
ENGROSSED SENATE BILL 6273

State of Washington

52nd Legislature

1992 Regular Session

By Senators Patterson, Snyder and Barr

Read first time 01/23/92. Referred to Committee on Agriculture & Water Resources.

1 AN ACT Relating to clarifying the department of agriculture's
2 authority to regulate pesticides; amending RCW 15.58.020 and 17.21.010;
3 adding a new section to chapter 15.58 RCW; adding a new section to
4 chapter 17.21 RCW; and declaring an emergency.

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

6 **Sec. 1.** RCW 15.58.020 and 1971 ex.s. c 190 s 2 are each amended to
7 read as follows:

8 The formulation, distribution, storage, transportation, and
9 disposal of any pesticide and the dissemination of accurate scientific
10 information as to the proper use, or nonuse, of any pesticide, is
11 important and vital to the maintenance of a high level of public health
12 and welfare both immediate and future, and is hereby declared to be a
13 business affected with the public interest. A system of pesticide
14 regulation that is consistent, coordinated, and comports with both

1 federal and state technical expertise is essential in maintaining the
2 level of public health and welfare, and local regulation of pesticides
3 beyond the limited regulation expressly authorized by the legislature,
4 does not materially assist in achieving this goal. The provisions of
5 this chapter are enacted in the exercise of the police powers of the
6 state for the purpose of protecting the immediate and future health and
7 welfare of the people of the state.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.58 RCW
9 to read as follows:

10 Except as provided in RCW 17.21.305, a city, town, county, special
11 purpose district, or any other unit of local government in this state
12 may not adopt or continue in effect an ordinance, rule, regulation, or
13 statute regarding pesticide sale or use, including without limitation:
14 Registration, advertising and marketing, distribution, storage,
15 transportation, disposal, disclosure of confidential information, or
16 product composition. This section does not apply to the adoption or
17 continuation in effect of a fire code adopted under chapter 19.27 RCW
18 or to any rules or regulations adopted under such a code.

19 **Sec. 3.** RCW 17.21.010 and 1967 c 177 s 1 are each amended to read
20 as follows:

21 The application and the control of the use of various pesticides is
22 important and vital to the maintenance of a high level of public health
23 and welfare both immediate and future, and is hereby declared to be
24 affected with the public interest. A system of pesticide regulation
25 that is consistent, coordinated, and comports with both federal and
26 state technical expertise is essential in maintaining the level of
27 public health and welfare, and local regulation of pesticides beyond
28 the limited regulation expressly authorized by the legislature, does

1 not materially assist in achieving this goal. The provisions of this
2 chapter are enacted in the exercise of the police power of the state
3 for the purpose of protecting the immediate and future health and
4 welfare of the people of the state.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 17.21 RCW
6 to read as follows:

7 Except as provided in RCW 17.21.305, a city, town, county, special
8 purpose district, or any other unit of local government in this state
9 may not adopt or continue in effect an ordinance, rule, regulation, or
10 statute regarding pesticide sale or use, including without limitation:
11 Method and manner of application, notification of use, applicator
12 training and certification, or storage. This section does not apply to
13 the adoption or continuation in effect of a fire code adopted under
14 chapter 19.27 RCW or to any rules or regulations adopted under such a
15 code.

16 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and shall take
19 effect immediately.