
HOUSE BILL 3106

State of Washington

60th Legislature

2008 Regular Session

By Representative Grant

Read first time 01/22/08. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to changing the name of the commission on pesticide
2 registration to the commission on integrated pest management without
3 changing responsibilities or authority of the commission; and amending
4 RCW 15.92.090, 15.92.095, 15.92.100, and 15.92.110.

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

6 **Sec. 1.** RCW 15.92.090 and 1999 c 247 s 1 are each amended to read
7 as follows:

8 (1) A commission on (~~pesticide registration~~) integrated pest
9 management is established. The commission shall be composed of twelve
10 voting members appointed by the governor as follows:

11 (a) Eight members from the following segments of the state's
12 agricultural industry as nominated by a statewide private agricultural
13 association or agricultural commodity commission formed under Title 15
14 RCW: (i) The tree fruit industry; (ii) hop growers; (iii) potato
15 growers; (iv) wheat growers; (v) vegetable and seed growers; (vi) berry
16 growers; (vii) wine grape growers; and (viii) the nursery and landscape
17 industry. Although members are appointed from various segments of the
18 agriculture industry, they are appointed to represent and advance the
19 interests of the industry as a whole.

1 (b) One member from each of the following: (i) Forest protection
2 industry; (ii) food processors; (iii) agricultural chemical industry;
3 and (iv) professional pesticide applicators. One member shall be
4 appointed for each such segment of the industry and shall be nominated
5 by a statewide, private association of that segment of the industry.
6 The representative of the agricultural chemical industry shall be
7 involved in the manufacture of agricultural crop protection products.

8 The following shall be ex officio, nonvoting members of the
9 commission: The coordinator of the interregional project number four
10 at Washington State University; the director of the department of
11 ecology or the director's designee; the director of the department of
12 agriculture or the director's designee; the director of the department
13 of labor and industries or the director's designee; and the secretary
14 of the department of health or the secretary's designee.

15 (2) Each voting member of the commission shall serve a term of
16 three years. However, the first appointments in the first year shall
17 be made by the governor for one, two, and three-year terms so that, in
18 subsequent years, approximately one-third of the voting members shall
19 be appointed each year. The governor shall assign the initial one,
20 two, and three-year terms to members by lot. A vacancy shall be filled
21 by appointment for the unexpired term in the same manner provided for
22 an appointment to the full term. No member of the commission may be
23 removed by the governor during his or her term of office unless for
24 cause of incapacity, incompetence, neglect of duty, or malfeasance in
25 office. Each member of the commission shall receive travel expenses in
26 accordance with RCW 43.03.050 and 43.03.060 for attending meetings of
27 the commission and for performing special duties, in the way of
28 official commission business, specifically assigned to the person by
29 the commission. The voting members of the commission serve without
30 compensation from the state other than such travel expenses.

31 (3) Nominations for the initial appointments to the commission
32 under subsection (1) of this section shall be submitted by September 1,
33 1995. The governor shall make initial appointments to the commission
34 by October 15, 1995.

35 (4) The commission shall elect a chair from among its voting
36 members each calendar year. After its original organizational meeting,
37 the commission shall meet at the call of the chair. A majority of the

1 voting members of the commission constitutes a quorum and an official
2 action of the commission may be taken by a majority vote of the quorum.

3 **Sec. 2.** RCW 15.92.095 and 1999 c 247 s 2 are each amended to read
4 as follows:

5 (1) This subsection applies to the use of state appropriations made
6 to or legislatively intended for the commission on ((~~pesticide~~
7 ~~registration~~)) integrated pest management and to any other moneys
8 appropriated by the state and received by the commission on ((~~pesticide~~
9 ~~registration~~)) integrated pest management:

10 (a) The moneys may not be expended without the express approval of
11 the commission on ((~~pesticide—registration~~)) integrated pest
12 management;

