

POLICY NOTE

Washington Policy Center victories in the 2022 legislative session

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Key Findings

1. The 2022 Washington state legislative session convened on January 10th and adjourned on March 10th.
2. Washington is one of 14 Democratic “trifecta” states, in which Democrats control the governor’s office, the state House and Senate.
3. Throughout the session, Washington Policy Center’s independent experts provided in-depth analysis about the helpful or harmful effects many bills would have if they were enacted.
4. Although the current Democratic majority in the state legislature generally does not support free market principles, WPC’s policy recommendations were often reflected in legislative outcomes.
5. Lawmakers adopted a WPC recommendation to postpone imposing a new payroll tax and move toward full repeal.
6. Lawmakers dropping imposition of 2.5-cents-per-mile mileage tax on drivers.
7. Lawmakers cut \$298 million in wasteful spending from the education bureaucracy.
8. Lawmakers preserved a key safeguard in law that provides property tax protection for homeowners.
9. WPC will continue to promote commonsense reforms that improve the lives of everyone living in Washington state.

Introduction

The Washington State Legislature convened on January 10th, 2022 for a scheduled 60-day session. Lawmakers adjourned as planned on March 10th. Washington is one of 14 Democratic “trifecta” states, in which Democrats control the governor’s office, the state House, and the state Senate. In addition, the Democrats have held the governorship in Washington for 40 years, longer than in any other state.

Although Democrats generally do not support free-market principles, a number of enacted bills reflect Washington Policy Center’s research and recommendations.

For a second year, legislative action and committee hearings were conducted online. WPC analysts were fully involved in a wide range of issues throughout the session, providing expert testimony and timely published analysis of bills as they were scheduled for consideration.

WPC experts testified by invitation 40 times before legislative committees, published 17 Legislative Memos, wrote twice-weekly news articles, spoke on radio and TV news shows and distributed 136 blogs on social media. In addition, WPC hosted a two-day online Solutions Summit the week before the session started, and provided weekly video updates of legislative actions. WPC experts also worked with individual lawmakers in response to requests for research.

Following are 33 examples, presented in random order, of policy decisions made by the legislature that either adopted reforms recommended by WPC or defeated proposals that WPC had recommended against passing.

Legislative victories that reflect Washington Policy Center recommendations

1. Remote testimony service to the public.

WPC has long recommended allowing the public to participate in public hearings and work sessions without having to drive to Olympia in winter weather. This year legislative leaders, in response to the governor’s COVID-related restrictions, announced that full participation by remote testimony would be allowed. This policy was continued again this year for the 2022 session. As COVID mandates end and the legislature returns to in-person meetings, it is likely the WPC-recommended remote

testimony policy will continue to allow the public greater access to their elected representatives.

2. Delay of new payroll tax.

Just 17 days into the session, the first bill that lawmakers passed and Governor Inslee signed was HB 1732, to delay for 18 months the unpopular Long-Term Care payroll tax. This bill implements WPC's recommendation that workers not be forced to pay a heavy new tax of 58 cents on every \$100 earned for a harmful and inadequate government program. The socialist long-term care tax is delayed until July 2023. WPC will continue to recommend repeal of this unpopular program.

3. Cutting \$75 million in wasteful spending.

In his budget, Governor Inslee proposed spending \$100 million on subsidies to owners of electric vehicles. A WPC analysis published on January 19th showed that most of the subsidy would go to people living in the wealthiest zip codes, with almost no benefit to working families or the environment. Funding for the subsidy was cut by 75% to \$25 million, helping reduce wasteful spending in the budget.

4. Providing fair funding for charter school children.

A state discrimination policy denies equal funding to children who attend public charter schools. At the start of the session, the legislature followed a policy of cutting charter school funding by about \$2,300 per child. WPC analysis of academic gains indicated the state should provide equal funding and recommended that lawmakers work to close the gap. A line item was added to the budget that provides an additional \$1,600 per student to charter schools. WPC will continue to work for equal funding for charter school children.

5. Cutting regulations to help people leaving prison find work.

HB 1874 was drafted based on WPC's research work and was introduced on January 11th by Rep. Brandon Vick (R – 18th District). A WPC Legislative Memo published on February 8th showed lawmakers how the bill would reduce state-imposed license requirements and other regulatory barriers to employment for people who had completed a prison sentence. The bill passed a vote of 96 – 1 in the House and 49 – 0 in the Senate and was signed by Governor Inslee on March 11th.

