

Multiple Agency Fiscal Note Summary

Bill Number: 522 XIP	Title: Genetically engineered foods
-----------------------------	--

Estimated Cash Receipts

Agency Name	2013-15		2015-17		2017-19	
	GF- State	Total	GF- State	Total	GF- State	Total
Department of Health	Non-zero but indeterminate cost. Please see discussion."					
Total \$	0	0	0	0	0	0

Estimated Expenditures

Agency Name	2013-15			2015-17			2017-19		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Office of the Secretary of State	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Health	1.9	396,000	396,000	4.8	1,490,000	1,490,000	4.8	1,482,000	1,482,000
Department of Agriculture	.0	0	0	.0	0	0	.0	0	0
Total	1.9	\$396,000	\$396,000	4.8	\$1,490,000	\$1,490,000	4.8	\$1,482,000	\$1,482,000

Local Gov. Courts *	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Other **									
Local Gov. Total									

Estimated Capital Budget Impact

NONE

Prepared by: Ryan Black, OFM	Phone: 360-902-0417	Date Published: Pending Distribution
-------------------------------------	-------------------------------	--

* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID 34378

Judicial Impact Fiscal Note

Bill Number: 522 XIP	Title: Genetically engineered foods	Agency: 055-Admin Office of the Courts
-----------------------------	--	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Diane Smith	Phone: (360)786-7410	Date: 02/14/2013
Agency Preparation: David Elliott	Phone: 360-705-5226	Date: 02/14/2013
Agency Approval: Dirk Marler	Phone: 360-705-5211	Date: 02/14/2013
OFM Review: David Dula	Phone: (360) 902-0547	Date: 02/14/2013

Request # other-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

This bill is Initiative to the Legislature number 522 filed with the Office of the Secretary of State in January 2013. The legislature has the option of passing the bill, passing an alternative to the bill or taking no action and allowing the initiative to appear on the November 2013 general election ballot.

Sections with potential court impact:

Section 5 is a new section of chapter 70 of the RCW. The State Department of Health, using the Attorney General, is authorized to bring an action in a court of competent jurisdiction seeking an injunction against persons violating the elements of the bill. The bill authorizes any person to bring the same action 60 days after they have notified the Department, the Attorney General and the alleged violator of the alleged violation.

II. B - Cash Receipts Impact

Revenues will be in the form of civil filing fees. There is no data to estimate the number of annual filings made by citizen filers, but the State Department of Health is assuming there will be 10 filings per year initiated by the state. This would lead to annual revenues of \$2,400 per year to counties.

II. C - Expenditures

There are potential expenditure impacts for judicial and staff time for superior court filings and hearings. Each action constitutes a court filing that will require judge and staff time and at least one hearing before a superior court judge. There is no data to predict the number of filings, although the Department of Health (DOH) estimates 10 enforcement actions per year. Judicial Information System data shows that the majority of these cases are concluded after a summary judgment hearing, with a small number of cases proceeding to either bench trial or jury trial.

Bench trials are expected to consume one day of judicial and staff time with jury trials taking approximately two days.

The bill contains an effective date of July 1, 2015, so no filings are expected until after that date. On July 1, 2019 an exemption on processed food expires, and there may be additional filings after that date.

It is expected that most filings initiated by the DOH through the Attorney General will occur in Thurston County Superior Court as this is the court at the seat of state government. Filings made by citizens could occur in any superior court in the state.

There is no way to estimate the frequency of citizen filings but using the DOH assumption of 10 filings each year the costs are less than \$50,000 per year.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

SOURCES:

Office of the Secretary of State elections division
Judicial Information System
Judicial Impact Note for 2012 session SSB 6298
Washington State Department of Health
Washington State Attorney General
Washington State Department of Agriculture 2012 fiscal note for SSB 6298
Judicial inquiry

Individual State Agency Fiscal Note

Bill Number: 522 XIP	Title: Genetically engineered foods	Agency: 085-Office of the Secretary of State
-----------------------------	--	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

Estimated Capital Budget Impact:

Non-zero but indeterminate cost. Please see discussion.