13 (b) The moneys may be used for: (i) Evaluations, studies, or
14 investigations approved by the commission on ((~~pesticide—registration~~))
15 integrated pest management regarding the registration or reregistration
16 of pesticides for minor crops or minor uses or regarding the
17 availability of pesticides for emergency uses. These evaluations,
18 studies, or investigations may be conducted by the food and
19 environmental quality laboratory or may be secured by the commission
20 from other qualified laboratories, researchers, or contractors by
21 contract, which contracts may include, but are not limited to, those
22 purchasing the use of proprietary information; (ii) evaluations,
23 studies, or investigations approved by the commission regarding
24 research, implementation, and demonstration of any aspect of integrated
25 pest management and pesticide resistance management programs; (iii) the
26 tracking system described in RCW 15.92.060; and (iv) the support of the
27 commission on ((~~pesticide—registration~~)) integrated pest management and
28 its activities; and

29 (c) Not less than twenty-five percent of such moneys shall be
30 dedicated to studies or investigations concerning the registration or
31 use of pesticides for crops that are not among the top twenty
32 agricultural commodities in production value produced in the state, as
33 determined annually by the Washington agricultural statistics service.

34 (2) The commission on ((~~pesticide—registration~~)) integrated pest
35 management shall establish priorities to guide it in approving the use
36 of moneys for evaluations, studies, and investigations under this
37 section. Each biennium, the commission shall prepare a contingency

1 plan for providing funding for laboratory studies or investigations
2 that are necessary to pesticide registrations or related processes that
3 will address emergency conditions for agricultural crops that are not
4 generally predicted at the beginning of the biennium.

5 **Sec. 3.** RCW 15.92.100 and 1999 c 247 s 3 are each amended to read
6 as follows:

7 The commission on (~~pesticide registration~~) integrated pest
8 management shall:

9 (1) Provide guidance to the food and environmental quality
10 laboratory established in RCW 15.92.050 regarding the laboratory's
11 studies, investigations, and evaluations concerning the registration of
12 pesticides for use in this state for minor crops and minor uses and
13 concerning the availability of pesticides for emergency uses;

14 (2) Encourage agricultural organizations to assist in providing
15 funding, in-kind services, or materials for laboratory studies and
16 investigations concerning the registration of pesticides and research,
17 implementation, and demonstration of any aspect of integrated pest
18 management and pesticide resistance management programs for minor crops
19 and minor uses that would benefit the organizations;

20 (3) Provide guidance to the laboratory regarding a program for:
21 Tracking the availability of effective pesticides for minor crops,
22 minor uses, and emergency uses; providing this information to
23 organizations of agricultural producers; and maintaining close contact
24 between the laboratory, the department of agriculture, and
25 organizations of agricultural producers regarding the need for research
26 to support the registration of pesticides for minor crops and minor
27 uses and the availability of pesticides for emergency uses;

28 (4) Ensure that the activities of the commission and the laboratory
29 are coordinated with the activities of other laboratories in the
30 Pacific Northwest, the United States department of agriculture, and the
31 United States environmental protection agency to maximize the
32 effectiveness of regional efforts to assist in the registration of
33 pesticides for minor crops and minor uses and in providing for the
34 availability of pesticides for emergency uses for the region and the
35 state; and

36 (5) Ensure that prior to approving any residue study that there is

1 written confirmation of registrant support and willingness or ability
2 to add the given minor crop to its label including any restrictions or
3 guidelines the registrant intends to impose.

4 **Sec. 4.** RCW 15.92.110 and 1995 c 390 s 7 are each amended to read
5 as follows:

6 The commission on ((~~pesticide registration~~)) integrated pest
7 management, and Washington State University on behalf of the
8 commission, may receive such gifts, grants, and endowments from public
9 or private sources as may be used from time to time, in trust or
10 otherwise, for the use and benefit of the commission and expend the
11 same or any income therefrom according to the terms of the gifts,
12 grants, or endowments.

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