

VETO MESSAGE ON ESHB 1489

April 14, 2011

To the Honorable Speaker and Members,  
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 4,  
Engrossed Substitute House Bill 1489 entitled:

"AN ACT Relating to protecting water quality through  
restrictions on fertilizer containing phosphorus."

This bill limits the use, sale, and retail display of turf  
fertilizer that contains phosphorus, as of January 1, 2013.

Section 4 would prevent the Department of Agriculture from  
enforcing the bill through the issuance of civil penalties.  
Without this tool, the Department would be unable to  
effectively implement the bill.

For this reason, I have vetoed Section 4 of Engrossed  
Substitute House Bill 1489.

It is unfortunate that the final bill did not include the  
exemption for fertilizers made from biosolids, manure and  
other organic materials. These products provide a valued and  
beneficial use of materials that would otherwise need to be  
managed as waste. Since the bill is not effective until  
January 2013, I would entertain legislation in 2012 to exempt  
these organic products from the limits established in the  
bill.

With the exception of Section 4, Engrossed Substitute House  
Bill 1489 is approved.

Respectfully submitted,  
Christine Gregoire  
Governor