

Enacted 2011 Legislation of interest to WSDA (As of June 13, 2011)

Bill #	Brief Description	Summary	Status	Effective Date
1086	Making 2009-2011 supplemental operating appropriations.	<ul style="list-style-type: none"> 2011 Supplemental budget 	Signed into law Chapter 5, Laws of 2011	02/18/11
1087	Making 2011-2013 operating appropriations	<ul style="list-style-type: none"> 2011-13 Operating Budget 	Signed into law Chapter 50, 2011 Laws 1st Special Session – Partial Veto, Section 312	07/01/11
1127	Addressing bargaining with certified exclusive bargaining representatives.	<ul style="list-style-type: none"> In the event that a covered employer and a bargaining representative disagree as to the merger of two or more bargaining units in the employer's workforce that are represented by the same bargaining representative, the Public Employment Relations Commission must be invited to intervene. It is an unfair labor practice for a covered employer to refuse to bargain with the certified exclusive bargaining representative. 	Signed into law Chapter 222, Laws of 2011	07/22/11
1150	Extending the time in which a small business may correct a violation without a penalty.	<ul style="list-style-type: none"> Extends from two business days to seven calendar days the time an agency must provide a small business to correct a violation before the agency imposes a fine, civil penalty, or administrative sanction 	Signed into law Chapter 18, Laws of 2011	07/22/11
1169	Regarding noxious weed lists.	<ul style="list-style-type: none"> Directs the State Noxious Weed Board to adopt rules specifying how plants will be considered for addition to the state noxious weed list, including requirements for additional data to be presented with petitions for reconsideration. Permits county noxious weed control boards to conduct education, outreach, or other assistance. 	Signed into law Chapter 126, Laws of 2011	07/22/11
1179	Clarifying that public employees may attend informational or educational meetings regarding legislative issues.	<ul style="list-style-type: none"> Clarifies state ethics prohibitions by establishing that: (1) state employees are not prohibited from attending an informational or educational meeting regarding legislative issues while accompanied by a legislator or other elected official; and (2) state facilities, including state-owned or leased buildings, may be used for informational or educational meetings regarding legislative issues. 	Signed into law Chapter 63, Laws of 2011	07/22/11
1243	Concerning crimes against animals belonging to another person.	<ul style="list-style-type: none"> Creates the crime of maliciously killing or causing substantial bodily harm to livestock belonging to another person. Establishes a civil cause of action for damages for owners of livestock killed or harmed by another person. 	Signed into law Chapter 222, Laws of 2011	07/22/11

Bill #	Brief Description	Summary	Status	Effective Date	Expected Action
1306	Removing the expiration date for exempting applicants who operate commercial motor vehicles for agribusiness purposes from certain commercial driver's license requirements.	<ul style="list-style-type: none"> Removes the July 1, 2011, expiration date on a section that exempts applicants for a commercial driver's license who operate a commercial motor vehicle for agribusiness purposes from the requirement of either successfully completing a course of instruction in the operation of a commercial motor vehicle or being certified by an employer as having the skills and training necessary to safely operate a commercial motor vehicle. 	Signed into law Chapter 153, Laws of 2011	07/01/11	
1371	Addressing boards and commissions.	<ul style="list-style-type: none"> Changes the Livestock Identification Advisory Board to the Livestock Identification Advisory Committee (LIAC). The Commission on Pesticide Regulation – the appointment authority is changed from the Governor to the WSDA Director 	Signed into law Chapter 21, 2011 Laws 1st Special Session	07/01/11	<u>Animal Services</u> : May need to amend WAC 16-610 to incorporate name change <u>Fairs, Commissions</u> : Kelly Frost will oversee nomination process
1391	Regarding the use of water delivered from the federal Columbia basin project.	<ul style="list-style-type: none"> Modifies the allowable quantity of water permitted for irrigation in circumstances where a person has a groundwater right within a subarea using surface water from the Columbia Basin Project. 	Signed into law Chapter 72, Laws of 2011	07/22/11	
1413	Extending the expiration date of the invasive species council and the invasive species council account from December 31, 2011, to June 30, 2017.	<ul style="list-style-type: none"> Changes the expiration dates of the Invasive Species Council and the Invasive Species Council Account from December 31, 2011, to June 30, 2017. 	Signed into law Chapter 154, Laws of 2011	07/22/11	
1467	Modifying the definition of a well for the purposes of chapter 18.104 RCW.	<ul style="list-style-type: none"> Modifies the definition of a "well" under the Washington Well Construction Act. 	Signed into law Chapter 196, Laws of 2011	07/22/11	
1489	Protecting water quality through restrictions on fertilizer containing phosphorus.	<ul style="list-style-type: none"> Prohibits, with some exceptions, the use and retail sale of turf fertilizers that are labeled to contain phosphorus. 	Signed into law Chapter 73, Laws of 2011	01/01/13	<u>Pesticide Management</u> : No rule making required
1538	Regarding animal health inspections.	<ul style="list-style-type: none"> Creates a per head of cattle livestock identification fee. Creates the Animal Disease Traceability Advisory Committee. Creates a new civil infraction. Creates an account within the Agriculture Local Fund. Makes unlawful the transport of animals, unless exempted, to a destination other than the address listed on the accompanying transportation document. 	Signed into law Chapter 204, Laws of 2011	07/22/11	<u>Animal Services</u> : Rule making needed to incorporate policy changes and for development of new fee

