

SENATE BILL REPORT

HB 1146

As Passed Senate, April 16, 2019

Title: An act relating to extending the program establishing Christmas tree grower licensure.

Brief Description: Extending the program establishing Christmas tree grower licensure.

Sponsors: Representatives MacEwen and Young.

Brief History: Passed House: 3/01/19, 91-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 3/26/19, 4/02/19 [DP, w/oRec].

Floor Activity:

Passed Senate: 4/16/19, 48-0.

Brief Summary of Bill

- Extends the Christmas tree grower licensure program from July 1, 2020 to July 1, 2030.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy, Rolfes and Short.

Minority Report: That it be referred without recommendation.

Signed by Senator Honeyford.

Staff: Jeff Olsen (786-7428)

Background: The Department of Agriculture (WSDA) Plant Protection Division administers horticultural plant inspections and licensing programs. Most businesses that grow Christmas trees for sale in Washington must obtain a Christmas tree grower license from WSDA prior to operating as a grower. The director of the WSDA (director) may adopt rules governing inspection and certification of Christmas trees to manage plant pest infestation, license and tree inspection fees, and fee collection methods. A director-appointed

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Christmas Tree Advisory Committee (advisory committee) advises the director in administration of the Christmas tree program.

The annual fee for a license is \$40 plus an acreage assessment of no more than \$4 per acre, and the total annual license fee for any person may not exceed \$5,000. Fees are deposited into the Christmas tree subaccount within the Agricultural Local Fund. Fees may be used only for the Christmas tree program, including support for the advisory committee, market surveys, and research related to Christmas trees.

The director may require that any or all Christmas trees delivered or shipped into Washington be inspected for conformance with state law prior to release, even if the trees are accompanied by acceptable inspection certificates issued by the state or country of origin. The director may issue a hold order on any Christmas trees if there is cause to believe a tree is damaged, infested, or infected by a plant pest, and may prescribe the conditions for holding the trees.

It is unlawful for any person to:

- sell, ship, or transport a Christmas tree unless it meets the standards in rule for freedom from plant pest infestation and other requirements;
- falsely claim to be a Christmas tree grower;
- alter an official certificate or other inspection document for plant materials including Christmas trees; or
- substitute any Christmas tree for a Christmas tree covered by an inspection certificate.

A person who fails to comply with rules established for Christmas tree growers may be subject to denial, revocation, or suspension of their license, or assessed a civil penalty of not more than \$1,000 per violation.

The Christmas tree grower licensure program expires on July 1, 2020.

Summary of Bill: The Christmas tree grower licensure program is extended from July 1, 2020, to July 1, 2030.

Appropriation: None.

Fiscal Note: Available.

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: Extending the Christmas tree program is necessary to comply with United States Department of Agriculture inspection requirements and for exports. Christmas tree growers are requesting that the program be extended. The program allows for a statewide response to infestations, and quarantine trees if necessary. Funds are used for research at the Washington State University on pests and infestations to support the industry.

Persons Testifying: PRO: Representative Drew MacEwen, Prime Sponsor; Troy Nichols, Washington Christmas Tree Growers Association.

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