SENATE BILL REPORT
SB 5117

As of January 16, 2025

Title: An act relating to protecting agriculture.

Brief Description: Protecting agriculture.

Sponsors: Senators Muzzall, Braun, Chapman, Christian, Dozier, King, Schoesler, Short, Wagoner, Warnick and Wilson, J..

Brief History:
Committee Activity: Agriculture & Natural Resources: 1/16/25.

Brief Summary of Bill

- Requires public entities to analyze impacts, consider alternatives, and use interdisciplinary approaches when planning for or deciding issues that impact agriculture or the agricultural economy.
- Directs the Office of Financial Management to develop a fiscal note process for legislation that impacts regulatory costs incurred by entities engaged in agriculture.
- Requires state agencies to develop a list of significant agency actions and perform an agricultural economic assessment when considering a listed action.

SENATE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Staff: Elena Becker (786-7493)

Background: Agriculture in Washington. There are approximately 32,000 farm operations throughout the state of Washington. Farmers and ranchers in Washington produce over 300 different commodities, valued at a total of $14 billion in 2023.

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.

Fiscal Notes. State law directs the Office of Financial Management (OFM) to establish a mechanism for the determination of the fiscal impact of proposed legislation on various entities including:

- state government; and
- counties, cities, towns, or any other units of local government, including school districts.

The resulting fiscal notes are provided only upon request by a member of the state Legislature and typically indicate by fiscal year the total impact on the affected entity for the first two years the legislation would be in effect; contain a cumulative six-year forecast of the legislation's fiscal impact; and must be completed within one week of the request.

Agency-Prepared Economic Impact Statements. Under current law, agencies must prepare sector-specific impact statements when considering or undertaking actions affecting small businesses or environmental justice.

Summary of Bill: State Support for Agriculture. The state of Washington and all agencies of the state must use all practicable means, consistent with other essential considerations of state policy, to:

- promote agriculture while protecting public health and welfare;
- provide opportunities for farmers and ranchers to utilize agricultural land to produce agricultural products;
- aid farmers and landowners in utilizing land for the best combination of production, habitat, carbon sequestration, and any combination of commercial and conservation activities; and
- preserve our national heritage of agriculture.

Public Decision-Making and Proposals Affecting Agriculture. All branches of government of the state, including state agencies, municipal and public corporations, and counties must use a systematic and interdisciplinary approach when planning for or deciding issues that impact the agricultural economy in Washington. These entities must also use methods and procedures developed in consultation with the Department of Agriculture and the State Conservation Commission to include presently unquantified values in decision making.

All branches of government of the state must include a detailed statement in every recommendation or report on proposals for legislation and other major actions significantly affecting agriculture. This statement must address:

- the economic impact of the proposed action on the conduct of agriculture in Washington;
- any unavoidable adverse impacts of implementing the proposed action and alternatives to the proposed action;
- the relationship between short-term uses of the environment and long-term agricultural productivity; and
- any irreversible commitments of resources.

All branches of government of the state must also study, develop, and describe appropriate alternatives when proposals involve unresolved conflicts concerning alternative uses of available resources.

Fiscal Notes for Entities Engaged in Agriculture. OFM must establish a mechanism for the determination of the fiscal impact of proposed legislation which, if enacted into law, would directly or indirectly increase or decrease regulatory costs incurred by entities engaged in agriculture. These fiscal notes must:

- indicate by fiscal year the total impact on the agricultural economy for the first two years the legislation would be in effect and also a cumulative six-year forecast of the fiscal impact;
- be provided only upon request of a member of the state Legislature; and
- be completed within one week of the request unless otherwise authorized.

Where feasible and applicable, the fiscal note must also indicate the fiscal impact on each industry or a representative sampling of the industry broadly.

Agricultural Economic Assessments. Agencies must develop and publicize a list of significant agency actions and conduct an agricultural economic assessment whenever considering a listed action. The assessment is intended to assist the agency in identifying issues and decisions that impact agriculture in order to reduce economic harms to the agricultural economy. Agencies must aspire to complete the assessment for a significant agency action without delaying the completion of the underlying agency action.

Appropriation: None.

Fiscal Note: Requested on January 6, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: Unless the state of Washington makes a concerted effort to do something, agriculture in Washington is going to be done. The most recent USDA data tells us that our state is losing 14 farms a week. This is an alarming number. Some of these losses are natural attrition but at the current rate of loss we will be out of farms in Washington in two and a half generations.

This is important because of isolation. Two-thirds of the U.S. population lives east of the Mississippi and our agriculture is largely pointed that way. Our transport system makes it easier to transport food from South America than across the middle of the U.S.

Statistics show that we are approaching a sustainability cliff where inputs and labor

disappear. Washington pays some of the highest wages for agricultural labor, holds agricultural employers to some of the strictest and most expensive requirements in the county, and does not provide the overtime flexibility of neighboring states. Washington is already fourth in food prices in the nation, and Seattle is number one for cities of its size.

The Legislature has passed legislation that has had dire impacts on agriculture. This bill would make government responsible for determining the impact of legislation on agriculture.

Persons Testifying: PRO: Senator Ron Muzzall, Prime Sponsor; Pam Lewison, Ag Research Director.

Persons Signed In To Testify But Not Testifying: No one.