

SENATE BILL REPORT

SB 5039

**AS REPORTED BY COMMITTEE ON AGRICULTURE & WATER RESOURCES,
FEBRUARY 19, 1991**

Brief Description: Regulating the use of biological control agents.

SPONSORS: Senators Barr and Conner.

SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES

Majority Report: That Substitute Senate Bill No. 5039 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Barr, Chairman; Anderson, Vice Chairman; Bailey, Conner, Gaspard, Hansen, and Newhouse.

Staff: Bob Lee (786-7404)

Hearing Dates: January 22, 1991; February 19, 1991

BACKGROUND:

Several plant and insect pests have been introduced into this state from other parts of the world. The populations of some of these species have expanded and have become major problems because the natural predators that kept them in check do not exist in this region. In some cases, these pests are located in rangeland areas where the cost of control by chemical or mechanical means is neither economical nor practical.

There are other cases where bioengineering is being used to develop agents that can be used to control insect pests, weeds and plant diseases.

The State of Oregon has established a biological control coordinator position in their Department of Agriculture to assist in the collection and distribution of naturally occurring biocontrol agents.

SUMMARY:

Biological control is defined as the use of living organisms to control or suppress undesirable animals and plants and produce a lower general population.

The Department of Agriculture is directed to establish the position of a biological control coordinator whose duties are to plan, coordinate and carry out biological control activities in the state. Activities shall include the collection and redistribution of biological control agents and advising the director on the technical feasibility of using biological control.

If adequate resources are not available to fully implement the activities under this chapter, the department is to give priority to activities aimed at the control of weeds in rangeland areas.

The department shall cooperate with Washington State University, cooperative extension, United States Department of Agriculture, state and local noxious weed control boards and others and to avoid duplication of work. The department may enter into cooperative agreements to conduct research and acquire and redistribute biological control agents.

An advisory board is created which consists of the director's designee and five members knowledgeable about pest control. Two shall be representatives of Washington State University, one from state or local noxious weed control boards, one from an environmental/public interest group, and a representative from an agricultural organization.

All introduction, collection, movement, and release of biological control agents into and within the state shall be subject to rules issued by the director. The department may enter a cooperative agreement with Washington State University for use of biological control agents by the university.

Agents may be classified as regulated if the agent may pose a threat in other than specific environments, or if a person, agency or institution has made a significant economic investment in developing the agent through bioengineering.

Those agents that are classified as "regulated" shall be issued a permit by the department. A permit for any biological control agent may not be issued unless the department has determined that the agent is target specific and likely will not become a pest of nontarget plants or other organisms. The department may rely on experts from the United States Department of Agriculture in making these determinations.

The director may adopt rules for establishing and maintaining registered insectaries and plant pathogen propagation sites and to establish a reasonable fee for registration. Any biological control agents may be collected and removed from an insectary without a permit and permission from the entity that established the insectary.

The department may request an injunction for activities that violate this chapter. A civil fine of up to \$1,000 may be levied for violations of this act.

EFFECT OF PROPOSED SUBSTITUTE:

The provision is deleted that if adequate funds are not available for a comprehensive program, the department shall give priority to the control of weeds in rangeland areas.

When submitting data as part of a permit application, the applicant may request certain data to be treated as confidential information.

Appropriation: \$190,000

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

The establishment of a state biological control program will better allow the use of integrated pest management techniques to control weed and insect pests.

TESTIMONY AGAINST: None

TESTIFIED: William E. Brookreson, Washington State Department of Agriculture; Richard Morton, Benton County Mosquito Control; Jeff Parsons, National Audubon Society (pro); Robert L. Berger, Washington State Department of Transportation (pro)