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ENGROSSED SUBSTITUTE HOUSE BILL 1426

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State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Agriculture & Rural Development (originally sponsored by Representatives Grant, Ballard, Rayburn, Nealey, Rust, Belcher, Ludwig, Prince, Heavey, Inslee, Bray, Rasmussen, Jacobsen, Lisk, Kremen, Spanel and Edmondson).

Read first time February 8, 1991.

1 AN ACT Relating to research and extension programs of Washington  
2 State University; adding a new chapter to Title 15 RCW; and creating a  
3 new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that public  
6 concerns are increasing about the need for significant efforts to  
7 develop sustainable systems in agriculture. The sustainable systems  
8 would address many anxieties, including the erosion of agricultural  
9 lands, the protection of natural resources, and the safety of food  
10 production. Consumers have demonstrated their apprehension in the  
11 marketplace by refusing to purchase products whose safety is suspect  
12 and consumer confidence is essential for a viable agriculture in  
13 Washington. Examples of surface and ground water contamination by  
14 pesticides and chemical fertilizers raise concerns about deterioration  
15 of environmental quality. Reducing soil erosion would maintain water

1 quality and protect the long-term viability of the soil for  
2 agricultural productivity. Both farmers and farm labor are  
3 apprehensive about the effects of pesticides on their health and  
4 personal safety. Development of sustainable farming systems would  
5 strengthen the economic viability of Washington's agricultural  
6 production industry.

7 Public anxieties over the use of chemicals in agriculture have  
8 resulted in congress amending the federal insecticide, fungicide and  
9 rodenticide act which requires all pesticides and their uses registered  
10 before November 1984 to be reregistered, complying with present  
11 standards, by the end of 1997. The legislature finds that the  
12 pesticide reregistration process and approval requirements could reduce  
13 the availability of chemical pesticides for use on minor crops in  
14 Washington and may jeopardize the farmers' ability to grow these crops  
15 in Washington.

16 The legislature recognizes that Washington State University  
17 supports research and extension programs that can lead to reductions in  
18 pesticide use where viable alternatives are both environmentally and  
19 economically sound. Yet, the legislature finds that a focused and  
20 coordinated program is needed to develop possible alternatives,  
21 increase public confidence in the safety of the food system, and  
22 educate farmers and natural resource managers on land stewardship.

23 The legislature further finds that growers, processors, and  
24 agribusiness depend upon pesticide laboratories associated with  
25 manufacturers, regional universities, state departments of agriculture,  
26 and the United States department of agriculture to provide residue data  
27 for registering essential pesticides. The registration of uses for  
28 minor crops, which include vegetables, fruits, nuts, berries, nursery  
29 and greenhouse crops, and reregistration of needed chemicals, are  
30 activities of particular concern to ensure crop production.

1 Furthermore, public demands for improved information and education on  
2 pesticides and risk assessment efforts justify these efforts.

3 The legislature further finds that multiple alternatives are needed  
4 for pest control, including programs for integrated pest management,  
5 genetic resistance to pests, biological control, cultural practices,  
6 and the use of appropriate approved chemicals.

7 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
8 otherwise, the definitions in this section apply throughout this  
9 chapter.

10 (1) "Center" means the center for sustaining agriculture and  
11 natural resources established at Washington State University.

12 (2) "Laboratory" means the food and environmental quality  
13 laboratory established at Washington State University at Tri-Cities.

14 (3) "Integrated pest management" is a strategy that uses various  
15 combinations of pest control methods, biological, cultural, and  
16 chemical, in a compatible manner to achieve satisfactory control and  
17 ensure favorable economic and environmental consequences.

18 (4) "IR-4 program" means interregional research project number  
19 four, clearances of chemicals and biologics for minor or special uses,  
20 established in 1963 by the cooperative state research service of the  
21 United States department of agriculture, the coordinated national  
22 program involving land-grant universities and the United States  
23 department of agriculture to provide data required for the registration  
24 of pesticides needed for the production of minor crops.

25 (5) "Natural resources" means soil, water, air, forests, wetlands,  
26 wildlands, and wildlife.

