

# SENATE BILL REPORT

## SB 6607

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As of January 24, 2006

**Title:** An act relating to protecting public health in the application of pesticides near schools, nursing homes, child care centers, and other facilities with vulnerable populations.

**Brief Description:** Requiring notification of pesticide application.

**Sponsors:** Senators Kohl-Welles, Weinstein, McAuliffe, Pridemore, Rockefeller, Fairley, Keiser, Fraser, Franklin and Kline.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/23/06.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Staff:** Edith Rice (786-7444)

**Background:** Current law makes provisions for pesticide sensitive individuals to apply to the Department of Agriculture to be included on a pesticide notification list. This application must list property abutting the applicant's principle place of residence. These lands constitute the pesticide notification area for the applicant. This list is made available to all certified pesticide applicators.

Schools, including licensed day care centers, public kindergartens, elementary and secondary schools, are required to provide written notification annually to parents regarding the school's pest control policies. This includes a notification system that notifies interested parents and employees of pending pesticide application at a school facility.

**Summary of Bill:** The State Board of Health is to develop rules for notice of pesticide application to be provided to schools, hospitals, nursing homes, or state licensed child or adult day care centers. The rules apply to any person applying a pesticide labeled "Danger/Poison." Notice must be provided at least two facility business days before the pesticide is applied. It must include specific information about the product being applied and contact information of the applicator. The State Board of Health rules must require notification for specific types of application, when the application site is contiguous with the school, hospital, nursing home, or day care and when the application site is within one-half mile of the property boundary of the facility.

**Appropriation:** None.

**Fiscal Note:** Requested on January 18, 2006.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** Helicopter spraying over large urban areas is a particular problem.

Residents

in these types of facilities should have notice. There is a problem with drift; notice could save lives. Those with chronic health problems are at increased risk; children and seniors are more physically vulnerable. This is a common sense approach.

**Testimony Against:** This bill has significant negative ramifications for the agricultural industry. Pesticide drift is already illegal. Growers already alert neighbors and others who might be affected. Current law already addresses drift and notice. There is no need for this bill. This would break small farmers. Two day notice is unworkable, as with weather issues.

**Who Testified:** PRO: Senator Kohl-Welles, prime sponsor; Lucinda Young, Washington Education Association; Ruth Shearer, Senior Lobby; Hilke Faber, Resident Councils of Washington; Kary Hyre, Long Term Care Ombudsman; Carol Dansereau, Farm Workers Pesticide Project.

CON: Jim Halstrom, Washington State Horticultural Association; Frank Lyall, Farmer and Growers Clearinghouse; Heather Hanson, Washington Friends of Farms and Forests; Dan Coyne, CropLife America and Far West Agribusiness Association; John Stuhlmiller, Washington Farm Bureau; Mary Beth Lang, Department of Agriculture.