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HOUSE BILL 1935

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives McLean, Rayburn, Ballard, Grant, Chandler, Van Luven, Edmondson, Padden, Rasmussen, R. Johnson, Holland, Wilson and Bowman.

Read first time February 15, 1991. Referred to Committee on Agriculture & Rural Development\Appropriations.

1            AN ACT Relating to the recovery of damages incurred by the  
2 agricultural industry; adding a new section to chapter 43.10 RCW;  
3 creating a new section; and making an appropriation.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**            The legislature declares that whenever  
6 false or misleading statements are made by any person or entity to a  
7 national audience and these statements lead directly to the disruption  
8 of the economic well-being of a large segment of the state's citizenry,  
9 it is in the public interest to promote the recovery of compensation  
10 for the damages inflicted by those statements.

11            The legislature finds that the statements made by CBS  
12 Incorporated's national television program, "60 Minutes," have had a  
13 devastating economic effect on the apple industry of this state and on  
14 the communities supported by that industry. The legislature further  
15 finds that it is in the public interest to assist the apple industry in

1 seeking the recovery of the damages which resulted from those  
2 statements, both for the immediate goal of securing equitable treatment  
3 for those in the industry and for the longer-range goal of promoting  
4 greater accuracy in the content of statements which entities provide to  
5 national audiences. The legislature further finds that: This  
6 assistance is needed because dire economic conditions in the apple  
7 industry prevent growers from mounting the kind of very expensive and  
8 complex lawsuit that is likely required to obtain compensation  
9 regarding the "60 Minutes" program; and other, similar circumstances  
10 may warrant such assistance in the future.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10 RCW  
12 to read as follows:

13 The attorney general may assist in the recovery of damages incurred  
14 by the agricultural industry in this state caused by the national  
15 dissemination of untruthful or misleading information regarding the  
16 safety of consuming agricultural products if the attorney general finds  
17 that the dissemination is tortious and that such assistance is needed  
18 because of the financial inability of the injured parties to pay legal  
19 costs.

20 NEW SECTION. **Sec. 3.** The sum of one million dollars, or as  
21 much thereof as may be necessary, is appropriated from the general fund  
22 to the attorney general for the biennium ending June 30, 1993, for the  
23 purpose of assisting in a class action suit for recovering damages  
24 incurred by the apple industry resulting from statements made by CBS  
25 Incorporated's television program, "60 Minutes."