floor on the basis that the state's preferences do not rule over parent permissions in matters of health care for their own child. Nor does the state have the right to help homeless students decide to make a gender changes in their own lives under the age of 18.
- This bill is an affront to parental authority. The state should never be allowed to limit parental options to better understand and make informed decisions that are appropriate to parent responsibilities. Especially when the state has chosen a path that would precludes a balance in weighting the decision fairly, objectively, completely and healthily.

Second Amendment, Gun Rights Bill Advisory Summaries

Legislative Advisory: BCRP urges legislators to oppose the following bills

HB 1134, Assault Weapons Ban

Prohibits a person, unless certain conditions are met, from manufacturing, possessing, distributing, importing, transferring, selling, offering for sale, or purchasing an assault weapon or large capacity magazine.

SB 6049, High Capacity Magazine Ban

- Prohibits a person from manufacturing, possessing, distributing, importing, transferring, selling, or purchasing, a large capacity magazine.
- Defines "large capacity magazine" as an ammunition feeding device with the capacity to accept more than ten rounds of ammunition.

SB 5992, "Trigger devices" ban

Addresses the use and possession of a trigger modification device.

HB 1122 & SB 5463, Safe Storage of Firearms

- Addresses community endangerment due to unsafe storage of a firearm in the first and second degree.
- Requires a firearms dealer, when selling a firearm, to offer to sell or give the purchaser a locked box, a lock, or a device that prevents the firearm from discharging.

HB 1387 & SB 5444, Assault Weapons Background Check

- Requires a person to be in possession of an assault weapon license in order to possess, manufacture, transport, purchase, acquire, transfer, deliver, import, sell, or offer to sell an assault weapon or large capacity magazine.

- Requires the chief of police of a municipality or the sheriff of a county, within thirty days after the filing of an application of a resident of this state, to issue an assault weapon license for a period of one year from the date of issue.
- Prohibits a resident of a state other than this state from purchasing an assault weapon or a large capacity magazine in this state.

HB 1483, Allows Destruction of Forfeited Firearms

Revises firearms and dangerous weapon provisions with regard to giving the Washington state patrol the option to destroy a forfeited firearm.

HB 2293, Firearms in Daycare Facilities ban

Prohibits a person from carrying onto or from possessing on licensed child care center premises, child care center provided transportation, or areas of facilities while being used exclusively by a child care center: (1) Any firearm; (2) Any other dangerous weapon as described in RCW 9.41.250; (3) Any air gun, including any air pistol or air rifle; (4) Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun; or (5) Any device, object, or instrument that is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse.

SB 5795, Mandatory Firearm Liability Insurance

- Prohibits a person from purchasing a firearm unless, at the time of the purchase, he or she presents to the seller proof that he or she is covered by a qualified liability insurance policy.
- Prohibits a person from selling a firearm unless, at the time of the sale, he or she verifies that the purchaser is covered by a qualified liability insurance policy.

Legislative Advisory: BCRP urges legislators to adopt the following bills

HB 1380, Repeal of I-594 Background Checks

Repeals provisions on background checks for gun sales and transfers relating to Initiative Measure No. 594.

HB1725-594, Exemption for concealed pistol license holders

Exempts the following from requirements on sales, transfers, and background checks regarding a firearm: The sale or transfer of a firearm where the seller or transferor and the purchaser or transferee both possess a valid concealed pistol license.

HB 1731 Exempts flare guns & power tools and special case temporary transfers of weapons

- Exempts the following from the definition of "firearm" for purposes of chapter 9.41 RCW (firearms and dangerous weapons): A flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes.
- Exempts the following from the definition of "transfer" for purposes of chapter 9.41 RCW (firearms and dangerous weapons): The delivery of a firearm owned or leased by an employer to, or return of the firearm by, any of the employer's employees for lawful purposes in the ordinary course of business.
- Exempts a temporary transfer of possession of a firearm from background checks and other firearm-related requirements if: (1) The temporary transfer is intended to prevent suicide or self-inflicted great bodily harm; (2) The temporary transfer lasts only as long as reasonably necessary to prevent imminent death or great bodily harm; and (3) The person to whom the firearm is transferred is not prohibited from possessing firearms under state or federal law.

Other Bills of Interest

SSB 6021 An act relating to extending the period for voter registration

- Authorizes voter registration by mail or electronically up to eight days before an election.
- Authorizes in-person voter registration and voter registration updates up to 8:00 p.m. the day of the election.
- Directs county auditors to accept in-person voter registration at certain sites.
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Legislative Advisory: BCRP urges legislators to oppose this bill

- Allowing voter registration on election day would be problematic without increased staff and funding to safeguard the voting process.
- The current voting laws and voter registration deadlines are adequate although stricter voter ID laws are needed to minimize voter fraud.

HB 2675 Modifications to Irrigation District election processes

- Modifies the statutes relating to elections in irrigation districts to correspond with the general election laws.
- Requires county auditors to administer all elections relating to irrigation districts.
- Requires the board of county commissioners to pass a resolution for the purpose of creating an irrigation district.
- Requires voting in an irrigation district to be completed by a mailed ballot issued by the county auditor rather than at a polling place.
- Requires the county auditor, rather than a board of election, to canvass returns to determine irrigation district results.

Legislative Advisory: BCRP urges legislators to adopt this bill

- Irrigation districts such as KID have a wide range of activities and provided a myriad of services which they can fund through fees, charges, and assessments.
- However, irrigation districts do not have the authority to impose property taxes.
- Having the county auditors administer all elections pertaining to irrigation districts are more convenient for those living in an irrigation district and less likely for potential abuse.