“Democracy & Climate Reform”

Presentation to *Fix Democracy First!*

April 14, 2021

(John Stafford)

Objectives

- Overview of Climate Change Legislation in “Olympia”
  - Where do Things Stand?
- Comments that Link Climate Change to Elections/Special Interests/Lobbying/Etc.
- Discussion of Themes
- A Lot of Information, But Organized to be Accessible

Session Background

- State Operates on Biennium Basis
  - This is Long Session (105 Days), Next Year is Short Session (60 Days)
- Session Coming to An End on April 25
  - Day 94/105
- Three Budgets and 1,000+ Bills To Consider
- Bills are Supposed to Be Passed By Both Chambers by Now
  - Exceptions for Budget Bills
- Democratic Trifecta in Olympia
- Session on Zoom
  - Bill “Throughput” Limitations

Agenda

- HIGH PRIORITY CLIMATE CHANGE BILLS
- LOWER PRIORITY CLIMATE CHANGE BILLS
- DEAD CLIMATE CHANGE BILLS
- OTHER PRIORITIES RELATED TO CLIMATE CHANGE
- THEMES

Climate Change Bills: High Priority and Alive

- Price on Carbon
- Clean Fuels Act
- Clean Cars Act
- Heal Act
- Growth Management Act (GMA) Bills
- Transportation Budget

Price on Carbon (SB 5126)

- **Two Major Proposals**
  - **Washington Strong** (HB 1513/SB 5373): "Green Bonds Approach"
    - Bill has not Passed Either Chamber
    - Bill Lacks Momentum – Emphasis is Now on Second Option
  - **Climate Commitment Act** (SB 5126): "Cap-and-Invest Approach"
    - Bill has passed the Senate
    - Work underway to try to pass in House

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- **Lobbying for lower impact proposal**
- **Legislative favortism**

- **Comments**
  - Governor Inslee/Senator Reuven Carlyle (D-36)/Representative Joe Fitzgibbon (D-34) support Cap-and-Invest
    - Receiving favored treatment by Senator Carlyle
  - Some Senators sponsored both bills (e.g., Rebecca Saldana (D-37), Joe Nguyen (D-11))
  - Several prior unsuccessful attempts to implement carbon tax in Washington State
  - Concern over divide in environmental community
  - Is the goal a great program, or to get a reasonable program up and running?

Clean Fuels Act (HB 1091)

- **Overview**
  - Bill calls for Transportation Fuels With Lower Carbon Content
- **Status**
  - Bill has Passed Both Chambers
    - Must be Reconciled by End of Session
- **Comments**
  - Has passed House but not Senate each of last two years
  - Similar legislation has passed in Oregon and California
  - Implications for BP Cherry Point Refinery

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- **Hostage Letter Sent By Conservative Democrats and Unions to Joe Fitzgibbon**

Clean Cars Act (HB 1204/SB 5256)

- **Overview**
  - Bill originally called for all new cars registered in Washington State in 2030 and beyond to not have internal combustion engines.
  - Now: reformulated to be “aspirational” instead of a “mandate.”
- **Status**
  - Bill did not receive floor vote in either chamber
  - Bill is still alive, however, due to incorporation into HB 1287
- **Comments**
  - Should we oppose watered down version of bill (aspirational instead of mandate)?
  - We should support ongoing introduction of bill in subsequent years (if it doesn’t pass)

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- **Lobbying**
- **Appeasement**

Heal Act (SB 5141)

- **Overview**
  - “Heal” = Healthy Environment for All
  - Bill calls for all climate change legislation to acknowledge reality that climate change disproportionately impacts lower-income communities and communities of color, and to take steps to address this reality.
- **Status**
  - Bill has passed both Chambers
    - Being Reconciled
- **Comments**
  - Senator Rebecca Saldana (D-37) lead sponsor
  - Has failed in each of last two years
  - 2 Amendments to Water Down Bill:
    - Removed tribal and indigenous peoples as vulnerable populations
    - Decisions are non-binding

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- **Watering Down Legislation**

Growth Management Act (GMA) Bills

- **Overview**
  - The GMA is updated every eight years (and 2021 is an update year)
  - It deals with growth management issues across the state
    - The GMA establishes requirements for County Level Comprehensive Plans.
  - There are a number of bills that incorporate climate change concerns into the GMA.

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- **Surreptiously Killing a Bill**
- **Transparency**

- **Status**
  - HB 1099: Includes climate change concerns in the GMA
    - Passed House, but then died, but then folded into HB 1241
  - HB 1220: Improves affordable housing and shelter usage via the GMA (Passed Both Chambers)
  - HB 1117: Includes salmon recovery efforts in changes to GMA (Passed House)
  - SB 5275: Deals with land use concerns in rural areas (Passed Senate)

  - However, Many GMA Bills Dead
    - HB 1298/SB 5221 (Affordable housing), HB 1337 (Dealing with ADUs), SB 5042 (Concerning the timing of changes to the GMA as well as sprawl), HB 1157/SB 5390 (Zoning Changes to allow/encourage greater density)
- **Comments**
  - GMA is complicated, multi-faceted, and highly important due to intersectionality with density, transit, affordable housing, transit-oriented development, carbon emissions, etc.