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Diane Smith	Phone: (360)786-7410	Date: 02/14/2013
Agency Preparation: Dalene Conant	Phone: 360-236-5046	Date: 02/15/2013
Agency Approval: Mark Neary	Phone: 360-902-4186	Date: 02/15/2013
OFM Review: Cherie Berthon	Phone: 360-902-0659	Date: 02/15/2013

Request # 2013-24-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

The bill is an Initiative to the Legislature - I522 Label Genetically Engineered Food. While the bill doesn't have a fiscal impact as written to the Office of the Secretary of State (OSOS), if certified, the initiative is submitted to the Legislature and can take three different paths, each having a different fiscal impact to OSOS and may require additional state general funds:

1. Adopt as Proposed – Zero cost to OSOS

The Legislature can adopt the initiative as proposed, in which case it becomes a law without a vote of the people. This will result in a zero fiscal impact on the OSOS.

2. Reject or Refuse to Act - \$88,000 minimum to OSOS with unknown state share election costs

The Legislature can reject or refuse to act on the proposed initiative, in which case it must be placed on the 2013 General Election ballot, resulting in a fiscal impact.

Based on the costs of producing the 2011 General Election Voters' Pamphlet, inclusion of the ballot title with explanatory statement, pro/con arguments and three pages of text in the 2013 General Election Voters' Pamphlet is estimated to cost \$11,000 per page (including postage) or \$88,000 total cost (8-page minimum).

This fiscal note reflects only those costs related to the submission of this measure to a vote of the people and not any general changes in revenue or expenditures by the state as a consequence of the substance of the measure. The costs identified in this fiscal note would be incurred regardless of whether or not the measure is approved by voters.

The 2013-15 operating budget includes funding for the publication of a voters' pamphlet containing information on three state measures (two initiatives and one constitutional amendment) in each fiscal year of the biennium. If the passage of this measure results in more than three measures appearing on the 2013 General Election ballot, a supplemental appropriation for the voters' pamphlet may be required in fiscal year 2014.

The 2013-15 operating budget includes funding for the publication of notices in every legal newspaper in the state four times prior to the general election. This fiscal note does not assume additional cost to publish this measure because the notices would be customized to remain within the authorized budget for legal advertising.

OSOS is required by RCW 29A.04.420 to reimburse counties for the state's share of odd-numbered year election costs whenever state offices or measures are on the ballot. The state's cost for a single state measure or candidate at the 2013 General Election (FY14) is difficult to estimate eight months prior to the election. The proposed 2013-2015 OSOS budget includes \$4,101,000 for the state's share of the 2013 Primary and General Election. The \$4,101,000 figure is based on the state's share of actual election costs for previous odd-year elections. State share costs beyond what is appropriated in the Legislature's final 2013-2015 budget would require a supplemental appropriation during the 2014 Legislative Session.

3. Approve an Alternative - \$176,000 minimum cost to OSOS with unknown state share election costs

Request # 2013-24-1

The Legislature can approve an alternative to the proposed initiative, in which case both the original proposal and the Legislature's alternative must be placed on the 2013 General Election ballot, resulting in a fiscal impact.

This fiscal note reflects only those costs related to the submission of this measure to a vote of the people and not any general changes in revenue or expenditures by the state as a consequence of the substance of the measure. The costs identified in this fiscal note would be incurred regardless of whether or not the measure is approved by voters.

Based on the costs of producing the 2011 General Election Voters' Pamphlet, inclusion of a ballot title, explanatory statement, fiscal impact statement, pro/con arguments and approximately three pages of text for each measure (the original and alternative) in the 2013 General Election Voters' Pamphlet is estimated to cost \$11,000 per page (including postage) or \$176,000 total cost (16-page minimum).

The 2013-15 operating budget includes funding for the publication of a voters' pamphlet containing information on three state measures (two initiatives and one constitutional amendment) in each fiscal year of the biennium. If the passage of this measure results in more than three measures appearing on the 2013 General Election ballot, a supplemental appropriation for the voters' pamphlet may be required in fiscal year 2014.

The 2013-15 operating budget includes funding for the publication of notices in every legal newspaper in the state four times prior to the general election. This fiscal note does not assume additional cost to publish this measure because the notices would be customized to remain within the authorized budget for legal advertising.

