
HOUSE BILL 2635

State of Washington

64th Legislature

2016 Regular Session

By Representatives Buys, Manweller, Lytton, Rossetti, Blake, Dent, and Stanford; by request of Department of Agriculture

Read first time 01/18/16. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the mandatory nonbinding arbitration
2 provisions of the Washington state seed act; creating a new section;
3 and repealing RCW 15.49.071, 15.49.081, 15.49.091, 15.49.101, and
4 15.49.111.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that the provisions
7 in chapter 15.49 RCW that require private parties experiencing a
8 dispute regarding the sale of plant seeds to engage with an otherwise
9 uninvolved third party state agency and participate in a mandatory,
10 nonbinding arbitration has a number of negative effects that are not
11 offset by any realized benefits not otherwise available to the
12 parties and does not advance the goals of protecting consumers or
13 providing uniformity in seed sales. These negative outcomes include a
14 time delay and added expense for the private parties engaged in the
15 dispute, otherwise unnecessary budgetary pressures on the department
16 of agriculture, and hardships for seed industry representatives being
17 asked to serve on an arbitration panel without compensation. This
18 mandatory step towards the resolution of the dispute has not, due to
19 the nonbinding nature of the outcome, proven to be a worthwhile
20 investment in the time or resources of the private parties or the
21 state.

1 The legislature further finds that the removal of the requirement
2 that the department of agriculture must serve as a forum for
3 arbitration between two private parties will reduce the time and cost
4 necessary for the parties to find a resolution to the dispute without
5 eliminating the parties' option to seek other alternate dispute
6 resolution resources, such as those provided under chapters 7.06 and
7 7.07 RCW.

8 NEW SECTION. **Sec. 2.** The following acts or parts of acts are
9 each repealed:

10 (1) RCW 15.49.071 (Damages—Arbitration prerequisite to legal
11 action) and 2005 c 433 s 36 & 1989 c 354 s 77;

12 (2) RCW 15.49.081 (Arbitration—Filing fee—Rules) and 1989 c 354
13 s 78;

14 (3) RCW 15.49.091 (Arbitration—Procedure) and 1989 c 354 s 79;

15 (4) RCW 15.49.101 (Investigation of complaint by arbitration
16 committee) and 2010 c 8 s 6062 & 1989 c 354 s 80; and

17 (5) RCW 15.49.111 (Arbitration committee—Creation—Generally) and
18 2010 c 8 s 6063 & 1989 c 354 s 81.

--- END ---