

# SENATE BILL REPORT

## SB 5188

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As Passed Senate, March 12, 1999

**Title:** An act relating to a pilot project for limited private applicator licenses and rancher private applicator licenses.

**Brief Description:** Regulating private applicator licenses.

**Sponsors:** Senators Rasmussen and Morton; by request of Department of Agriculture.

**Brief History:**

**Committee Activity:** Agriculture & Rural Economic Development: 1/27/99, 2/3/99 [DP]. Passed Senate, 3/12/99, 43-0.

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### SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

**Majority Report:** Do pass.

Signed by Senators Rasmussen, Chair; T. Sheldon, Vice Chair; Gardner, Honeyford, Morton, Prentice, Snyder, Stevens and Swecker.

**Staff:** Bob Lee (786-7404)

**Background:** State law requires persons who use restricted use pesticides on their own land or their employer's land to hold a private applicator license. To be licensed, a person must pass a test, and pay an annual fee of \$25. Every five years, the private applicator must obtain 20 continuing education credits approved by the Department of Agriculture, or they are required to retake the private applicator test. Pesticide is a term that includes a number of products, including insecticides, fungicides, herbicides, rodenticides and related products.

Legislation was enacted in 1997 that established a pilot project for Ferry and Okanogan counties to determine if modifying licensing requirements would result in more people obtaining licenses to apply restricted use herbicides. The 1997 legislation established a "limited private applicator" license category which allows a person to only apply restricted use herbicides on nonproductive agricultural land. This license has a reduced recertification requirement of 10 credits related to weed control. The \$25/year license fee was retained.

**Summary of Bill:** The pilot project is restructured. It is expanded to also include Stevens and Pend Oreille counties. Also, a "rancher private applicator" license category is created in addition to the "limited private applicator" license. The "rancher private applicator" category may use restricted-use herbicides and rodenticides on agricultural land owned or rented by the applicator or applicator's employer. Agricultural land includes both nonproduction and production agricultural lands used to grow hay and grain crops consumed by the livestock on the farm where produced and up to 10 percent of the crops grown to be sold within the county of production.

Limited private applicator and rancher private applicator licenses may be issued only in counties where the cooperative extension service or county weed board complete a memorandum of understanding with the department agreeing to conduct a minimum of two hours of weed control recertification course work every year and to maintain recertification credit records.

A schedule of recertification credits for department-approved courses is established. Limited private applicators and rancher private applicators who successfully comply with the recertification requirements may reapply as a private applicator in year 2005.

The \$25 annual license fee is replaced with a license fee of \$25 for a period of up to five years, and the rancher private applicator license fee is \$75 for a period of up to five years.

The department must report to the Legislature on the results of the pilot project by September 1, 2003. The program terminates on December 31, 2004.

**Appropriation:** None.

**Fiscal Note:** Requested on January 19, 1999.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Specialized classes and licensing program to allow pesticides specifically for the control of weeds is needed. This will result in greater knowledge by the applicators who will be properly trained and licensed to control weeds, and increased compliance with pesticide licensing requirements. The effectiveness of this pilot program is authorized for a limited time period and will be evaluated prior to termination.

**Testimony Against:** None.

**Testified:** PRO: Tip Hudson, WA Cattlemen's Assn.; Mary Beth Lang, Margaret Tucker, Department of Agriculture; Lisa Lantz, State Weed Board; Sheilah Kennedy, Okanogan County Weed Board; Jim Davidson, Ferry County Weed Board.