State Transportation Budget

- Overview
  - There have been four major transportation bills
    - Steve Hobbs (D-44) Senate Transportation Budget: $19 Billion/16 Years (Forward Washington)
    - Rebecca Saldana (D-37) Senate Transportation Budget: $14 Billion/12 Years
    - Curtis King (R-14) Senate Transportation Budget: $10 Billion/8 Years (Freedom Caucus)
    - Jake Fey (D-27) House Transportation Budget: $26 Billion/16 Years
- Status
  - Areas of Difference: Size of Bill, Focus on Transit Versus Road Widening Versus New Road Construction Versus Maintenance
  - Bills are Being Negotiated – A Final Bill May or May Not Pass
- Comments
  - House Transportation Budget Most Progressive, But Large Size May Be Issue
    - More Focus on Transit, Less Focus on Road Widening and New Roads
  - Implications for Sound Transit

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- **Lobbying**
- **Differential Interests May Derail Passage of Any Bill**

Climate Change Bills: Predictions

- Price on Carbon: 50/50
- Clean Fuels Act: Will Pass
- Clean Cars Act: At Best, Aspirational Version
- Heal Act: Will Pass (Watered Down)
- Growth Management Act (GMA) Bills: Some Components Will Pass
- Transportation Budget: 50/50

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Climate Change Bills: Lower Priority and Alive

- Zero Emission Ports (SB 5026)*
- Lifecycle Analysis of Energy Usage in Public Facilities (HB 1280)**
- Fluorinated Gases (HB 1050)*
- Forest Health and Wildfire Management (HB 1168)*
- Wildfire Advisory Committee (SB 5158)*
- Hydrogen Fuel Cell Tax Preference (SB 5000)*
- Prepare for Zero Emissions Transportation Future (HB 1287)*

LEGEND: * = Bill Passed House and Senate; ** = Bill Alive Via Other Means

Climate Change Bills: Lower Priority and Alive (Cont.)

- Sales Tax Exemption for Electric Bicycles (HB 1330)**
- Increased Access for Electric Bicycles (SB 5452)**
- Protocols for Purchasing Electric Ferries (HB 1502)**
- Urban and Community Forestry (HB 1216)*
- Encouraging Utility Mitigation of Heat Island Effects (HB 1114)*
- Per Mile Charge for Electric Vehicles (SB 5444)**
- Rulemaking for Autonomous Vehicle Licensing (SB 5460)*
- Delays Implementation of Photovoltaic Takeback Program (HB 1393)*

LEGEND: * = Bill Passed House and Senate; ** = Bill Alive Via Other Means

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Other Climate Change Bills: Dead

- Ride Sharing Services Emissions (HB 1075)
- De-Carbonization of Buildings (HB 1084/SB 5093)
- Use of Greener Building Materials (HB 1103/SB 5366)
- Allows Non-Dealer Automobile Sales to Facilitate Electric Vehicles (HB 1388)
- Alternate Fuel Rebate for Low-Income Households (HB 1503)
- Community Solar (HB 1046)
- New Nuclear Reactors (SB 5244)
- Energy Facility Site Evaluation Council (SB 5415)
- Reducing Fee for Electrification of Vehicles (SB 5308)

Climate Change Bills That Never Were

- Introduction of Mandatory Climate Change Curriculum in K-12 Schools Statewide
  - Limited bills on this issue introduced but not passed last year
  - Patterned off of momentous New Jersey bill that has passed: https://patch.com/new-jersey/wyckoff/new-jersey-curriculum-feature-climate-change-education
- Declaration of Climate Change Emergency in Washington State
  - Introduced but did not pass last year