6. Cutting \$298 million in waste from the education bureaucracy.

A bill to funnel more money into the education bureaucracy, SB 5563, was pre-filed on December 20th by Sen. Lisa Wellman (D – 41st District). The bill's fiscal report revealed it would cost taxpayers \$644 million. Research published by WPC on January 20th showed that not only is current education spending at a record-high, over \$17 billion a year, but public school costs are down as a result of over 41,000 students leaving the system over the previous year. Since classrooms have more empty seats, the WPC analysis revealed that all of SB 5563's funding would go to administration. On February 17th the bill died in the Senate Rules Committee. Later, Democrats added \$346 million for schools to the budget, resulting in a net savings of \$298 million over the original proposal.

7. Enacting 28 local income tax bans.

WPC has provided research, data sources and model bill language to local government officials who want to enact a ban on a local income tax. The research work by WPC is in response to Seattle's recent effort to impose a local income tax on its residents. WPC's latest report on this successful tax-limitation movement was published on February 8th. So far officials in 28 local governments, 16 cities and 12 counties have passed the local income tax ban.

8. State commission rejects imposing a state income tax.

On March 30th the official Washington Tax Structure Work Group voted to end all discussion of imposing a state income tax and to remove the tax from the list of recommendations under consideration. The formal decision comes after extensive research published by WPC showed the widespread economic harm, loss of jobs and loss of investment that would occur in Washington if elected leaders imposed a state income tax.

9. Defeated a state capital gains income tax.

In 2021 the legislature enacted the first-ever state income tax in Washington, SB 5906, imposed on earnings from capital gains. Three citizens, all members of WPC, challenged the measure in court. Research provided by WPC experts was introduced in the case and showed that 49 state treasurers, the District of Columbia and the IRS all identify a capital gains tax as an income tax. Based on these findings the Douglas County Superior Court struck down the bill as unconstitutional. The court ruling quoted at length from WPC studies on the issue. The case is on appeal, and lawyers indicate they will continue to use WPC research in presenting legal arguments against a state income tax.

10. Protecting parental rights over child health care decisions.

On April 13th the State Board of Health voted not to require all children in Washington to receive a shot of the experimental COVID-19 vaccine as a condition of attending school. WPC research concluded that vaccination does not stop the spread of disease, that many children have natural immunity, and that many parents are concerned about the long-term health effects of the shot in children. WPC recommended patient-centered care over imposing top-down mandates. WPC research concluded that the most effective public health policy is making the vaccine widely available on a voluntary basis.

11. Allowing consumers to use blockchain technology to protect the environment.

A bill pre-filed on December 10th by Senator Sharon Brown (R – 8th District) would create a state task force in support of allowing consumers to use blockchain technology. A WPC analysis published on February 1st showed how blockchain allows consumers to use voluntary, free market methods to connect directly with producers to reduce waste and protect the environment. The bill passed by wide margins in the House and Senate and was signed by the governor on March 30th.

12. Protecting the Snake River dams.

On February 10th WPC's environmental policy expert published a commentary dispelling the myths about the Snake River dams. The fact-based research summarized for lawmakers the extensive environmental, agricultural, transportation, employment and overall economic benefits provided by the four Snake River dams. The commentary explained how efforts to destroy the dams are particularly targeted against people living in rural communities. No bill to tear down the dams moved in the legislature this session. Separately, the city council of Sammamish defeated a local measure calling for destruction of the dams.

Harmful legislation that did not pass, in accord with Washington Policy Center analysis and recommendations

1. Protecting the public's right to talk about elections.

In January Governor Inslee proposed a bill, SB 5843, to make it a crime to talk about the election process or election results in a way that state officials consider "false." The Governor pushed hard for the bill at a press conference, in public statements and in a hearing on his bill before the Senate Government and Elections Committee on January 28th. WPC published a Legislative Memo analysis of the bill, highlighted its violation of core First Amendment protections, and spoke out publicly in defense of free speech. The bill later died in the Senate Rules committee.

2. Taxpayer protections against property tax increases.

HJR 4200 was introduced on January 15th by Rep. Monica Jurado Stonier (D – 49th District) and sought to repeal a provision of the state constitution that protects homeowners and other property owners from high property taxes. It would have lowered the percentage of the public vote needed to impose a new school levy from 60% to 50%. WPC published a Legislative Memo analysis of the bill on January 20th. The bill later died in the Capital Budget Committee.

3. Stopping a ban on citizen initiatives in odd-numbered years.

A bill introduced on January 10th by Rep. Mia Gregerson (D – 33rd District), HB 1727, sought to cut voter access to popular initiatives in half by banning all statewide ballot measures in odd-numbered years. A WPC analysis published on January 14th showed the ban would harm democracy and undermine the public's confidence that elected officials were listening to their concerns. On February 22nd the bill died in the House Rules Committee.