27 (6) "Pesticide" means chemical or biologic used to control pests  
28 such as insect, rodent, nematode, snail, slug, weed, virus, or any  
29 organism the director of agriculture may declare to be a pest.

1 (7) "Registration" means use of a pesticide approved by the state  
2 department of agriculture.

3 (8) "Sustainable agriculture" means a systems approach to farming,  
4 ranching, and natural resource production that builds on and supports  
5 the physical, biological, and ecological resource base upon which  
6 agriculture depends. The goals of sustainable agriculture are to  
7 provide human food and fiber needs in an economically viable manner for  
8 the agriculture industry and in a manner which protects the environment  
9 and contributes to the overall safety and quality of life.

10 NEW SECTION. **Sec. 3.** It is the understanding of the  
11 legislature that the establishment of a center for sustaining  
12 agriculture and natural resources is a high priority for Washington  
13 State University and that the university can proceed with establishing  
14 the center even without additional state funding. Therefore, a center  
15 for sustaining agriculture and natural resources is established at  
16 Washington State University. The center shall provide state-wide  
17 leadership in research, extension, and resident instruction programs to  
18 sustain agriculture and natural resources. The center shall operate  
19 even without additional state funding for this purpose.

20 NEW SECTION. **Sec. 4.** The center's primary activities include  
21 but are not limited to:

22 (1) Research programs which focus on developing possible  
23 alternative production and marketing systems through:

24 (a) Integrated pest management;

25 (b) Biological pest control;

26 (c) Plant and animal breeding;

27 (d) Conservation strategies; and

28 (e) Understanding the ecological basis of nutrient management;

1 (2) Extension programs which focus on:

2 (a) On-farm demonstrations and evaluation of alternative production  
3 practices;

4 (b) Information dissemination, and education concerning sustainable  
5 agriculture and natural resource systems; and

6 (c) Communication and training on sustainable agriculture  
7 strategies for consumers, producers, and farm and conservation-related  
8 organizations;

9 (3) On-farm testing and research to calculate and demonstrate costs  
10 and benefits, including economic and environmental benefits and trade-  
11 offs, inherent in farming systems and technologies;

12 (4) Crop rotation and other natural resource processes such as  
13 pest-predator interaction to mitigate weed, disease, and insect  
14 problems, thereby reducing soil erosion and environmental impacts;

15 (5) Management systems to improve nutrient uptake, health, and  
16 resistance to diseases and pests by incorporating the genetic and  
17 biological potential of plants and animals into production practices;

18 (6) Soil management, including conservation tillage and other  
19 practices to minimize soil loss and maintain soil productivity; and

20 (7) Animal production systems emphasizing preventive disease  
21 practices and mitigation of environmental pollution.

22 NEW SECTION. **Sec. 5.** The center is managed by an  
23 administrator. The administrator shall hold a joint appointment as an  
24 assistant director in the Washington State University agricultural  
25 research center and cooperative extension.

26 (1) A committee shall advise the administrator. The dean of the  
27 Washington State University college of agriculture and home economics  
28 shall make appointments to the advisory committee so the committee is  
29 representative of affected groups, such as the Washington department of

1 social and health services, the Washington department of ecology, the  
2 Washington department of agriculture, the chemical and fertilizer  
3 industry, food processors, marketing groups, consumer groups,  
4 environmental groups, and natural resource and agricultural  
5 organizations.

6 (2) Each appointed member shall serve a term of three years, and  
7 one-third are appointed every year. The entire committee is appointed  
8 the first year: One-third for a term of one year, one-third for a term  
9 of two years, and one-third for a term of three years. A member shall  
10 continue to serve until a successor is appointed. Vacancies are filled  
11 by appointment for the unexpired term. The members of the advisory  
12 committee shall serve without compensation but shall be reimbursed for  
13 travel expenses incurred while engaged in the business of the committee  
14 as provided in RCW 43.03.050 and 43.03.060.

15 (3) It is the responsibility of the administrator, in consultation  
16 with the advisory committee, to:

17 (a) Recommend research and extension priorities for the center;

18 (b) Conduct a competitive grants process to solicit, review, and  
19 prioritize research and extension proposals; and

20 (c) Advise Washington State University on the progress of the  
21 development and implementation of research, teaching, and extension  
22 programs that sustain agriculture and natural resources of Washington.

