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**SUBSTITUTE SENATE BILL 6529**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senate Labor & Commerce (originally sponsored by Senators Saldaña, Ranker, Cleveland, Rolfes, Van De Wege, Miloscia, Chase, Conway, McCoy, Hunt, Keiser, and Hasegawa)

AN ACT Relating to establishing a modernizing pesticide notification work group; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) The legislature finds that pesticide exposure can result in acute and chronic health problems for agricultural workers. Further, the legislature finds that drift from pesticide spray applications is a source of pesticide exposure and poses risks to community members in the vicinity of the pesticide application. Lack of knowledge and communication is a major contributing factor to pesticide drift exposure incidents. The legislature therefore declares that agricultural workers and surrounding community members should be protected from pesticide exposure and notified of certain pesticide applications to prevent unnecessary exposure.

(2) The legislature further finds that the public has an interest in information about pesticide applications in order to advance knowledge related to public health and welfare, protect public health, and prevent pesticide-related illness.

NEW SECTION. **Sec.**  (1) A modernizing pesticide notification work group is established to develop recommendations for:

(a) A notification system to allow for sufficient notice to people on neighboring property, including schools, day care and other child care facilities, and farm workers so that they may avoid pesticide drift exposure; and

(b) Reporting pesticide application records to the state.

(2) The work group is composed of:

(a) One member and one alternate from each of the two largest caucuses in the senate, who shall be appointed by majority leader and minority leader of the senate;

(b) One member and one alternate from each of the two largest caucuses in the house of representatives, who shall be appointed by the speaker and the minority leader of the house of representatives;

(c) One representative from each of the following agencies: (i) The department of agriculture, (ii) the department of health, (iii) the department of labor and industries, (iv) the department of natural resources, and (v) the commission on Hispanic affairs;

(d) The superintendent of public instruction or the superintendent's designee from the office of the superintendent of public instruction; and

(e) No more than ten members, appointed jointly by the secretary of the department of health and the director of the department of agriculture, representing the following:

(i) The agricultural industry;

(ii) Pesticide applicators;

(iii) Labor community;

(iv) Environmental advocacy organizations;

(v) The Washington state parent-teacher organization;

(vi) Farm worker advocacy organizations; and

(vii) Child health advocacy organizations.

(3) In addition to the members appointed to the modernizing pesticide notification work group under subsection (2) of this section, the University of Washington Latino center for health, the Washington State University urban IPM and pesticide safety education, and other experts and technical advisors may be invited by the secretary of the department of health or the director of the department of agriculture. Individuals participating in an advisory capacity under this subsection are not members of the work group. There is no limit to the number of individuals who may participate in work group meetings in an advisory capacity under this subsection.

(4) The work group must develop recommendations for a pesticide drift exposure notification system that will:

(a) Allow for safe and efficient notification of interested parties, including children, parents, adjacent property owners, and neighboring farm workers;

(b) Identify and maintain minimum notification time frames that would still allow for protection of interested parties from drift; and

(c) Allow for free and accessible notification of interested parties.

(5) The work group must also:

(a) Explore the effectiveness of the Washington state department of agriculture pesticide sensitivity registry and consider whether to recommend that the registry be expanded to include the interested parties described in subsection (4) of this section; and

(b) Develop recommendations for a pesticide use reporting system that will allow certified applicators and employers to efficiently and cost-effectively report to a state agency the records required to be kept for each pesticide application under RCW 17.21.100 and 49.70.119.

(6) The work group shall be cochaired by the secretary of the department of health and the director of the department of agriculture, or their designees.

(7) Staff support for the work group must be provided by the departments of health and agriculture.

(8) Legislative members of the work group are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(9) The expenses of the work group must be paid jointly by the senate and the house of representatives. Work group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(10) The work group shall meet a minimum of once a month until it has provided the report required by subsection (11) of this section.

(11) The work group shall provide a report that shall include any findings, recommendations, and draft legislation, to the governor and the appropriate committees of the legislature, by November 1, 2018.

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