4. Preventing a 20% cut in classroom instruction time.

A bill introduced by Sen. Manka Dhingra (D – 45th District) sought to close classrooms to students for one day a week and cut in-person instruction time by 20%. The reduction would come at a time when public teacher salary and benefits average \$120,000 for a ten-month work year. On January 18th WPC published an analysis showing how the bill would harm students. The measure later died in the Senate Early Learning and K-12 Education Committee.

5. Stopping the wasteful “net-zero” home construction mandate.

On January 10th Rep. Davina Durr (D – 1st District) introduced HB 1770, to require all new homes to be wired for solar power and to meet harsh “net-zero” carbon emission standards. On February 10th WPC published a bill analysis showing that the Pacific Northwest is the worst region in the country for solar power and that the bill’s rules would take 100 years to reduce an equivalent amount of emissions using alternative technologies. On March 10th the bill died in the House Rules Committee.

6. Advocated against a mileage tax being on drivers to pay for public transit.

On January 28th Rep. Emily Wicks (D – 38th District) introduced HB 2026 to impose a new tax of 2.5 cents per mile on all drivers in Washington state. A WPC Legislative Memo showed how the bill would hurt the economy, place an unfair burden on the traveling public and would fail to protect revenue for road construction and maintenance. The bill died in the House Transportation Committee.

7. Protecting access to rental housing.

On January 11th Rep. Strom Peterson (D – 21st District) introduced HB 1904. The bill would impose strict rent control statewide by banning any rent increase of more than 3% a year, regardless of housing costs, inflation or other economic conditions. Anyone convicted under the bill would have been subject to triple financial penalties. The day after it was introduced WPC published an analysis of the harm the bill would cause to property rights and access to rental housing. The bill died in committee on February 22nd.

8. Protecting employers from “bounty hunter” lawsuits.

On January 5th Rep. Drew Hanson (D – 23rd District) introduced HB 1076 as a pre-filed bill. The bill would have allowed anyone, not just an employee, to file a lawsuit against any company or employer in return for a financial bounty of 40% of any money awarded by a court. On January 21st WPC’s Small Business expert distributed an analysis of the bill to all legislators, the media and the public. The bill died when the legislature adjourned on March 10th.

9. No statewide soda tax.

SB 5371 was introduced in the 2021 session by Sen. June Robinson (D – 38th District) to impose the unpopular and regressive Seattle soda tax on the entire state. The bill was reintroduced by resolution in the 2022 session and referred to the Senate Health and Long-Term Care Committee. On March 3rd WPC published updated research based on peer-reviewed data showing how the soda tax fails to deliver a public health benefit and harms small businesses in low-income communities. The bill died when the legislature adjourned.

10. Defunding biased farm study.

On January 7th Rep. Lillian Ortiz-Self (D- 21st District) pre-filed a bill to pay a left-wing activist group state money for a “study” of farmworker safety conditions.

Research by WPC showed that three fully-funded state agencies already monitor farm-safety conditions. Analysis showed HB 1843's narrow targeting would lead to sample bias and would interfere with worker contacts with elected representatives. The bill would also have introduced a politically-activist third party in dialog between farmers and farmworkers. The bill died in the House Workplace and Standards Committee.

11. Protecting ethical fur producers.

HB 1718 was introduced on January 10th by Rep. Amy Walen (D – 48th District) to target Washingtonians living in rural communities engaged in the ethical production of fur products. The sponsor from an urban district sought to pass moral judgment on these communities without recognizing their professional practices or their economic contributions. A WPC analysis published on January 12th pointed out the flaws and false statements in the bill. The measure died in the House Rural Development, Agriculture and Natural Resources Committee.

12. Defeated harsh stream buffer bill.

On January 10th Rep. Debra Lekanoff (D – 40th District) introduced HB 1838, to ban farming and food production on agricultural land within a wide buffer along streams throughout the state. The bill was targeted specifically against people living in rural communities. On January 18th WPC published an analysis showing the flaws in the surveys used to create the buffer area and noted the significant risks to the state's food supply. The bill died in the House Committee on Rural Development, Agriculture and Natural Resources Committee. A companion bill, SB 5727, died in the Senate Agriculture, Water, Natural Resources and Parks Committee.

13. Preventing cuts in nursing services.

On January 7th Rep. Marcus Riccelli (D – 3rd District) introduced HB 1868, to cut nursing services by reducing work hours, limiting time with patients and imposing harsh restrictions on nursing schedules in hospitals and clinics. A WPC analysis published on February 8th showed how the bill would harm patients and reduce quality and access to health care. On March 10th the bill died in the House Rules Committee.

14. Protecting public safety in rural communities.

On December 29th Sen. Kevin Van De Wege (D – 24th District) introduced SB 5613, a bill to ban county officials from using specially-trained dogs to locate and manage problem animals such as bears, coyotes and cougars. Some of these predators have demonstrated behavior that poses a threat to the lives of children, household pets and livestock. The bill was drafted to target people living in rural communities. On February 16th WPC published an analysis showing the bill would prevent public safety officials from using best practices to protect the public. On March 10th the bill died in the Senate Rules Committee.

