

# HOUSE BILL REPORT

## HB 2289

---

---

### As Passed Legislature

**Title:** An act relating to assessments for planting stock certification and nursery improvement programs.

**Brief Description:** Regulating planting stock certification and nursery improvement programs.

**Sponsors:** By Representatives Linville and Schoesler; by request of Department of Agriculture.

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 1/25/02 [DP];

Appropriations: 2/6/02, 2/7/02 [DP].

#### Floor Activity:

Passed House: 2/16/02, 98-0.

Passed Senate: 3/8/02, 48-0.

Passed Legislature.

### Brief Summary of Bill

- Expands the assessment on sales of fruit trees and related ornamentals and rootstock to include sales of grapevines, specifies the botanical genera that the assessment applies to, and broadens the programs funded by the assessment to include a grapevine certification and nursery improvement program.
- Creates an advisory committee for the grapevine certification and nursery improvement program.

---

### HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass. Signed by 11 members: Representatives Linville, Chair; Hunt, Vice Chair; Schoesler, Ranking Minority Member; Chandler, Cooper, Dunshee, Grant, Holmquist, Kirby, Quall and Roach.

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

---

### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 24 members: Representatives Sommers, Chair; Doumit, 1st Vice Chair; Fromhold, 2nd Vice Chair; Sehlin, Ranking Minority Member; Alexander, Buck, Clements, Cody, Cox, Dunshee, Grant, Kagi, Kenney, Kessler, Linville, Lisk, Mastin, McIntire, Pearson, Pflug, Ruderman, Schual-Berke, Talcott and Tokuda.

**Staff:** Jeff Olsen (786-7157).

**Background:**

An annual assessment is levied on the sale price of all fruit trees, fruit tree related ornamental trees, and fruit tree rootstock produced in this state or shipped by a licensed nursery dealer. The botanical genera of the related ornamental trees to which the assessment applies are listed by statute. The assessment is on the wholesale market value of those sales and, except for certain rootstock, is based on the first sale price of the nursery stock. The rate of assessment is determined by the Director of Agriculture by rule as being that needed to carry out a fruit tree certification and nursery improvement program. An advisory committee has been created by statute to advise the director regarding the fruit tree certification and nursery improvement program. The director may provide, on a fee-for-service basis, special inspections and certifications to facilitate the movement of agricultural commodities.

**Summary of Bill:**

The plants subject to the assessment levied on sales of nursery stock for the fruit tree certification and nursery improvement programs are altered and the purposes of the assessment are expanded. The programs supported by the assessment now include a grapevine certification and nursery improvement program. The plants the sale of which are assessed are all plants that fall within the botanical genera that contain: grapevines; quinces; hawthorns; apple and crab apple trees; almond, apricot, cherry, nectarine, peach, and plum trees; pears; and whitebeams and mountain ashes.

A committee is established to advise the Director of Agriculture in the administration of the grapevine certification and nursery improvement program. It is composed of two grapevine nursery dealers, three grape growers (two of which must grow wine grapes), a winery representative, a university researcher, and the director.

The special services that the director may provide on a fee-for-service basis are expressly broadened to include those that facilitate the marketing of agricultural commodities and other plant products.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** (Agriculture & Ecology) (1) The purpose of the bill is to provide virus-free stock for the grape industry. (2) The state currently has a voluntary program under which grape growers can get virus-free stock from Washington State University's (WSU's) foundation stock and through imports of out-of-state stock where the imports are certified as meeting the foundation stock's quality. There is also a federal quarantine on imports from all sources except Canada. However, under new international agreements, the federal quarantine is in jeopardy because the only quarantines that will be recognized are those based on mandatory quarantine and certification programs. (3) The bill will provide funding that will allow the foundation stock at WSU to be expanded to provide growers with all of the varieties they need so that a mandatory quarantine program can be established without limiting the access of this state's growers to the varieties they need.

**Testimony For:** (Appropriations) This bill was developed at the request of the grape industry to fund the development of virus and pest free planting stock for the grape industry. The assessment will be set through rule making, will be paid by the grape vine industry, and does not impact state general funds.

**Testimony Against:** (Agriculture & Ecology) None.

**Testimony Against:** (Appropriations) None.

**Testified:** (Agriculture & Ecology) (In Support): Leslie Emerick and Tom Wessels, Department of Agriculture; Bob Hart, Washington State Nursery and Landscape Association; and Heather Hansen, Washington State Association of Wine Grape Growers.

**Testified Against:** None.

**Testified:** (Appropriations) Leslie Emerich, Washington State Department of Agriculture; Heather Hansen, Washington Association of Wine Grape Growers; Bob Hart, Washington State Nursery and Landscape Association.