

FINAL BILL REPORT

HB 1152

C 145 L 99

Synopsis as Enacted

Regulating private applicator licenses.

Representatives McMorris, G. Chandler, Linville and Cooper; by request of Department of Agriculture.

House Committee on Agriculture & Ecology
Senate Committee on Agriculture & Rural Economic Development

Background:

A pesticide licensing pilot project was authorized under legislation enacted in 1997. The pilot project provided licenses to persons for applying restricted use herbicides to control weeds in Ferry and Okanogan counties. The license is called a limited private applicator's license and it permits the licensee to apply herbicides to control weeds on his or her own non-production agricultural land and on the non-production agricultural land of another person if it is done without compensation other than the trading of personal services. Such non-production agricultural land is defined to include pastures, range land, fence rows, and areas around farm buildings. The application of herbicides to aquatic sites is not permitted under this license. With certain exceptions, the use of a powered apparatus in applying the herbicides is also prohibited.

Continuing education requirements were established for this category of license. A person who successfully completes these requirements is deemed to have met the credit accumulation requirements for private applicators. The pilot project is to expire December 31, 2002.

Summary:

The pilot project authorized by 1997 legislation is altered and extended through the year 2004. The project is expanded to encompass a new licensing category, that of a rancher private applicator. A person licensed under this category has generally the same authorities as a person licensed as a limited private applicator under the pilot project, except that rodenticides, not just herbicides, may be used under this license for controlling pest animals. The control is permitted on nonproduction agricultural land and production agricultural land used to grow certain hay and grain crops.

The project is also expanded to include Stevens and Pend Oreille Counties. However, it may be used only in a county where the county's cooperative extension service or its weed board complete a memorandum of understanding with the Department of Agriculture agreeing: (1) to conduct certain department-approved re-certification coursework every year; and (2) to maintain the re-certification credit records for the limited private applicators in the county.

The licensing fee for a limited private applicator is set at \$25. For a rancher private applicator, it is set at \$75. The application requirements currently set for a private applicator do not apply to a limited private applicator or a rancher private applicator; however the examination requirements of a private applicator do apply. The number of department approved education credits required for a limited private applicator's license is reduced and the number needed for a rancher private applicator is set. A limited private applicator is no longer prohibited from using a powered apparatus to apply herbicides under the pilot project.

The department must report to the Legislature on the results of the pilot project by September 1, 2003.

Votes on Final Passage:

House 94 0
Senate 45 0

Effective: July 25, 1999