15. Stopping job-killing workplace rules.

Nearly 20 years ago voters soundly rejected imposing job-killing ergonomic rules proposed by the Department of Labor and Industries. This year on January

7th, Rep. Dan Bronoske (D – 28th District) introduced a bill to impose the rules anyway. A WPC analysis published on March 3rd showed lawmakers how harmful the bill would be to Washington’s working families, and how it would impose additional hardship at a time of recent economic shutdowns and rising inflation. The bill later died in the House Rules Committee.

16. Keeping energy generation affordable.

On January 31st Sen. Reuven Carlyle (D – 36th District) introduced SB 5967, a bill to make energy generation more costly by imposing a new state tax on investing in the modernization and expansion of fossil-based energy production. On March 9th a WPC analysis showed how the bill would reduce investment in electricity for homes, schools and factories. The analysis showed the bill would particularly harm people living in less-developed countries in Africa and other regions of the global south by basically telling them to “stay poor”. The bill died in the Senate Ways and Means Committee.

17. Defeating special state commission to oversee rural communities.

On March 4th Rep. Sharon Shewmake (D – 42nd District) introduced HB 2136, a bill to create a special 13-member State Rural Commission appointed to “serve at the pleasure of the governor” to oversee people living in small towns and on farms. On March 9th WPC published an analysis showing that people living in rural areas feel their primary problem is not the lack of a special oversight commission but that their everyday concerns are ignored by the governor. The strong public reaction led to the bill being killed in the State Government and Tribal Relations Committee.

18. Shutting down biased state study intended to hurt farmers.

On January 7th Rep. Lillian Ortiz-Self (D – 21st District) pre-filed HB 1847, a bill to direct a state agency to conduct a flawed “study” of employment practices on Washington farms. On the same day, WPC published an analysis that informed lawmakers the bill would recruit political advocacy groups to produce a biased study intended to hurt farm families and rural communities. The bill died in the House Labor and Workplace Safety Committee.

19. Defeating an unconstitutional tax on the residents of other states.

On February 10th Rep. Jake Fey (D – 27th District) introduced HB 2119, a bill to impose a 6-cent-a-gallon tax on the residents of states that import gasoline and other fuel products from Washington oil refineries. On February 10th WPC published an analysis showing the bill violated the interstate commerce clause of the U.S. Constitution and noted that lawmakers of one state are not allowed to impose taxes on people living in other states. WPC recommended the tax “be eliminated from further consideration.” Lawmakers had included the bill in a larger transportation measure, but in late February the provision was dropped. The underlying bill, HB 2119, died in the House Rules Committee.

20. Helped expose flaws in a ballot initiative to ban private health insurance.

In April 2021 the far-left group Whole Washington filed Initiative 1362, to ban private health insurance and impose a mandatory socialized health care system



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on Washington residents. WPC published research showing the failure and unpopularity of similar proposals in other states, citing data from Hawaii, Vermont and California as examples. Initiative 1362 was withdrawn after organizers found they could not gather enough voter signatures to qualify for the ballot. The initiative effort was re-started in March 2022. WPC researchers will continue to inform the public about how socialized health care would harm to the people of our state.

21. Protecting rural farmland from over-regulation.

On January 10th HB 1117 was re-introduced by Rep. Debra Lekanoff (D – 40th District) after it failed to pass in the 2021 session. The bill was intended to impose a “net ecological gain” rule on farmers and other landowners in an effort to restrict the production of food in rural areas of the state. WPC published an analysis of the bill on February 10th, with additional information published on February 24th. WPC research demonstrated the harmful aspects of the bill, especially to people living on farms and in small communities. Early roll call votes indicated the bill was favored for passage. On February 28th, however, House leaders decided to kill the bill in the Senate Ways and Means Committee.

Conclusion

Although the current legislative majority often does not support free-market principles, Washington Policy Center’s analyses and recommendations were often reflected in legislative outcomes. WPC’s high-quality and fully sourced work is available to members of both parties and the general public and provides sound policy recommendations that enjoy broad popular support.

Individual bills are passed or defeated for many reasons, not only because WPC analyzed them. Still, WPC’s independent experts provide lawmakers, legislative committees, the media, and engaged citizens with timely in-depth analysis about how beneficial or harmful a bill would be if it were enacted.

Throughout the year, Washington Policy Center will continue to promote commonsense reforms that cut waste and increase the benefit of public services, reduce the tax burden government officials impose on people, and improve the lives of everyone living in Washington state.