

# SENATE BILL REPORT

## SSB 5533

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As Passed Senate, March 9, 2001

**Title:** An act relating to posting and notification of pesticide applications at schools.

**Brief Description:** Posting and notification of pesticide applications at schools.

**Sponsors:** Senate Committee on Education (originally sponsored by Senators Eide, Rasmussen, Swecker, Patterson, Fairley, Zarelli, Roach, Jacobsen, Kohl-Welles, Costa, McAuliffe, Spanel, Franklin, Shin, B. Sheldon, Constantine, Hargrove, Kastama, Prentice, Kline, Stevens and Gardner; by request of Department of Agriculture).

**Brief History:**

**Committee Activity:** Education: 2/5/01, 2/12/01 [DPS, DNP].

Passed Senate: 3/9/01, 46-3.

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5533 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Eide, Vice Chair; Carlson, Finkbeiner, Hewitt, Johnson, Kastama, Kohl-Welles, Prentice, Rasmussen and Zarelli.

**Minority Report:** Do not pass.

Signed by Senator Hochstatter.

**Staff:** Kelly Simpson (786-7403)

**Background:** Under current law, certified pesticide applicators (individuals licensed to apply pesticides) are required to provide notice when making a landscape or right-of-way pesticide application. Notice includes displaying the name and telephone number of the applicator, or the applicator's employer, on any application machinery, and carrying a material safety data sheet describing each pesticide being applied. Additionally, individuals making landscape pesticide applications at a school, nursery school, or licensed day care must place a notification marker at each primary entry point to the school grounds.

**Summary of Bill:** Notification Requirements: Public schools, private schools, and licensed day care centers must establish a system for notifying interested parents, guardians, and employees at least 48 hours before a pesticide application to a school facility. The notification must be posted in a prominent place within the school's main office, and must include the following elements: (1) a heading labeled Notice: Pesticide Application--; (2) the name of the pesticide; (3) the date and time of the application; (4) the location to which the pesticide is to be applied; (5) the pest to be controlled; and (6) the name and phone number of a contact person at the school.

**Posting Requirements:** During a pesticide application made to school facilities, notification signs must be posted in the following manner: (1) if the application is made by a certified applicator, a marker must be placed at each primary entry point to the school grounds; (2) if the application is made to school grounds by a school employee, a notification sign must be placed at the location of the application and at each primary entry point to the school grounds; and (3) if the application is made to school facilities other than school grounds, a notification sign must be placed at the location of the application.

**Exemptions:** The notification and posting requirements do not apply to the use of antimicrobial– pesticides (disinfectants or sanitizers) nor to the placement of insect or rodent baits that are not accessible to children. The 48-hour notification requirement does not apply (1) if pesticide applications are made when students are not at the school for at least two consecutive days after the application; and (2) to any emergency school facility application to control pests posing an immediate threat to human health or safety (such as bees or wasps).

Schools must provide annual written notice to parents, guardians, and employees describing the school’s pest control policies and methods, including the notification and posting requirements.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on July 1, 2002.

**Testimony For:** Currently, very few school districts notify parents prior to pesticide applications at schools. Parents, students, and school staff should have adequate notice prior to the application of pesticides at schools. The 48-hour notification required under this bill would provide such notice.

**Testimony Against:** None.

**Testified:** PRO: Senator Eide, prime sponsor; Mary Beth Lang, Dept. of Ag.; Heather Hansen, WA Friends of Farms & Forests; Theresa Salmon, Seattle School District; Don Szolomayer, Shelton School District; Joe Pope, Principals; Dan Steele, WSSDA; Jean Carpenter, PTA; Therese & Jim Cushing, Jill Albinger, Julia Berg, Lin Nelson, parents (pro w/concerns); Karen McDonell; Erika Schreder, WA Toxics Coalition; Maria Mason, IPM Workgroup.