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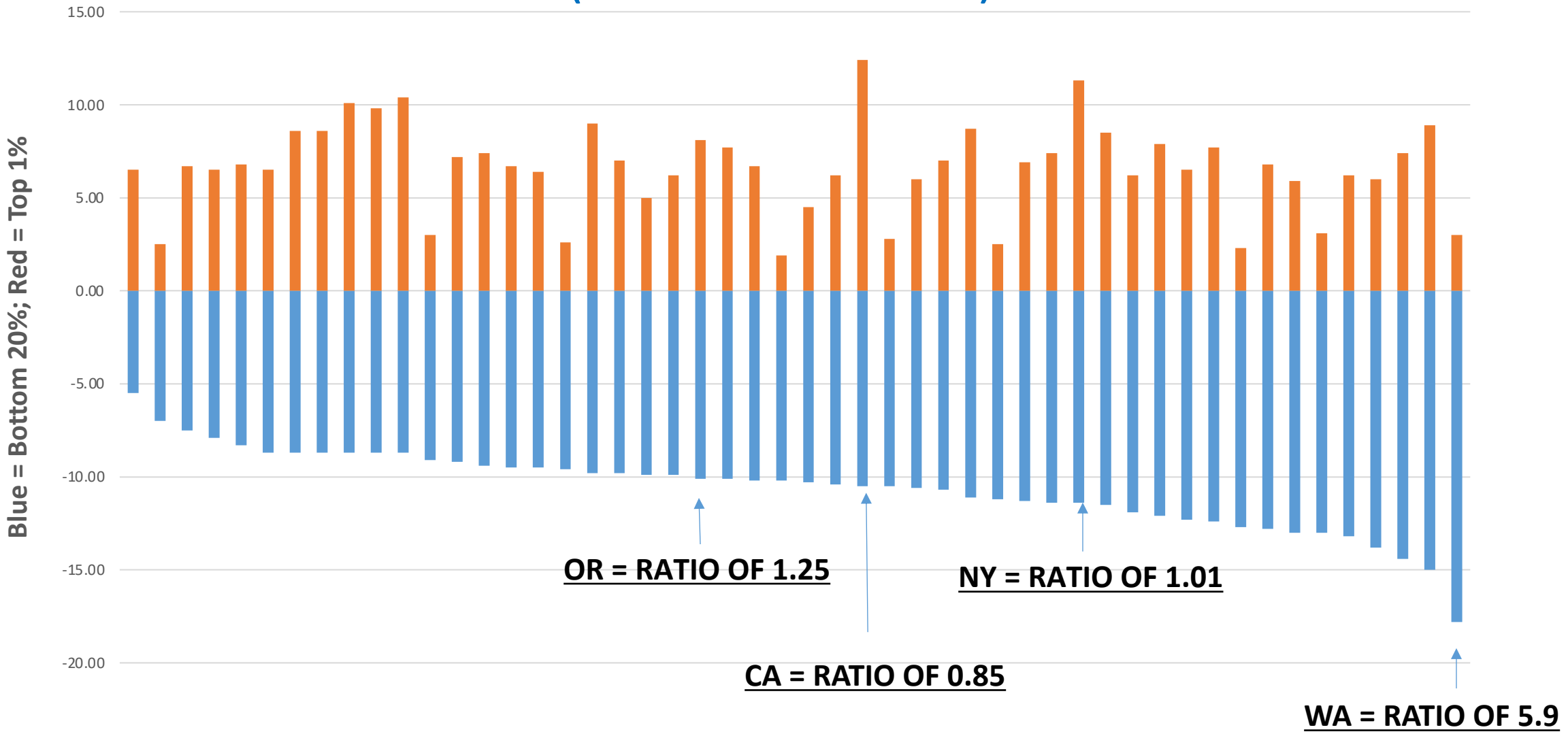
Percentage of Income Paid By Rich And Poor

(All 50 U.S. States)



Source: Institute On Taxation and Economic Policy, 2018

Progressive Taxation Bills

- Capital Gains Tax (SB 5096)
  - Passed Senate
  - 7% Capital Gains Tax on Capital Gains Over $250,000 (with some exemptions)
  - Will Raise Over $500 Million/Year (Modest)
- Working Families Tax Credit (HB 1297)
  - Passed Both Chambers
  - Rebates for Low-Income Individuals (Similar to Federal Earned Income Tax Credit)
- Billionaire Tax (HB 1406/SB 5426)
  - Noelle Frame Bill
  - Bill Has Not Passed Either Chamber
  - No Momentum

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- **Tremendous Effort to Thwart Introduction of a New Tax in Washington State**

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Quote: Environmentalist, 43rd LD

"We keep referring to the state GHG goals as a target we need to focus on achieving. But are you aware of just how big an ask that is?

- Our current state GHG emissions total is about 100 million metric tons.
- Our goal for 2030 is 50 million metric tons. Yes, that's right.
- Our goal for 2040 is 27 million metric tons.
- Our goal for 2050 is 5 million metric tons.

- There is no way anything we are talking about in the legislature this year will get us anywhere near close to achieving these goals."

Themes

- Are We Doing Enough On Climate Change? (Certainly Not)
- Washington State Should Be A National Leader in Climate Change Legislation
  - Abundance of Hydro Power
- There are Synergies Available from West Coast Solidarity on Climate Change
- Climate Change and Intersectionality
- Liberal Constituent Groups on Climate Change – Too Divided
- The Impact of Outside Parties – Increasingly Complicated
- Bills Killed (GMA), Watered-Down (Heal Act), and Appeasement (Clean Cars)
- The Fate of the Session Hangs in the Balance
  - Capital Gains Tax
  - Price on Carbon, Clean Fuels Act, Clean Cars, Heal Act, GMA, Transportation Budget, etc.
- Now is the Time for Major Change
  - Major Structural Change Needed
  - Full Session
  - Democratic Party Trifecta
  - No Excuses

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- **A Lot of Lobbying Activity On a Number of Fronts**
- **Increasingly Complicated Landscape of Organizations**
- **Insufficient Public Education on Climate Change Legislation Which Facilitates Special Interest Influence**

Contact Information

John Stafford: jestaff@msn.com