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1625	Addressing the default investment option available to new members of the plan 3 retirement systems.	<ul style="list-style-type: none"> Changes the default investment option for new members of the Plans 3 of the Public Employees' Retirement System, the Teachers' Retirement System, and the School Employees Retirement System from shares in the common pension fund invested by the State Investment Board to an offered retirement strategy fund with the retirement date closest to the retirement target date of the member. 	Signed into law Chapter 80, Laws of 2011	07/22/11	Will provide information to PERS 3 employees
1770	Enhancing small business participation in state purchasing.	<ul style="list-style-type: none"> Requires state purchasing agencies, including institutions of higher education, to establish and implement a plan to increase the number of in-state small businesses annually receiving state contracts for goods and services. Requires the Department of General Administration (DGA) to develop a model plan for state agencies to increase the number of in-state small businesses receiving state contracts for the purchase of goods and services. Requires all state agencies to adopt either the DGA model plan or another plan consistent with the goals set forth in the model plan. Requires state purchasing agencies to provide technical assistance to in-state small businesses to facilitate their participation in the state contracting process. Requires the DGA and other state purchasing agencies to track the outcomes of their respective plans and to meet specified reporting requirements. 	Signed into law Chapter 358, Laws of 2011	07/22/11	
1886	Implementing recommendations of the Ruckelshaus Center process.	<ul style="list-style-type: none"> Establishes the Voluntary Stewardship Program (Program) that allows participating counties to protect critical areas in areas used for agricultural activities through the Program rather than through regulatory requirements of the Growth Management Act. Directs the Washington State Conservation Commission, with the advice of a statewide advisory committee, to administer the Program. Establishes operational and implementation requirements for the Program. 	Signed into law Chapter 353, Laws of 2011	07/22/11	
1899	Changing penalty amounts for public records violations.	<ul style="list-style-type: none"> Changes the range of the monetary penalty that may be assessed against an agency under the Public Records Act from a minimum of \$0 up to a maximum of \$100 for each day the agency has unlawfully failed to provide requested records. 	Signed into law Chapter 273, Laws of 2011	07/22/11	

