

HOUSE BILL REPORT

HB 1993

As Reported by House Committee On:
Rural Development, Agriculture & Natural Resources

Title: An act relating to creating the pesticide advisory board.

Brief Description: Creating the pesticide advisory board.

Sponsors: Representatives Dent and Chapman.

Brief History:

Committee Activity:

Rural Development, Agriculture & Natural Resources: 1/26/22, 2/1/22 [DPS].

Brief Summary of Substitute Bill

- Creates the Pesticide Advisory Board.

HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Chapman, Chair; Shewmake, Vice Chair; Chandler, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon, Klicker, Kloba, Lekanoff, McEntire, Morgan, Orcutt, Ramos, Schmick and Springer.

Staff: Rebecca Lewis (786-7339).

Background:

The Washington State Department of Agriculture (Department) administers the state Pesticide Control Act and Pesticide Application Act. The Department's activities under both acts include adopting rules requiring the registration and restricted use of pesticides,

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testing and certifying pesticide applicators, issuing handler and worker pesticide training documentation, and providing technical assistance to pesticide applicators and workers.

The Pesticide Advisory Board (Board) advised the Department on pesticide-related actions and was eliminated in 2010. The Board consisted of members appointed by the Director of the Department for staggered four-year terms. Board members included licensed pesticide applicators; members from the agricultural and food processing community, including a member representing agricultural labor; the environmental community; an entomologist; a toxicologist; a pesticide coordinator from Washington State University; and a health care practitioner.

In addition, the directors or other designated officials of several state agencies served as nonvoting members of the Board. These included the directors of the departments of Labor and Industries, Fish and Wildlife, Natural Resources, and Ecology, as well as the Environmental Health Specialist from the Department of Health, and the Assistant Director of the Pesticide Management Division of the Department.

Summary of Substitute Bill:

Legislative intent is expressed to create a formal and permanent advisory board to advise the Washington State Department of Agriculture (Department) on pesticide-related actions.

The Pesticide Advisory Board (Board) is created and is composed of both voting and nonvoting members appointed by the Director of the Department of Agriculture (Director). Members appointed to the Board serve terms of four years and may be appointed for successive four-year terms at the discretion of the Director. Board member terms must be staggered so that approximately one-fourth of the terms expire on June 30 each year.

The Director must attempt to fill any vacancy on the Board within 30 days.

The 18 voting Board members appointed by the Director represent a variety of interests including:

- licensed pesticide applicators, pest control professionals, and the agricultural chemical industry;
- agricultural producers;
- agricultural labor and farmworker health;
- the environmental community;
- one representative from a federally recognized Indian tribe; and
- state poison control, toxicology, occupational safety and health, and pesticide management officials.

The nonvoting members appointed by the Director include:

- an entomologist and a toxicologist in public service;

- a member from the National Pesticide Information Center;
- a pesticide coordinator from Washington State University;
- an agricultural health network advisor from the Pacific Northwest Agricultural Safety and Health Center;
- the Department's pollinator health coordinator, apiarist, or both;
- a commercial beekeeper;
- a member representing the United State's Environmental Protection Agency Region 10;
- a member representing the Department of Transportation with expertise in vegetation management;
- a member representing the Noxious Weed Control Board.

Additional nonvoting members include directors of the departments of Labor and Industries, Fish and Wildlife, and Ecology; the commissioners of Public Lands and the Employment Security Department; the Director of the Liquor and Cannabis Board; the Environmental Health Specialist from the Department of Health; and the Assistant Director of the Pesticide Management Division of the Department. These members are not appointed by the Director.

Substitute Bill Compared to Original Bill:

The substitute bill changes the title of the voting member of the Pesticide Advisory Board from the Department of Labor and Industries to be the Assistant Director of the Division of Occupational Safety and Health or their designee, rather than the Industrial Hygiene Agricultural Manager or their designee.

Appropriation: None.

Fiscal Note: Requested on January 17, 2022.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill came as a result of legislation passed last session, and the hope is to help the Washington State Department of Agriculture (Department) make more timely and informed decisions on pesticide issues. The Department realized that it was lacking some input from stakeholders. Pesticide issues can be controversial, and it was an advantage to have the Pesticide Advisory Board (Board) provide stakeholder input to the Department.

(Opposed) None.

(Other) The costs of the bill are not included in the Governor's budget proposal. The Board existed from 1994 through 2010, when it was eliminated in the Great Recession. The Department benefits from robust stakeholder input on decisions that it makes and creating the Board would help ensure that the agency receives input from the various groups with interest in pesticide issues. The Department is committed to engaging in a stakeholder process regarding legislation implementing fee increases for pesticide licensing that passed in 2021.

Persons Testifying: (In support) Representative Tom Dent, prime sponsor.

(Other) Kelly McLain, Department of Agriculture.

Persons Signed In To Testify But Not Testifying: None.