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HOUSE BILL 1009

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By Representatives Chandler, Skinner, Kremen, Delvin, Schoesler, Mastin, Chappell, Grant, Foreman, D. Schmidt, Boldt, Clements and Stevens

Read first time 01/09/95. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to the commission on pesticide registration;  
2 amending RCW 15.92.010 and 15.92.060; adding new sections to chapter  
3 15.92 RCW; and making an appropriation.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 15.92 RCW  
6 to read as follows:

7 (1) A commission on pesticide registration is established. The  
8 commission shall be composed of eleven voting members appointed by the  
9 dean of the college of agriculture at Washington State University to  
10 represent the following segments of the state's agricultural industry:  
11 (a) The tree fruit industry, (b) hop growers, (c) potato growers, (d)  
12 the forest protection industry, (e) the agricultural chemical industry,  
13 (f) food processors, (g) wheat growers, (h) vegetable and seed growers,  
14 (i) wine grape growers, (j) the nursery and landscape industry, and (k)  
15 professional pesticide applicators. One member shall be appointed for  
16 each such segment of the industry and shall be nominated by a state-  
17 wide, private association of that segment of the industry. The  
18 representative of the agricultural chemical industry shall be involved  
19 in the manufacture of agricultural chemicals. A nomination for a

1 representative of vegetable and seed growers shall be made jointly by  
2 the Washington portion of an association of vegetable growers that may  
3 be multistate in nature and associations of seed growers in this state.

4 The following shall be ex officio, nonvoting members of the  
5 commission: The coordinator of the interregional project number four  
6 at Washington State University; the director of the department of  
7 ecology or the director's designee; the director of the department of  
8 agriculture or the director's designee; the director of the department  
9 of labor and industries or the director's designee, and the secretary  
10 of the department of health or the secretary's designee.

11 (2) Each voting member of the commission shall serve a term of  
12 three years. However, the first appointments in the first year shall  
13 be made by the dean for one, two, and three-year terms so that, in  
14 subsequent years, approximately one-third of the voting members shall  
15 be appointed each year. The dean shall assign the initial one, two,  
16 and three-year terms to members by lot. A vacancy shall be filled by  
17 appointment for the unexpired term in the same manner provided for an  
18 appointment to the full term. Each member of the commission shall  
19 receive travel expenses in accordance with RCW 43.03.050 and 43.03.060  
20 for attending meetings of the commission and for performing special  
21 duties, in the way of official commission business, specifically  
22 assigned to the person by the commission. The voting members of the  
23 commission serve without compensation from the state other than such  
24 travel expenses.

25 (3) The commission shall elect a chair from among its voting  
26 members each calendar year. After its original organizational meeting,  
27 the commission shall meet at the call of the chair. A majority of the  
28 voting members of the commission constitutes a quorum and an official  
29 action of the commission may be taken by a majority vote of the voting  
30 members present at a meeting.

31 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.92 RCW  
32 to read as follows:

33 (1) The following apply to the use of state general fund moneys  
34 appropriated to Washington State University specifically and expressly  
35 for studies or activities regarding the registration of pesticides:

36 (a) The moneys may not be expended without the express approval of  
37 the commission on pesticide registration;

1 (b) The moneys may be used for: (i) Evaluations, studies, or  
2 investigations approved by the commission on pesticide registration  
3 regarding the registration or reregistration of pesticides for minor  
4 crops or minor uses or regarding the availability of pesticides for  
5 emergency uses. These evaluations, studies, or investigations may be  
6 conducted by the food and environmental quality laboratory or, by  
7 contract with the commission, may be conducted by other qualified  
8 laboratories; (ii) the tracking system described in RCW 15.92.060; and  
9 (iii) the support of the commission on pesticide registration; and

10 (c) Not less than twenty-five percent of such moneys shall be  
11 dedicated to studies or investigations concerning the registration or  
12 use of pesticides for crops that are not among the top twenty  
13 agricultural commodities in production value produced in the state, as  
14 determined annually by the Washington agricultural statistics service.

