

HOUSE BILL REPORT

HB 1528

As Reported By House Committee On:

Agriculture & Ecology

Title: An act relating to authorizing fees for commodity commissions and the department of agriculture.

Brief Description: Authorizing fees for commodity commissions and the department of agriculture.

Sponsors: Representatives Chandler, Clements and Linville; by request of Department of Agriculture.

Brief History:

Committee Activity:

Agriculture & Ecology: 2/12/97, 2/27/97 [DPS].

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

Staff: Kenneth Hirst (786-7105).

Background: Initiative 601. Initiative 601 was approved by the voters at the November 1993 general election. Section 8 of the initiative states that no fee may increase in any fiscal year by a percentage in excess of the fiscal growth factor for that fiscal year without prior legislative approval. The fiscal growth factor for a fiscal year is the average of the sum of inflation and population change for each of the prior three fiscal years.

Organic Certification. The Director of Agriculture is authorized to adopt a fee schedule for recovering the full costs of the Department of Agriculture for administering an organic food program. The fees are to be deposited in the Agricultural Local Fund and used solely for carrying out the certification program.

Public Records. The public records portion of the state's public disclosure laws prohibit a public agency from requiring a fee for the public's inspection of public records. Nor may they charge a fee for locating public documents and making them available for copying. These laws permit the agencies to charge a reasonable fee for providing copies of a public record and establish rules for what constitutes a reasonable copying fee. The costs of shipping copies of public records, including postage or delivery costs, may be recovered. Public records include data compilations from which information may be obtained or translated.

Summary of Substitute Bill: The Director of Agriculture may set a schedule of fees for the organic certification program that is, for FY 1998, in excess of the fiscal growth factor. The Director may also collect, for deposit in the Agricultural Local Fund, moneys to recover reasonable costs of publishing and disseminating information in printed or electronic format.

Substitute Bill Compared to Original Bill: The original bill contains provisions authorizing the Fruit Commission, Dry Pea and Lentil Commodity Board, and Farmed Salmon Commodity Board to raise assessments in excess of the fiscal growth factor provided under Initiative 601. These provisions are not contained in the substitute bill.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: (1) The state's organic food program now certifies approximately 300 growers, processors and handlers, 146 of which have been added to the program in the last two years. This increase in numbers has been accompanied by an increase in the complexity of the operations requesting certification. With this bill, the department proposes to increase fees for the program by 10 percent. (2) The authority to recover information dissemination costs will be used primarily to charge for the department's Food and Agricultural Suppliers Directory. Without the bill, the department will not have enough money to provide the directory. (3) The fee increases proposed for the organic certification program are moderate and reasonable. They are vital to growers and to people with allergies or chemical sensitivity who depend on accurate organic labeling for their health.

Testimony For (original bill): (1) The assessment increase authorized for the Fruit Commission will be used to support efforts to access foreign markets. The increase for the Dry Pea and Lentil Commodity Board will be used to provide additional research and equipment at Washington State University and for pesticide residue

research. (2) A similar authorization for the Wheat Commission would allow increased grower funding of research at a time when public funding for this research is declining. (3) The authority for these assessment increases is important, but the legislature should allow growers to approve assessment increases themselves.

Testimony Against (original bill): None.

Testified: Mary Beth Lang, Department of Agriculture; Michael Lowsky, Olympia Food Co-op; John Reid; and Betsy DeWreede, Organic Advisory Board (in favor). Vicki Sharlau, Washington State Horticulture Association; Keith Kincaid, Dry Pea and Lentil Association; Joe Schmitz, U.S. Dry Pea and Lentil Council; Tom Frick, Washington Association of Wheat Growers; and Pete Granger, Washington Farmed Salmon Commission (in favor of original bill).