

FINAL BILL REPORT

E2SSB 6529

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Synopsis as Enacted

Brief Description: Establishing a pesticide application safety work group.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Saldaña, Ranker, Cleveland, Rolfes, Van De Wege, Miloscia, Chase, Conway, McCoy, Hunt, Keiser and Hasegawa).

Senate Committee on Labor & Commerce
Senate Committee on Ways & Means
House Committee on Health Care & Wellness

Background: Pesticides are regulated by the state and federal government. At the state level, several state agencies have responsibilities.

Under the Worker and Community Right to Know Act (Right to Know Act), administered by the Department of Labor & Industries, information regarding hazardous substances must be provided to employees and community members. The Washington State Department of Agriculture (WSDA) administers the federal Insecticide, Fungicide, and Rodenticide Act, as well as the state Pesticide Control Act and the state Pesticide Application Act. Its activities include adopting rules requiring the registration and restricting the use of pesticides, testing and certifying pesticide applicators, issuing handler and worker pesticide training documentation, and providing technical assistance to pesticide applicators and workers. The Department of Health (DOH) tracks and investigates pesticide-related illnesses, and provides education and technical assistance to physicians and other agencies.

Both the Pesticide Application Act and the Right to Know Act require recordkeeping for pesticide applications by applicators and employers who apply or cause pesticides to be applied (pesticide records). The pesticide records must include the following:

- the location of the land where pesticide was applied;
- the year, month, day, and time of application;
- the product name and Environmental Protection Agency registration number;
- the crop or site to which pesticide was applied;
- the amount of pesticide applied per acre;
- the concentration of pesticide applied;
- the number of acres to which pesticide was applied;
- the applicator's name, address, and telephone number;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- the direction and estimated velocity of the wind during the time the pesticide was applied; and
- any other information reasonably required by rule.

The pesticide records must be readily accessible to the respective agencies for inspection and must be provided upon request to other specified agencies and treating health care personnel.

Schools must notify interested parents or guardians of students and employees at least 48 hours before a pesticide application and must place signs regarding pesticide applications.

Pesticide sensitive individuals may apply to WSDA 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. The pesticide sensitivity of an individual must be certified by a licensed physician.

Summary: A pesticide application safety workgroup is established to develop recommendations for improving the safety of pesticide applications. The workgroup must review existing state and federal law on pesticide safety and application, arrange for a presentation about technologies, review the structure of the former review panel, and review data and reports from state agencies and other states' relevant agencies.

The workgroup is composed of legislators and agencies. In addition to the members, the University of Washington Latino Center for Health, Washington State University, and other experts and technical advisors may be invited by the secretary of DOH or the director of WSDA.

The workgroup will be co-chaired by two of the legislative members, one from each major party and one from each house. Staff support for the workgroup must be provided by DOH and WSDA.

Legislative members of the workgroup are reimbursed for travel expenses. Non-legislative 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. The expenses of the workgroup must be paid jointly by the Senate and the House of Representatives, subject to approval.

The workgroup must provide a report to the Governor and the appropriate committees of the Legislature. The report is due by November 1, 2018, and must include any findings, recommendations, and draft legislation. The act expires on December 31, 2018.

Legislative findings are made.

Votes on Final Passage:

Senate	45	2
House	57	41

Effective: June 7, 2018