

# SENATE BILL REPORT

## HB 2624

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As Passed Senate, March 6, 2020

**Title:** An act relating to the authority of the director of the department of agriculture with respect to certain examinations and examination fees.

**Brief Description:** Concerning the authority of the director of the department of agriculture with respect to certain examinations and examination fees.

**Sponsors:** Representatives Shewmake, Kretz, Blake, Dent and Lekanoff; by request of Department of Agriculture.

**Brief History:** Passed House: 2/13/20, 96-0.

**Committee Activity:** Agriculture, Water, Natural Resources & Parks: 2/25/20, 2/28/20 [DP].

**Floor Activity:**

Passed Senate: 3/06/20, 48-0.

### Brief Summary of Bill

- Allows the director of the Department of Agriculture (WSDA) to contract with a public or private third party to administer examinations related to pesticide and pest control licensing, collection of examination fees, or both.
- Authorizes WSDA to direct applicants to pay the fees to the third party administering the examination.

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### SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

**Majority Report:** Do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford, McCoy, Rolfes and Short.

**Staff:** Karen Epps (786-7424)

**Background:** The Washington Department of Agriculture (WSDA) administers the state Pesticide Control Act and the state Pesticide Application Act. Its activities include adopting

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rules requiring the registration and restricted use of pesticides, testing and certifying pesticide applicators, issuing handler and worker pesticide training documentation, and providing technical assistance to pesticide applicators and workers.

All individuals who are licensed or who are required to be licensed as pesticide applicators, pesticide operators, structural pest inspectors, and pest control consultants must be certified through examination in the area in which they operate or consult. To be certified, a person must attain a passing score of at least 70 percent on a certification examination.

Examinations are administered by WSDA, and WSDA collects a fee from the applicant for each exam at an amount set in rule. License classifications address the control of a variety of pests, including insects and diseases, pest animals in agricultural situations, aquatic pests both generally and in irrigation systems, and weeds. There are also licenses for pest control operators and structural pest inspectors.

**Summary of Bill:** WSDA may contract with a public or private third party to administer examinations related to pesticide and pest control licensing, collection of examination fees, or both. Examinations offered by a third party must be the same as would be offered by WSDA. WSDA may direct applicants to pay the fees to the third party administering the examination in accordance with WSDA rules governing third-party examinations and fees.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: Currently, all of the testing is done by WSDA which means testing is offered in certain locations around the state, usually in Olympia or Yakima, and in a somewhat sporadic fashion. With testing only offered in those locations, some people who would like to take the test must travel far distances and sometimes have to wait upwards of three months in order to take the test. Contracting out the testing would make the testing more accessible in certain locations and should cut down on the number of unlicensed applicators doing work in the state, which should cut down on some exposure issues. With a short growing season, it is sometimes challenging to get folks licensed quickly and this bill will alleviate that hurdle. This bill will allow for growth of the industry and will maintain the professionalism of pesticide applicators.

**Persons Testifying:** PRO: Billy Olesen, Vice President of the Washington State Pest Management Association, PestStop; Kelly McLain, Washington State Department of Agriculture.

**Persons Signed In To Testify But Not Testifying:** No one.