

SENATE BILL REPORT

E4SHB 1806

As Reported By Senate Committee On:
Early Learning & K-12 Education, February 28, 2008
Ways & Means, March 03, 2008

Title: An act relating to pesticide application in school facilities.

Brief Description: Developing a model integrated pest management program.

Sponsors: House Committee on App Subcom Ed (originally sponsored by Representatives Pedersen, Upthegrove, Campbell, Kenney, McDermott, Morrell, Chase, Appleton, Dunshee, McIntire, Santos, Moeller, Darneille, Roberts, Hudgins, Hunt, Hasegawa, Conway, O'Brien, Green, Rolfes, Simpson, Schual-Berke, Goodman, Wood and Lantz).

Brief History: Passed House: 2/13/08, 64-33.

Committee Activity: Early Learning & K-12 Education: 2/27/08, 2/28/08 [DPA-WM].
Ways & Means: 3/3/08 [DPA(EDU), w/oRec].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; King, Ranking Minority Member; Brandland, Hobbs, Holmquist, Kauffman, McDermott, Oemig and Weinstein.

Staff: Roman Dixon (786-7438)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Early Learning & K-12 Education.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Carrell, Fairley, Hatfield, Hobbs, Keiser, Kohl-Welles, Regala, Rockefeller and Tom.

Minority Report: That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Brandland, Honeyford, Parlette, Roach and Schoesler.

Staff: Bryon Moore (786-7726)

Background: The Washington State School Directors' Association (WSSDA) is responsible for taking action and administering the coordination of policymaking, control, and

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management of the school districts of the state. In addition, WSSDA prepares and submits, at least annually, reports and recommendations to the Superintendent of Public Instruction.

The RCW defines "integrated pest management" (IPM) as a coordinated decision making and action process that uses the most appropriate pest control methods and strategy in an environmentally and economically sound manner to meet agency programmatic pest management objectives.

The IPM Institute of North America, Inc is a non-profit organization formed in 1998. IPM reports that its mission is to accelerate adoption of IPM in agriculture and communities through consumer education and development of IPM standards for self-evaluation and IPM certification.

The IPM's STAR Certification Program is a program designed for childcare centers and schools. The program entails the organization establishing a formal schedule for IPM evaluation, planning and training, regular feedback on the organization's IPM program from a IPM professional, and creating an ongoing focus on pest and pesticide risk reduction.

The Institute is funded by grants from government, private foundations and industries, and memberships and fees for services and programs.

Summary of Bill (Recommended Amendments): By January 1, 2009, WSSDA, in consultation with the Department of Health and the Department of Agriculture, must develop a model integrated pest management policy that emphasizes the use of nonchemical pest control measures. The pest management policy must be disseminated to all school districts. At a minimum, the pest management policy must incorporate the "IPM Standards for Schools: Tactics and Resources for Reducing Pest and Pesticide Risks in Schools and Other Sensitive Environments" as published by the IPM Institute of North America, Inc.

By September 1, 2009, each school district must have adopted an integrated pest management policy and must begin to implement an integrated pest management program based on the pest management policy developed by the WSSDA. Each school district may phase in implementation of its integrated pest management program.

For the fiscal year ending June 30, 2009, any appropriation from the general fund for the purposes of providing technical assistance to each school district, regarding implementation of each school district's integrated pest management program, must go to the Washington State University Urban Integrated Pest Management Program.

If appropriated funding is provided, the Washington State University (WSU) must prepare an annual report to the Legislature for each year during which WSU received funding regarding the technical assistance it has provided to school districts. The report must include, but is not limited to, information on: districts that have received technical assistance; the nature and extent of the assistance; each district's progress on obtaining IPM Star Certification; and the amount and nature of the costs incurred by WSU in providing technical assistance to school districts.

By September 1, 2013, it is recommended but not required that each school district must obtain the IPM Star Certification pursuant to the "IPM Standards for Schools: Tactics and

Resources for Reducing Pest and Pesticide Risks in Schools and Other Sensitive Environments."

The bill contains a null and void clause.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments): Removes the requirements that each school district obtain the IPM certification and makes it recommended.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Fourth Substitute (Early Learning & K-12 Education): PRO: This bill provides a chance to reduce the use of chemicals around kids. It also helps some of the poorer districts that can't afford more costly chemical reduction methods. School districts are the caretakers of our children. They must be required to take a conservative and precautionary approach when it comes to children's health, and the potential risks associated with exposure to pesticides. School districts need a clear standard for IPM. The Star Certification program provides unambiguous, professional standards of practice for IPM, which emphasizes using least toxic alternatives first. Without clear statewide standards, there is no way to measure the effectiveness of district IPM policies and programs.

The hardest aspect of transitioning to IPM is learning the gardening and management tools. WSU will equip schools with those tools and provide their expertise for specific challenges. IPM has significantly reduced toxic chemicals in our school districts and in return, has reduced the number of pests. IPM doesn't increase cost. We have switched to IPM and I have exactly the same budget now that I did in years prior without IPM. The fiscal note grossly overstates the costs.

CON: This bill creates an unfunded mandate for school districts to become IPM certified. There is no guaranteed funding for the fiscal year of 2009-2011. No one is thinking about the cost as a result of the potential increase in salary due to certification. We would like to reintroduce a suggestion and that is that IPM certification be voluntary, but not required.

One major issue is the cost. There is a lot of ambiguity surrounding the cost. The Washington School Director's Association is very concerned given we don't know how much it cost.

OTHER: WSU's program is a self-sustaining program and we can't do it without funding. The standards and certification are just a tool to help schools get on board with IPM. WSU would be doing the certifying.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Pedersen, prime sponsor; George Bryant, Vancouver School District #37; Marlene Meyer, Parent at BSD; Nick Federici, Michael Grenetz, Washington Toxics Coalition; Liesl Zappler; Lake Washington Technical College; Liz Hoenig, Parent, North Thurston School District.

CON: Mitch Denning, Washington Association of Maintenance Operations Administration;
Dan Steele, Washington State School Director's Association.

OTHER: Carrie Foss, Washington State University.

Staff Summary of Public Testimony on Engrossed Fourth Substitute (Ways & Means):

CON: Making the IPM certification voluntary is a good modification that will help school districts with the unfunded requirement that previously existed. However, there still needs to be adequate funding to assist school districts in implementing the legislation. Additionally, WSU's program needs additional funding and support if they are going to be able to assist school districts in implementing the legislation.

Persons Testifying (Ways & Means): CON: Heather Hansen, WA Friends of Farms and Forests.