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1922	Requiring certain vehicles to stop at a port of entry upon entering the state.	<ul style="list-style-type: none"> Requires commercial vehicles with a gross vehicle weight of 40,000 pounds or more and transporting cattle to stop at a Port of Entry. Establishes criteria to identify applicable counties. Establishes a penalty of \$1,000 for failure to comply, with the fines being deposited into the Motor Vehicle Fund for road maintenance. Requires the Washington State Patrol to issue notification of the new requirements. 	Signed into law Chapter 242, Laws of 2011	07/22/11	
1966	Clarifying that animal manure is an agricultural product for the purposes of commercial drivers' licenses.	<ul style="list-style-type: none"> Animal manure and animal manure compost are added to the list of products that may be carried by the operator of a farm vehicle under the CDL exemption for operators of farm vehicles. 	Signed into law Chapter 142, Laws of 2011	07/22/11	
2017	Concerning the master license service program.	<ul style="list-style-type: none"> Transfers the administration and all powers, duties, and functions related to the Master License Service program, including the program's dedicated account, from the Department of Licensing to the Department of Revenue. 	Signed into law Chapter 298, Laws of 2011	07/22/11	
2021	Limiting the annual increase amounts in the public employees' retirement system plan 1 and the teachers' retirement system plan 1.	<ul style="list-style-type: none"> Eliminates further increases of Public Employees' and Teachers' Retirement Systems Plan 1 (PERS Plan 1 and TRS Plan 1) benefits through the annual increase, or "Uniform COLA" above the amount in effect on 7/1/10, unless a retiree qualifies for the minimum benefit. Permits members of PERS Plan 1 and TRS Plan 1 that qualify for the basic minimum benefit formula in the plans to continue to receive the Uniform COLA. Reduces the minimum employer contribution rates for the PERS Plan 1 unfunded liability from 5.75 to 3.5 percent, and for the TRS Plan 1 unfunded liability from 8.0 to 5.75 percent. Increases the alternative minimum benefit, commonly referred to as the "\$1,000 minimum benefit," to \$1,500, and continues to index the alternative minimum benefit by 3 percent per year. 	Signed into law Chapter 362, Laws of 2011	06/30/11	
5045	Making technical corrections to gender-based terms.	<ul style="list-style-type: none"> Amends numerous sections in the code to make them gender-neutral. 	Signed into law Chapter 336, Laws of 2011	07/22/11	
5065	Preventing animal cruelty.	<ul style="list-style-type: none"> Changes Animal Cruelty in the second degree from a misdemeanor to a gross misdemeanor. Modifies the prohibition on owning or caring for similar animals imposed on persons convicted of animal cruelty. 	Signed into law Chapter 172, Laws of 2011	07/22/11	

Bill #	Brief Description	Summary	Status	Effective Date	Expected Action
5072	Authorizing the department of agriculture to accept and expend gifts. (Request Legislation)	<ul style="list-style-type: none"> Authorizes the Washington State Department of Agriculture to accept, expend, and retain gifts, grants, bequests, or other contributions. 	Signed into law Chapter 245, Laws of 2011	07/22/11	May require policy development
5073	Concerning the medical use of cannabis.	<p>The Governor vetoed the following provisions:</p> <ul style="list-style-type: none"> Establishment of a patient registry within the Department of Health and arrest protection for those patients who register. Licensing provisions for producers, processors, and dispensaries as well as the section providing current producers and dispensaries with an affirmative defense if they register with the Secretary of State and file a letter of intent with the Department of Agriculture. <p>WSDA no longer has a role under the bill.</p>	Signed into law Chapter 181, Laws of 2011	07/22/11	
5098	Exempting personal information from public inspection and copying.	<ul style="list-style-type: none"> Exempts from disclosure under the Public Records Act specified personal information regarding children, adolescents, and students who participate in public or nonprofit programs that serve or pertain to children, adolescents, or students. 	Signed into law Chapter 173, Laws of 2011	07/22/11	
5374	Making technical, nonsubstantive changes to various sections of the Revised Code of Washington that impact the Department of Agriculture.	<ul style="list-style-type: none"> Makes corrections to outdated provisions, obsolete statutory cross references, redundant provisions, non-gender neutral terms, and other anachronistic terminology in the statutes administered by the Washington State Department of Agriculture. 	Signed into law Chapter 103, Laws of 2011	07/22/11	
5487	Regarding eggs and egg products in intrastate commerce.	<ul style="list-style-type: none"> Entities providing eggs or egg products for intrastate commerce that apply for an egg handler or egg dealer license before 01/01/26, must prove their eggs meet the 2010 version of the United Egg Producer's (UEP) animal husbandry guidelines. New facilities built between 01/01/12 and 12/31/16 must show it was approved under or convertible to the American Humane Association (AHA) Facility System Plan for Enriched Colony Housing in effect 1/01/11. As of 01/01/17 facilities built during this five-year period must be operated in compliance with the UEP and AHA standards; provide no less than 116.3 square inches of space per hen; and provide access to areas for nesting, scratching, and perching. As of 01/01/26 all facilities existing on or existing after 01/01/12 must meet AHA standards; provide no less than 116.3 square inches of space per hen; and provide access to areas for nesting, scratching, and perching. 	Signed into law Chapter 306, Laws of 2011	08/01/12	<u>Food Safety</u> : Program will assess need for rule making

