

# SENATE BILL REPORT

## SB 5534

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As Reported By Senate Committee On:  
Education, February 19, 2001  
Agriculture & International Trade, February 28, 2001

**Title:** An act relating to persons applying pesticides at schools.

**Brief Description:** Regulating pesticide use in schools.

**Sponsors:** Senators Eide, Rasmussen, Swecker, Patterson, Fairley, Roach, Jacobsen, Kohl-Welles, Costa, Spanel, Franklin, Shin, B. Sheldon, Constantine, Hargrove, Kastama, Prentice, Kline and Gardner; by request of Department of Agriculture.

**Brief History:**

**Committee Activity:** Education: 2/5/01, 2/19/01 [w/oRec-AG].  
Agriculture & International Trade: 2/28/01 [DP-WM].  
Ways & Means: 3/7/01.

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** That it be referred to Committee on Agriculture & International Trade without recommendation.

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

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

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### SENATE COMMITTEE ON AGRICULTURE & INTERNATIONAL TRADE

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Snyder, Spanel and Swecker.

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

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Bill Freund (786-7441)

**Background:** Under current law, the Washington State Department of Agriculture (WSDA) regulates certain individuals engaged in the application of pesticides. Licensed pesticide applicators regulated by WSDA must demonstrate a minimum level of knowledge and competency by passing a licensing examination. However, school employees applying

pesticides on school grounds are required to be licensed only if they are applying a restricted use pesticide or are using power equipment to apply a pesticide.

**Summary of Bill:** Individuals applying nonrestricted use pesticides without power equipment on school facilities must obtain a school facility applicator– license by paying a \$25 fee. To maintain the license for recertification purposes, school facility applicators must complete 20 WSDA-approved credits of continuing education courses every five years. At least four credits must be related to integrated pest management in schools.

School facility applicators must keep specified records regarding the use of pesticides. The records must be made available to interested parties, including the WSDA. Additionally, commercial pesticide applicators applying pesticides to a school facility must provide the school with a copy of the records within 24 hours of the pesticide application.

Private commercial applicators and public operators, while acting under the authority of their existing license, and individuals applying antimicrobial pesticides– (disinfectants or sanitizers) are not required to obtain a school facility applicator license.

**Appropriation:** None.

**Fiscal Note:** Requested on January 31, 2001.

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

**Testimony For (Education):** School employees applying pesticides on school grounds should be trained regarding the types and uses of pesticides. This bill would ensure that employees are trained, and maintain their training, regarding pesticide applications. The bill does emphasize training, and not enforcement. Also, the bill ensures that records are kept and made available regarding the applications.

**Testimony Against (Education):** Without state funding, school districts will bear the burden of providing the resources for school personnel to obtain the required training.

**Testified (Education):** Leslie Emrick, Cliff Weed, Dept. of Ag.; Heather Hansen, WA Friends of Farms & Forests; John Bussier, Sea. SD; Ken Kanikeberg, OSPI; Doug Nelson, PSE ; Dan Steele, WSSDA (con).

**Testimony For (Agriculture & International Trade):** This bill was developed by a multi-interest workgroup over the summer. School personnel who apply pesticides should be trained to assure that it is done with care as a means to assure safety for students.

**Testimony Against (Agriculture & International Trade):** None.

**Testified (Agriculture & International Trade):** Mary Beth Lang, Department of Agriculture (pro); Theresa Salmon, Seattle School District (pro).