

ANALYSIS OF HB 1152

House Agriculture & Ecology Committee

January 22, 1999

- Expands a pilot licensing program for pesticide use by adding Stevens and Pend Oreille counties to the program, extends the program through the year 2004, and adds a new licensing category to the program;
- Requires certain cooperative extension service and/or weed board agreements for the program to apply in a county;
- Establishes licensing fees and coursework credit requirements; and
- No longer prohibits a limited private applicator from using a powered apparatus to apply herbicides under the pilot project.

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FOUND:

A pesticide licensing pilot project is authorized under legislation enacted in 1997. It is for providing licenses to persons for applying restricted use herbicides to control weeds in Ferry and Okanogan counties. The license is called a limited private applicator's license and it permits the licensee to apply herbicides to control weeds on his or her own non-production agricultural land and on the non-production agricultural land of another person if it is done without compensation other than the trading of personal services. Such non-production agricultural land is defined to include pastures, range land, fence rows, and areas around farm buildings. The application of herbicides to aquatic sites is not permitted under such a license. With certain exceptions, the use of a powered apparatus in applying the herbicides is also prohibited.

The application and examination requirements, as well as the fee, for a limited private applicator are the same as for a private applicator. Continuing education requirements were established for this category of license. A person who successfully completes these requirements is deemed to have met the credit accumulation requirements for private applicators. The pilot project is to expire December 31, 2002. (RCW 17.21.187.)

SUMMARY:

The pilot project authorized by 1997 legislation is altered and extended through the year 2004. The project is expanded to encompass a new licensing category, that of a rancher private applicator. A person licensed under this category has generally the same authorities as a

person licensed as a limited private applicator under the pilot project except that restricted use of rodenticides, not just herbicides, may be used for controlling pest animals under this license. The control is permitted on nonproduction agricultural land and production agricultural land used to grow hay and grain crops that are consumed by the livestock on the farm where produced, although up to 10% of the crops grown on the such land in a calendar year may be sold within the county of production. (Section 1(3).)

The project is also expanded to include Stevens and Pend Orielle Counties. However, it may be used only in a county where the county's cooperative extension service and/or its weed board complete a memorandum of understanding with the Department of Agriculture agreeing: (1) to conduct certain department-approved re-certification coursework every year; and (2) to maintain re-certification credit records for the limited private applicators in the county. (Section 1(4)&(10).)

The licensing fee for a limited private applicator is set at \$25. For a rancher private applicator, it is set at \$75. The application requirements currently set for a private applicator do not apply to a limited private applicator or a rancher private applicator. The examination requirements of a private applicator do apply. The number of department-approved education credits required for a limited private applicator's license is reduced and the number needed for a rancher private applicator is set. (Section 1(5) - (7).)

A limited private applicator is no longer prohibited from using a powered apparatus to apply herbicides under the pilot project. (Section 1(2).)

The Department must report to the Legislature on the results of the pilot project by September 1, 2003. (Section 1(9).)