OSOS is required by RCW 29A.04.420 to reimburse counties for the state's share of odd-numbered year election costs whenever state offices or measures are on the ballot. The state's cost for a single state measure or candidate at the 2013 General Election (FY14) is difficult to estimate eight months prior to the election. The proposed 2013-2015 OSOS budget includes \$4,101,000 for the state's share of the 2013 Primary and General Election. The \$4,101,000 figure is based on the state's share of actual election costs for previous odd-year elections. State share costs beyond what is appropriated in the Legislature's final 2013-2015 budget would require a supplemental appropriation during the 2014 Legislative Session.

4. Signature Verification Costs - \$22,000 cost to OSOS

There is a cost to conduct the signature verification of the initiative petitions, regardless of how the Legislature responds to the initiative. Signature verification costs, currently estimated at \$22,000, are not included in the current OSOS budget. The OSOS may submit a supplemental request to address the costs of verifying signatures for S-0052.1 (Initiative 522).

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Non-zero but indeterminate cost. Please see discussion.

There is no impact to the capital budget, but for some unknown reason the fiscal note system added the statement "Non-zero but indeterminate cost. Please see discussion." to the first page.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 522 XIP	Title: Genetically engineered foods	Agency: 303-Department of Health
-----------------------------	--	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	1.5	2.2	1.9	4.8	4.8
Account					
General Fund-State 001-1	178,000	218,000	396,000	1,490,000	1,482,000
Total \$	178,000	218,000	396,000	1,490,000	1,482,000

Estimated Capital Budget Impact:

Non-zero but indeterminate cost. Please see discussion.

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Diane Smith	Phone: (360)786-7410	Date: 02/14/2013
Agency Preparation: Jodine Sorrell	Phone: 360-236-4532	Date: 02/14/2013
Agency Approval: Kristin Bettridge	Phone: (360) 236-4530	Date: 02/14/2013
OFM Review: Ryan Black	Phone: 360-902-0417	Date: 02/17/2013

Request # 13-105-2

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Currently, there is no federal or state requirement that foods be labeled to disclose that they are genetically engineered. This act would require the labeling of foods containing genetically engineered material, add a new chapter to Title 70 RCW, and prescribe penalties.

Section 2 – The definition of “Department” is listed as department of health.

Section 3 – This bill requires any food offered for retail sale in Washington that is entirely or partly produced with genetic engineering to be clearly and conspicuously labeled as such on the front of the package. This will require the Department of Health (DOH) to develop a new program to regulate the inclusion of genetic engineering labeling of food offered for retail sale in Washington.

Section 3(3)(f) – Any undisclosed genetically engineered food offered for retail sale in Washington that an independent organization has determined has not been knowingly or intentionally produced from or commingled with genetically engineered seed or genetically engineered food is an exception to the labeling requirements of this bill, provided that such a determination has been made pursuant to a sampling and testing procedure approved for this purpose in rules adopted by the department; therefore, DOH assumes that rule development will be required to set the sampling and testing standards.

Section 4 – DOH may adopt rules necessary to implement this chapter.

Section 5 – DOH, acting through the attorney general, may bring an action in a court of competent jurisdiction to enjoin any person violating this chapter. The department may assess a civil penalty against any person violating this chapter in an amount not to exceed one thousand dollars per day.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Based on the experience in other programs and the level of public interest by advocacy groups around this issue, DOH assumes there will be a minimum of 50 complaints of non-compliance and at least ten enforcement actions annually. The department may assess a civil penalty of up to \$1,000 per day. DOH assumes \$1,000 would be charged per day until the violator pulls the product from retail shelves. Because there are no other states with a similar program to provide us with reasonable estimates of the number of days the violator will take to remove the product from retail shelves, the cash receipts are indeterminate.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The costs estimates in this fiscal note reflect a very minimal level of regulatory effort by DOH. While no similar bill has been passed in other states, both the states of California and Oregon have estimated that their costs to implement similar labeling requirements would be in the millions of dollars per year.

Because no other funding source has been identified in the bill, DOH assumes GF-State will be used to develop and implement the program.

Section 3, program development and implementation:

DOH assumes that, as the department with the authority to adopt rules to implement this law and to bring enforcement actions against persons violating this chapter, DOH will need to take an active, ongoing role in developing, implementing, and managing a new program.

Beginning October 1 of FY 2014, and through FY 2015, there will be one-time costs for program development of \$178,000 and 0.5 FTE Public Health Advisor 4 for program development, obtaining extensive knowledge of the science of genetic engineering, and identifying food processors and producers whose products may contain genetically engineered food; 0.25 FTE Administrative Assistant 3 for administrative support; and 0.1 FTE WMS 2 for overall guidance and program management.