23 NEW SECTION. **Sec. 6.** A food and environmental quality  
24 laboratory is established at Washington State University at Tri-Cities  
25 to conduct pesticide residue studies concerning fresh and processed  
26 foods, in the environment, and for human and animal safety. The  
27 laboratory shall cooperate with public and private laboratories in  
28 Washington, Idaho, and Oregon.

1        NEW SECTION.    **Sec. 7.**        The responsibilities of the laboratory  
2 shall include:

3        (1) Evaluating regional requirements for minor crop registration  
4 through the federal IR-4 program;

5        (2) Conducting studies on the fate of pesticides on crops and in  
6 the environment, including soil, air, and water;

7        (3) Improving pesticide information and education programs; and

8        (4) Assisting federal and state agencies with questions regarding  
9 registration of pesticides which are deemed critical to crop  
10 production, consistent with priorities established in section 8 of this  
11 act; and

12        (5) Assisting in the registration of biopesticides, pheromones, and  
13 other alternative chemical and biological methods.

14        NEW SECTION.    **Sec. 8.**        The laboratory is advised by a board  
15 appointed by the dean of the Washington State University college of  
16 agriculture and home economics.    The dean shall cooperate with  
17 appropriate officials in Washington, Idaho, and Oregon in selecting  
18 board members.

19        (1) The board shall consist of one representative from each of the  
20 following interests:    A human toxicologist or a health professional  
21 knowledgeable in worker exposure to pesticides, the Washington State  
22 University vice-provost for research or research administrator,  
23 representatives from the state department of agriculture, the  
24 department of ecology, the department of health, the department of  
25 labor and industry, privately owned Washington pesticide analytical  
26 laboratories, federal regional pesticide laboratories, an Idaho and  
27 Oregon laboratory, whether state, university, or private, a chemical  
28 and fertilizer industry representative, farm organizations, food  
29 processors, marketers, farm labor, environmental organizations, and

1 consumers. Each board member shall serve a three-year term. The  
2 members of the board shall serve without compensation but shall be  
3 reimbursed for travel expenses incurred while engaged in the business  
4 of the board as provided in RCW 43.03.050 and 43.03.060.

5 (2) The board is in liaison with the pesticide advisory board and  
6 the pesticide incident reporting and tracking panel and shall review  
7 the chemicals investigated by the laboratory according to the following  
8 criteria:

9 (a) Chemical uses for which a data base exists on environmental  
10 fate and acute toxicology, and that appear safer environmentally than  
11 pesticides available on the market;

12 (b) Chemical uses not currently under evaluation by public  
13 laboratories in Idaho or Oregon for use on Washington crops;

14 (c) Chemicals that have lost or may lose their registration and  
15 that no reasonably viable alternatives for Washington crops are known;  
16 and

17 (d) Other chemicals vital to Washington agriculture.

18 (3) The laboratory shall conduct research activities using approved  
19 good laboratory practices, namely procedures and recordkeeping required  
20 of the national IR-4 minor use pesticide registration program.

21 (4) The laboratory shall coordinate activities with the national  
22 IR-4 program.

23 NEW SECTION. **Sec. 9.** The center for sustaining agriculture  
24 and natural resources at Washington State University shall prepare and  
25 present an annual report to the appropriate legislative committees.  
26 The first report, due no later than November 1, 1992, shall identify  
27 criteria for determining acceptable risk for human and environmental  
28 exposure to agricultural chemicals and the center's plan for conducting  
29 research and education to find and promote acceptable alternatives to

1 those chemicals that do not meet the criteria established in the  
2 report. For each subsequent year, the report shall detail the center's  
3 progress toward meeting the goals identified in section 4 of this act.

4 NEW SECTION. **Sec. 10.** If by June 30, 1991, the omnibus  
5 operating budget appropriations act for the 1991-93 biennium does not  
6 provide specific funding for sections 6, 7, and 8 of this act,  
7 referencing those specific sections of this act by bill number and  
8 section numbers, those sections of this act are null and void.

9 NEW SECTION. **Sec. 11.** Sections 1 through 9 of this act shall  
10 constitute a new chapter in Title 15 RCW.