
**Agriculture and Natural Resources
Committee**

HB 2147

Brief Description: Concerning agriculture pest and disease response.

Sponsors: Representatives Dent, Chapman, Schmick and Reeves; by request of Department of Agriculture.

Brief Summary of Bill

- Creates the Agricultural Pest and Disease Response Account (Account).
- Directs the State Treasurer to transfer to the Account the amount needed to bring the balance of the Account to \$2 million when either:
 - an emergency related to the infestation of plant pests or plant diseases is declared; or
 - a quarantine order related to animal diseases or plant pests and diseases is issued.
- Modifies the procedure for appointing emergency advisory committee members.
- Requires the Director of the Washington State Department of Agriculture to evaluate emergency measures taken no less than once every 60 days instead of once every 10 days.

Hearing Date: 1/12/24

Staff: Rebecca Lewis (786-7339).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Department of Agriculture.

The Washington State Department of Agriculture (WSDA) was created in 1913 and is organized into five divisions, including commodity inspection, food safety, pesticide management, plant protection, and the state veterinarian. The WSDA has a duty to promote and protect agriculture and its dependent rural community in Washington. The WSDA must carry out its assigned regulatory responsibilities to protect public health and welfare.

Agricultural Pest and Disease Response.

Plant Pests and Diseases.

The Director of the WSDA (Director) has authority to declare a quarantine as necessary to protect the forest, agricultural, horticultural, floricultural, beekeeping, or environmental interests of the state. The Director may declare a quarantine against:

- an area, place, nursery, orchard, vineyard, apiary, or other agricultural establishment;
- a county or counties within the state;
- other states, territories, or foreign countries; or
- a portion of any of these areas.

The Director may prohibit movement of all regulated articles from quarantined places, or from areas that are likely to contain such plant pests or noxious weeds or genetically engineered plant, plant pest, or bee pest organisms.

If the Director finds that there is imminent danger of infestation of plant pests or plant diseases which seriously endangers the agricultural or horticultural industries of Washington, or which seriously threatens life, health, or economic well-being, the Director must request that the Governor order measures to prevent or abate an infestation.

After a Governor-declared emergency, the Director may appoint a committee to review emergency measures necessary and make recommendations to the Governor through the Director. Committee members must include representatives of agricultural industries, state and local government, public health interests, technical service providers, and environmental organizations. The Director must evaluate emergency measures taken at least once every 10 days and immediately advise the Governor if the Director finds that the emergency no longer exists or of certain measures should be discontinued.

Animal Health.

The purpose of the Animal Health Program, administered by the WSDA, is to protect the people of the state, their livestock, and other animals from harmful animal diseases. The program administers livestock disease eradication programs in cooperation with United States Department of Agriculture and regulates the movement and testing of animals coming into the state and being sold within the state. The Director may adopt rules that prevent the introduction or spread of infectious diseases into the state. This includes the authority to adopt rules regarding the inspection and testing of all animals in the state or being imported into the state.

The Director may issue a quarantine order and enforce the quarantine of any animal or its

reproductive products when any animal or its reproductive products are affected with or have been exposed to disease or when there is reasonable cause to investigate whether any animal or its reproductive products are affected with or have been exposed to disease, either within or outside the state.

Summary of Bill:

Agricultural Pest and Disease Response Account.

The Agricultural Pest and Disease Response Account (Account) is created. Expenditures from the Account may be spent only after appropriation and may be used only for activities necessary to respond to emerging agricultural pest and disease threats. When a declaration of emergency or quarantine order is declared by the Director of the WSDA, the State Treasurer must transfer from the general fund to the Account the amount necessary to bring the balance of the Account to \$2 million, based upon the determination from the Office of Financial Management (OFM). A transfer may be made only once per fiscal year. By October 1 of any year where expenditures were made from the account, the WSDA must provide a close-out cost summary of expenditures to the Director of the OFM.

Plant Pest and Disease Response.

Instead of requiring certain entities to be represented on the advisory committee to review emergency measures in the case of a declared emergency due to plant pests or diseases, the bill specifies that invitations to participate on the advisory committee must be made to federally recognized tribes, impacted agricultural industries, state and local governments, public health interests, technical service providers, and environmental organizations. The Director of the WSDA must evaluate emergency measures taken in response to an imminent danger of infestation of plant pests or plant diseases and report to the Governor at least every 60 days instead of 10 days.

Appropriation: None.

Fiscal Note: Requested on January 5, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.