15 (2) The commission on pesticide registration shall review,  
16 prioritize, and approve or disapprove proposals for studies or  
17 investigations submitted to the commission. Each biennium, the  
18 commission shall prepare a contingency plan for providing funding for  
19 laboratory studies or investigations that are necessary to pesticide  
20 registrations or related processes that will address emergency  
21 conditions for agricultural crops that are not generally predicted at  
22 the beginning of the biennium.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 15.92 RCW  
24 to read as follows:

25 The commission on pesticide registration shall:

26 (1) Provide guidance to the food and environmental quality  
27 laboratory established in RCW 15.92.050 regarding the laboratory's  
28 studies, investigations, and evaluations concerning the registration of  
29 pesticides for use in this state for minor crops and minor uses and  
30 concerning the availability of pesticides for emergency uses;

31 (2) Encourage agricultural organizations to assist in providing  
32 funding, in-kind services, or materials for laboratory studies and  
33 investigations concerning the registration of pesticides for minor  
34 crops and minor uses that would benefit the organizations;

35 (3) Provide guidance to the laboratory regarding a program for:  
36 Tracking the availability of effective pesticides for minor crops,  
37 minor uses, and emergency uses; providing this information to  
38 organizations of agricultural producers; and maintaining close contact

1 between the laboratory, the department of agriculture, and  
2 organizations of agricultural producers regarding the need for research  
3 to support the registration of pesticides for minor crops and minor  
4 uses and the availability of pesticides for emergency uses; and

5 (4) Ensure that the activities of the commission and the laboratory  
6 are coordinated with the activities of other laboratories in the  
7 Pacific Northwest, the United States department of agriculture, and the  
8 United States environmental protection agency to maximize the  
9 effectiveness of regional efforts to assist in the registration of  
10 pesticides for minor crops and minor uses and in providing for the  
11 availability of pesticides for emergency uses for the region and the  
12 state.

13 **Sec. 4.** RCW 15.92.010 and 1991 c 341 s 2 are each amended to read  
14 as follows:

15 Unless the context clearly requires otherwise, the definitions in  
16 this section apply throughout this chapter.

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

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

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

25 (4) "IR-4 program" means interregional research project number  
26 four, clearances of chemicals and biologics for minor or special uses,  
27 established in 1963 by the cooperative state research service of the  
28 United States department of agriculture, the coordinated national  
29 program involving land-grant universities and the United States  
30 department of agriculture to provide data required for the registration  
31 of pesticides needed for the production of minor crops.

32 (5) "Minor crop" means an agricultural crop considered to be minor  
33 in the national context of registering pesticides.

34 (6) "Minor use" means a pesticide use considered to be minor in the  
35 national context of registering pesticides including, but not limited  
36 to, a use for a special local need.

37 (7) "Natural resources" means soil, water, air, forests, wetlands,  
38 wildlands, and wildlife.

1       ~~((+6+))~~ (8) "Pesticide" means chemical or biologic used to control  
2 pests such as insect, rodent, nematode, snail, slug, weed, virus, or  
3 any organism the director of agriculture may declare to be a pest.

4       ~~((+7+))~~ (9) "Registration" means use of a pesticide approved by the  
5 state department of agriculture.

6       ~~((+8+))~~ (10) "Sustainable agriculture" means a systems approach to  
7 farming, ranching, and natural resource production that builds on and  
8 supports the physical, biological, and ecological resource base upon  
9 which agriculture depends. The goals of sustainable agriculture are to  
10 provide human food and fiber needs in an economically viable manner for  
11 the agriculture industry and in a manner which protects the environment  
12 and contributes to the overall safety and quality of life.

13       **Sec. 5.** RCW 15.92.060 and 1991 c 341 s 7 are each amended to read  
14 as follows:

15       The responsibilities of the laboratory shall include:

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

18       (2) Providing a program for tracking the availability of effective  
19 pesticides for minor crops, minor uses, and emergency uses in this  
20 state;

21       (3) Conducting studies on the fate of pesticides on crops and in  
22 the environment, including soil, air, and water;

23       ~~((+3+))~~ (4) Improving pesticide information and education programs;  
24 ~~((and~~

25       ~~(+4+))~~ (5) Assisting federal and state agencies with questions  
26 regarding registration of pesticides which are deemed critical to crop  
27 production, consistent with priorities established in RCW 15.92.070;  
28 and

29       ~~((+5+))~~ (6) Assisting in the registration of biopesticides,  
30 pheromones, and other alternative chemical and biological methods.

31       NEW SECTION. **Sec. 6.** The sum of one million dollars, or as much  
32 thereof as may be necessary, is appropriated for the biennium ending  
33 June 30, 1997, from the general fund to Washington State University for  
34 studies or activities regarding the registration of pesticides as  
35 described in section 2(1) of this act.

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