

# HOUSE BILL REPORT

## HB 1935

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*As Reported By House Committee on:  
Agriculture & Rural Development*

**Title:** An act relating to the recovery of damages incurred by the agricultural industry.

**Brief Description:** Authorizing the attorney general to assist in the recovery of damages incurred by the agricultural industry.

**Sponsor(s):** Representatives McLean, Rayburn, Ballard, Grant, Chandler, Van Luven, Edmondson, Padden, Rasmussen, R. Johnson, Holland, Wilson and Bowman.

**Brief History:**

Reported by House Committee on:  
Agriculture & Rural Development, February 28, 1991, DP.

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**HOUSE COMMITTEE ON  
AGRICULTURE & RURAL DEVELOPMENT**

**Majority Report:** *Do pass.* Signed by 10 members: Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

**Staff:** Kenneth Hirst (786-7105).

**Background:** The state's Consumer Protection Act declares unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce to be unlawful. The state's Attorney General is authorized to bring actions in the name of the state to enforce the act.

**Summary of Bill:** The Attorney General may assist in the recovery of damages incurred by the agricultural industry in the state which are caused by the national dissemination of untruthful or misleading information regarding the safety of consuming agricultural products. The Attorney General may do so if he or she finds that the dissemination is tortious and the assistance is needed because of the financial inability of the injured parties to pay legal costs.

The sum of \$1 million is appropriated from the general fund to the Attorney General for the current biennium for the

purpose of assisting in a class action suit for recovering damages incurred by the apple industry resulting from statements made by the television program "60 Minutes."

**Fiscal Note:** Requested February 15, 1991.

**Appropriation:** Yes.

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

**Testimony For:** (1) The bill would permit the Attorney General to assist in an action; the state would not be doing this on its own. (2) The state may wish to recover damages in the form of lost state revenues as well.

**Testimony Against:** None.

**Witnesses:** Representative McLean (in favor); and Bill Fritz, Washington Food Processor's Council (in favor).