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5492	Changing Washington beer commission provisions.	<ul style="list-style-type: none"> Removes the requirement that brewers must produce less than 100,000 barrels per year to be assessed by and represented by the Washington Beer Commission. Would allow Redhook Brewery to participate. 	Signed into law Chapter 54, Laws of 2011	07/22/11	<u>Fairs, Commissions</u> : Will require rule making once the "freeze" is lifted
5500	Concerning the rule-making process for state economic policy.	<ul style="list-style-type: none"> Requires agencies to consider methods suggested by small businesses or small business advocates to reduce the impact of a proposed rule. Requires that notifications of proposed rules with small business economic impact statement (SBEIS) requirements be posted on an agency's website. 	Signed into law Chapter 249, Laws of 2011	07/22/11	<u>Admin. Regulations</u> : Revise existing forms and provide staff training on SBEIS changes
5633	Exempting agricultural fair premiums from the unclaimed property act.	<ul style="list-style-type: none"> Exempts agricultural fairs from reporting unclaimed fair premiums to the Department of Revenue under the unclaimed property program. 	Signed into law Chapter 116, Laws of 2011	07/22/11	
5741	Concerning the economic development commission.	<ul style="list-style-type: none"> Clarifies the intent, purpose, duties, and authorities of the Washington Economic Development Commission. Increases membership of Commission from 18 to 24, and adds the Director of Agriculture. 	Signed into law Chapter 311, Laws of 2011	07/22/11	<u>HR/Fiscal</u> : Provide information to agency staff
5748	<u>Regarding cottage food operations.</u>	<ul style="list-style-type: none"> Cottage food is defined to include non-potentially hazardous foods identified in law and by rule, that may be produced for sale in a person's home kitchen. Cottage foods may be sold only directly to the consumer, and may not be sold through the Internet, mail order, or for retail sale outside WA. A permitted operation may have sales of up to \$15,000/year. This maximum annual sales limit may be increased by rule each biennium to reflect inflation. To produce cottage foods, a person is required to obtain a permit from the WSDA and to allow inspection of the kitchen and areas of the home in which the cottage food is prepared or stored. Fees include a \$30 permit fee, a \$75 public health review fee, and a \$125 basic hygiene inspection fee. An additional fee may be charged for additional compliance inspections. Labeling requirements are established. WSDA may adopt by rule requirements for cottage food operations. Annual inspections by WSDA will be conducted. Authority to enforce the provisions of this act is provided to WSDA. Grounds for denial or suspension of a permit are listed. The Department may issue a civil fine of up to \$1,000 per violation, and violations are punishable as a misdemeanor. 	Signed into law Chapter 281, Laws of 2011	07/22/11	<u>Food Safety</u> : Rule making required

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5860	Addressing temporary compensation reductions for state government employees during the 2011-2013 fiscal biennium.	<ul style="list-style-type: none"> • During the 2011-13 biennium, base salaries are reduced 3 percent for all state employees. Exceptions include, but are not limited to, elected officials whose salaries are established by the Commission on Salaries for Elected Officials; and employees whose monthly full-time equivalent salary is less than \$2,500 per month. • Employees subject to the salary reduction accrue additional Temporary Salary Reduction leave at the rate of 5.2 hours per month. • Amounts paid during the 2011-13 fiscal biennium to state employees who cash-out annual or sick leave at the time of retirement or sick leave in excess of 60 days at any time are not reduced by temporary compensation reductions. • Agencies that are prevented by the terms of a collective bargaining contract from implementing the 3 percent salary reduction are required to achieve a 3 percent reduction in compensation expenditures through employee leave without pay, reduced work hours, temporary layoffs, or other actions consistent with the terms of the collective bargaining agreement. • State institutions of higher education are required to reduce compensation to meet savings targets provided in the Omnibus Appropriations Act. • During the 2011-13 fiscal biennium, no performance-based awards or incentives may be granted to state employees, and no salary increases can be granted for exempt or WMS employees during the biennium, except in cases where a demonstrated recruitment and retention issue exists. • Agencies that do give salary increases to exempt or WMS employees are required to submit reports by July 31, 2012, and July 31, 2013, describing the increases given and the reasons for granting them. 	Signed into law Chapter 39, 2011 Laws 1st Special Session	07/01/11	HR/Fiscal: Provide information to agency staff