



LegisLetter

PO Box 8690, Lacey, WA 98509 • 1.360.357.9975 • 1.800.331.3276

January 27, 2012

In This Issue:

- WFB strongly opposes pesticide drift bill
- Register now for Legislative Days 2012
- Legislators jump to early conclusions on health care
- Budget work has not even begun
- Governor proposes transportation "fees"
- HPA reform discussions begin
- Washington Farm Bureau's D.C. Days scheduled for March 5-7
- Bills of Interest
- Information Resources

WFB strongly opposes pesticide drift bill

This week WFB President Mike LaPlant and First Vice President Aaron Golladay testified in strong opposition to a bill that, if passed, would have disastrous consequences on Washington agriculture statewide.

[SB 6397](#), sponsored by Sen. Kohl-Welles (D-Seattle), and [HB 2413](#), sponsored by Rep. Chris Reykdal (D-Olympia), would require a half-mile no-spray buffer for pesticide application in fields adjacent to houses, schools, or anyone outdoors. The bill would also require applicators to provide neighbors with advanced notice of spraying.

At the Senate hearing yesterday, local farmers, golf course advocates, and Grays Harbor County Commissioner Terry Willis also spoke in opposition to the bill, which will harm ag and forestry - the traditional basis for our ailing rural economy. The departments of Agriculture, Labor & Industries, Health, and Natural Resources, as well as the state Noxious Weed Control Board, all stated concerns with the bill.

The House hearing occurred last week, and the House version of the bill (HB 2413) is slated to pass out of that committee today or Monday.

Action Alert

There are two bills currently before the Legislature targeting the use of pesticides by agriculture. The bills focus on pesticide drift as if no other state or federal laws exist to regulate the use of pesticides.

Your immediate action is needed.

Call your legislators immediately and let them know that HB 2413 and SB 6397 are unnecessary and would have a huge detrimental impact on the state's agricultural industry. The legislative hotline is 1-800-562-6000.

These two bills would:

- Impose a half-mile no-spray buffer for pesticides applied by airplane, air-blast sprayer, fumigation or any other application method that would pose a substantial risk of pesticide drift.
- Require a 24- to 48-hour notification to neighboring facilities before a field could be sprayed.
- Create a course of action for any employee who feels discriminated against because they filed a complaint against their employer for failing to follow the conditions created in this legislation.

Proposed Response:

- This legislation seeks to regulate the aerial application of pesticides as if no regulatory structure currently exists. In fact, that structure does exist and it works to the satisfaction of the federal government.
- A half-mile no-spray buffer would create a very real and significant economic hardship on the state's farmers by forcing them to take thousands of acres out of production.
- These two bills would be disastrous for the state's ag industry and are unnecessary due to existing federal and state laws and regulations.
- Data from the Washington Department of Labor & Industries (cholinesterase testing project) has revealed that actual farm worker exposure rates to pesticides is below what was anticipated by L&I when the study began.
- It is already a violation of state and federal law to handle and apply pesticides incorrectly, including allowing pesticide drift. The state departments of Agriculture, Health and Labor & Industries all conduct investigations when violations occur.
- These bills would impose unnecessary regulations on agriculture and will have disastrous economic consequences for our growers, the overall ag and food industry, and the overall state economy on both sides of the Cascades.
- The Washington Farm Bureau takes worker safety seriously, and has been providing its members with training classes on responsible workplace safety standards for years.

Register now for Legislative Days 2012

All Farm Bureau members and those interested in learning more about Farm Bureau's advocacy efforts are [invited to attend](#) WFB's Legislative Days event Feb. 7-8, 2012 in Olympia. The Red Lion Hotel, located at 2300 Evergreen Park Drive in Olympia, will serve as the primary venue.

Each year more than 200 Farm Bureau leaders from across the state join legislators, spouses, and staff at this event.

Event Highlights The highlight each year is, of course, the banquet -- a time for Farm Bureau members to mix with legislators from across the state. Previous attendees agree that this opportunity plus a day on the Hill visiting legislative offices and attending hearings is well worth the time and expense of visiting the capital for two days.

Guest Speakers Invited speakers include elected officials and others in the know about the issues important to you. Here is the current agenda.

Elected Officials

The Legislative reception, held at The Red Lion Hotel (2300 Evergreen Park Drive, Olympia) begins at 6 p.m. Tuesday evening, with the banquet following at 6:45 p.m.

RSVP Please RSVP by January 31 to [Jaime Rowland](#) at (360) 528-2908 or by submitting the [completed registration form](#). Also, when you RSVP, please advise us if you have dietary preferences. Whether you plan to attend both days or just one, the cost to register is \$50 per person. Attendees are responsible for securing their own hotel reservations. **The Red Lion block is full.** Other hotels in the area include: Ramada Olympia (360)459-8866 and Holiday Inn Express (360) 491-7985.

Legislators jump to early conclusions on health care

As a fascinating 2012 regular session unfolds, health care issues again top the list of measures being considered. The Legislature seems set on ignoring the orderly process established just last session in order to predetermine how our state insurance system would operate under provisions of the Affordable Healthcare Act (also known as ObamaCare).