Full implementation will begin in FY 2016. Ongoing costs will be \$210,000 and 1.0 FTE Public Health Advisor 3 for routine surveillance of labels and products for compliance, and providing education and technical assistance to the food industry; 0.5 FTE Public Health Advisor 4 for program management and working closely with various public and private sector stakeholders on both a state and federal level; 0.25 FTE Administrative Assistant 3 for administrative support; and 0.1 FTE WMS 2 for consulting with the Office of the Attorney General (AGO), and overall guidance. There will also be personal contract costs of \$300,000 per year for contracting with a private laboratory for product sampling and testing: 200 product samples each year with an average of 5 tests per product x \$300 for each test = \$300,000.

Total costs for section 3, program development and implementation, are \$82,000 and 0.7 FTE in FY2014 (one time), \$96,000 and 0.9 FTE in FY2015 (one time), and \$510,000 and 1.9 FTE in FY2016 (ongoing).

Note: Subsection 3(3)(f): DOH assumes that there will be manufacturers that will state they meet this particular exemption. Therefore, DOH will need to write rules before July 1, 2015 that include the sampling and testing procedure requirements as stated in this subsection. The costs for this rule development are rolled into the costs for section four.

Section 4, rule development:

DOH assumes it will write rules necessary to implement this law. In addition to the sampling and testing procedure requirements from subsection 3(3)(f), the rules will include specific labeling requirements for the industry, the authority for DOH to sample and test food products, and all enforcement procedures appropriate to this requirement. DOH will need to consult with the AGO on legal issues related to rule making. The nature of the subject matter is controversial and extensive stakeholder work will be needed.

Beginning January 1 of FY 2014 and through FY 2015 there will be one-time costs for rule development of \$160,000

and 0.5 FTE Public Health Advisor 4 for rule development, 0.25 FTE Administrative Assistant 3 for administrative assistance, and 0.1 FTE WMS 2 for rule development and overall guidance. In FY 2014 there will also be estimated costs of \$38,000 for AGO, and in FY 2015 there will be estimated costs of \$20,000 for AGO.

Total one-time costs for section 4, rule development, are \$96,000 and 0.4 FTE in FY 2014, and \$122,000 and 0.9 FTE in FY 2015.

Section 5, enforcement:

Based on the experience in other programs and the level of public interest by advocacy groups around this issue, DOH assumes there will be a minimum of 50 complaints of non-compliance and at least ten enforcement actions annually.

Beginning in FY 2016 ongoing, costs will be \$211,000 and 1.0 FTE Public Health Advisor 3 for routine surveillance of labels and products for compliance, investigation of complaints, technical assistance and enforcement; 0.5 FTE Public Health Advisor 4 for program management, investigating company/manufacture procedures, and overseeing sampling and testing of products; 0.25 FTE Administrative Assistant 3 for administrative support; and 0.1 FTE WMS 2 for consulting with the AGO and working through court cases. There will be a one-time cost of \$8,000 for equipment for new staff in FY 2016. DOH will need to consult with the AGO on legal issues related to enforcement actions and court proceedings at an estimated cost of \$20,000 in FY 2016 and ongoing.

Total ongoing costs for section 5, enforcement, are \$231,000 and 1.9 FTE in FY 2016 and ongoing.

Overall estimated expenditures also include indirect costs to assist with increased division and agency administrative workload.

Note: The potential complexities of implementing and enforcing this legislation could result in much higher than expected costs, especially assistant attorney general costs. If unanticipated costs are incurred, the department will request additional funding through the normal budget process.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	1.5	2.2	1.9	4.8	4.8
A-Salaries and Wages	86,000	125,000	211,000	543,000	542,000
B-Employee Benefits	27,000	40,000	67,000	172,000	172,000
C-Professional Service Contracts				600,000	600,000
E-Goods and Other Services	57,000	45,000	102,000	145,000	144,000
G-Travel	4,000	6,000	10,000	12,000	12,000
J-Capital Outlays	2,000		2,000	6,000	
M-Inter Agency/Fund Transfers					
P-Debt Service					
T-Intra-Agency Reimbursements	2,000	2,000	4,000	12,000	12,000
9-					
Total:	\$178,000	\$218,000	\$396,000	\$1,490,000	\$1,482,000

