

HOUSE BILL REPORT

SSB 6241

As Passed House:

March 5, 2002

Title: An act relating to Christmas trees.

Brief Description: Excluding agriculturally cultivated Christmas trees from chapter 76.09 RCW.

Sponsors: By Senate Committee on Agriculture & International Trade (originally sponsored by Senators Rasmussen, T. Sheldon, Swecker, Hargrove and Snyder).

Brief History:

Committee Activity:

Agriculture & Ecology: 2/22/02, 2/26/02 [DP].

Floor Activity:

Passed House: 3/5/02, 95-1.

Brief Summary of Substitute Bill

- Exempts Christmas trees that are cultivated using agricultural methods from the provisions of the Forest Practices Act.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 12 members: Representatives Linville, Chair; Hunt, Vice Chair; Schoesler, Ranking Minority Member; Chandler, Delvin, Dunshee, Grant, Holmquist, Kirby, Quall, Roach and Sump.

Staff: Jason Callahan (786-7117).

Background:

The Forest Practices Act defines "forest lands" as all lands capable of supporting a merchantable stand of timber that is not being actively used in a way that is incompatible with growing timber. Any landowner growing "forest trees" on forest lands must comply with the provisions of the Forest Practices Act and its associated rules. Those rules consider what effects various forest practices have on fish, wildlife and water quality.

"Forest trees" includes Christmas trees; therefore, Christmas trees are included under the Forest Practices Act and associated rules. For example, the harvest and shearing of Christmas trees are a Class I forest practice and do not require notification to the Department of Natural Resources. Aerial pesticide applications are considered as a Class IV forest practice and require approval by the Department of Natural Resources.

"Agricultural methods" is defined as cultivation of trees that are grown on land prepared by intensive cultivation and tilling, such as irrigating, plowing, or turning over the soil, and on which all unwanted plant growth is controlled continuously for the exclusive purpose of raising trees such as Christmas trees and short-rotation hardwoods.

Summary of Substitute Bill:

Christmas trees that are cultivated using agricultural methods are exempt from the provisions of the Forest Practices Act.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: This bill creates consistency throughout the statutes for Christmas tree growers. It ensures that growers are treated the same under the Growth Management Act, the tax code, and the forest practices rules. Plantation and forest Christmas tree crops were treated differently in statute over 20 years ago, and although the statutes are outdated, they still exist.

Most Christmas tree activities are considered to be Class I forest practices; therefore, they do not need a permit from the Department of Natural Resources. This arrangement means that enactment of this bill will not adversely affect fish or water quality.

The bill will have minimum fiscal impact on the state, and the definition reference should prevent any disagreements about whether a Christmas tree is being grown using an agricultural method.

Testimony Against: None.

Testified: Garry Gideon, Department of Natural Resources; Duane Kaiser, Professional Christmas Tree Association; and Brad Tower, Washington Christmas Tree Growers.