Both the Senate and House health care committees have taken up measures related to the Health Care Exchange made necessary through the Affordable Healthcare Act. The problem is that a recently constituted Exchange Board, which includes past WFB President Steve Appel, has much work to do in defining the Exchange first.

HB 2319, sponsored by Rep. Cody (D-Vashon Island), and Senate companion, SB 6319, sponsored by Sen. Keiser (D-Seattle), would ensure that insurance providers must offer the comparable insurance products "within" the exchange as they would "outside the exchange." This would preclude a host of insurance products and would hinder competition and choice in the marketplace, creating even more uncertainty and risk to Washington's residents in the search for affordable healthcare.

The program created by passage of the bills as constructed could hinder the ability of Association Health Plans like WFB Healthcare and disrupt our ability to provide quality products to our members. We are early in the process, but we will continue to watch these bills and a host of other measures that could harm an already tenuous health insurance market at the very time that we need certainty and predictability to foster more options and drive down prices.

We strongly encourage the Legislature to let the Exchange Board do its job and make recommendations before we rush to judgment.

Budget work has not even begun

The first three weeks of the 2012 legislative session have passed, and there is not much to show for it on the issue of the budget. [\\$1.5 billion gap in the state budget](#). What little attention that has been given to the budget gap by majority Democrats has been the promotion by the governor of a "temporary" half-cent sales tax increase and a state income tax. In the House, Democrats have once again shut out Republicans from any involvement in the budget discussions. Last year the Senate was the bright spot for bipartisanship as the two parties worked together to craft a budget that both caucuses could support. It's not yet known whether the bipartisan approach in the Senate can be repeated in 2012. The legislative budget proposals are likely to be rolled out shortly after the February 16 state revenue

forecast.

Governor proposes transportation "fees"

Gov. Chris Gregoire has proposed a transportation revenue package that would generate more than \$400 million a year in various "revenue enhancements." Here's an example of the proposed fees:

- Increases passenger vehicle weight fees by \$15 and the license fee for large trucks by 15 percent.
- Adds \$1.50 fee on each barrel of petroleum products dedicated to transportation projects. Opponents say this cost will be pushed down to motorists in the form of higher gas prices.
- Allows Transportation benefit districts to impose an annual \$40 vehicle fee with a two-thirds vote of the governing body.
- Allows counties could impose an annual motor vehicle excise tax of up to 1 percent of the value of the vehicle.
- Creates a studded tire fee of \$5 per tire.
- Puts in place an annual electric vehicle fee of \$100.

These proposals are embodied in HB [2660](#), sponsored by Rep. Judy Clibborn (D-Mercer Island), and SB [6455](#), sponsored by Sen. Mary Margaret Haugen (D-Camano Island). Lt. Governor Brad Owen will play a pivotal role if and when this revenue package moves through the Senate. If he rules the oil barrel fee is actually a tax, the Senate would either have to pass the bill by a two-thirds majority (unlikely to happen) or by a simple majority vote and then it would move on to a vote of the people.

HPA reform discussions begin

SB 6406, sponsored by Sen. Jim Hargrove (D-Hoquiam), is the main vehicle this year addressing hydraulic permits. The main issue for us remains the area of jurisdiction where an HPA is required. We still contend that an HPA should be required only for projects that take place at or below the ordinary high water line. Good discussions are taking place with Sen. Hargrove and a coalition of stakeholders who share a common interest of reforming the HPA. SB 6406 contains many challenging issues such as HPA fees, HPA/FPA integration, and changes to the Growth Management Act and the Shoreline Management Act. The discussions on this bill will likely continue to the last hours of session.

Washington Farm Bureau's D.C. Days scheduled for March 5-7

Washington Farm Bureau members will meet the state's Congressional delegation and staff to discuss federal issues affecting agriculture as part of WFB's D.C. Days trip to the nation's capital, March 5-7. Agency or embassy visits are still being planned, and time will be allowed for tour opportunities.

Participants should arrive in Washington, D.C. on Sunday, March 4. The program will begin Monday morning with a group orientation and policy briefing at American Farm Bureau Federation headquarters. The program will end on Wednesday afternoon.

[The Holiday Inn Capitol](#) will be hosting the sleeping rooms / guests accommodations from **March 4-8, 2012**. Our group rates are valid for booking from **January 27, 2012** through **February 6, 2012**. Call 1-800-HOLIDAY (465-4329) and request the group code **(W2F)**.

For more information or to RSVP for D.C. Days 2012, contact John Stuhlmiller at (800) 331-3276 or jstuhlmiller@wsfb.com.

Bills of Interest

WFB staff review daily summaries of House and Senate bill introductions and flag bills that might affect

the operations or interests of Washington farmers and ranchers. Some bills are initially tracked with a position of "monitor" until they are fully reviewed for their impacts. There are more than 350 bills already on the tracking list for Washington Farm Bureau with more added daily. The bill tracking list will be available on our website shortly.

If there is a bill of interest to you that does not appear on our tracking, please email Jaime Rowland at jrowland@wsfb.com with a request that WFB staff review the bill.

Information Resources

- [Washington Farm Bureau](#)
- [Legislative Information](#)
- Cut-off calendar
- Legislative Hotline: (800) 562-6000
- [Governor's Bill Actions](#)