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2014	FY 2015	2013-15	2015-17	2017-19
ADMINISTRATIVE ASST 3	40,524	0.3	0.5	0.4	0.5	0.5
Fiscal Analyst 2	45,828	0.2	0.3	0.3	0.7	0.7
Health Svcs Conslt 1	44,712	0.1	0.2	0.2	0.4	0.4
PUBLIC HEALTH ADVISOR 3	60,120				2.0	2.0
PUBLIC HEALTH ADVISOR 4	66,420	0.7	1.0	0.9	1.0	1.0
WMS02	78,900	0.2	0.2	0.2	0.2	0.2
Total FTE's	336,504	1.5	2.2	1.9	4.8	4.8

Part IV: Capital Budget Impact

Non-zero but indeterminate cost. Please see discussion.
--

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Section 4 permits DOH to adopt rules as needed to implement the bill. Costs for rule development are included in expenditure estimates for section four.

Individual State Agency Fiscal Note

Bill Number: 522 XIP	Title: Genetically engineered foods	Agency: 495-Department of Agriculture
-----------------------------	--	--

Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Diane Smith	Phone: (360)786-7410	Date: 02/14/2013
Agency Preparation: Marla Page	Phone: (360) 902-1949	Date: 02/20/2013
Agency Approval: Mark Johnson	Phone: 360-902-1986	Date: 02/20/2013
OFM Review: Chris Stanley	Phone: (360) 902-9810	Date: 02/20/2013

Request # 13-32-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Initiative 522 XIP ensures people are fully informed about whether the food they purchase and eat was produced through genetic engineering. Currently there is no federal or state requirement that foods be labeled to disclose that they are genetically engineered. This act would require the labeling of foods containing genetically engineered material.

If this bill is enacted, Department of Health (DOH) will be given jurisdiction and would be implementing the proposal, therefore there is no fiscal impact to the Department of Agriculture (WSDA).

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

If this bill is enacted, Department of Health (DOH) will be given jurisdiction and would be implementing the proposal, therefore there is no fiscal impact to the Department of Agriculture (WSDA).

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Non-zero but indeterminate cost. Please see discussion.

None.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 522 XIP	Title: Genetically engineered foods
-----------------------------	--

Part I: Jurisdiction

Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:
- Counties:
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Graham Parrington	Phone: 360-725-5033	Date: 02/21/2013
Leg. Committee Contact: Diane Smith	Phone: (360)786-7410	Date: 02/14/2013
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/21/2013
OFM Review: Ryan Black	Phone: 360-902-0417	Date: 02/21/2013

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill is an Initiative to the Legislature No. 522 filed with the Office of the Secretary of State in January 2013. The Legislature has the option of passing the bill, passing an alternative to the bill or taking no action and allowing the initiative to appear on the November 2013 general election ballot.

This act would require the labeling of foods containing genetically engineered material, add a new chapter to Title 70 RCW, and prescribe civil penalties.

Section 3 would require any food offered for retail sale in Washington that is entirely or partly produced with genetic engineering to be clearly and conspicuously labeled as such on the front of the package.

Section 5 would enable the Department of Health (DOH), acting through the attorney general, to bring civil action in a court of competent jurisdiction to enjoin any person violating this chapter. DOH would be able to assess a civil penalty against any person violating this chapter in an amount not to exceed \$1,000 per day.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

There would be no local government expenditure impacts to implement this bill.

Local governments could experience indeterminate expenditure impacts if 1) the initiative rejected by the Legislature, in which case it would appear on ballots; or 2) if the Legislature passes an alternative, in which case both the original initiative and the alternative would appear on ballots. However, these expenditures would be reimbursed by the Office of the Secretary of State, pursuant to RCW 29A.04.420. Therefore, this initiative would have no net fiscal impact to counties.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

This bill would not have revenue impacts to local governments if passed. However, if the legislature does not adopt the initiative as proposed, it would have revenue impacts to counties, which would receive reimbursements for expenses related to adding the initiative, and an alternative ballot measure if applicable, to ballots, that would be equal to expenditures. Therefore, this bill would have no net fiscal impact to counties.

SOURCES:

Administrative Office of the Courts (AOC)

AOC fiscal note

Office of the Secretary of State fiscal note

Department of Health fiscal note

RCW 29A.04.420