

SENATE BILL REPORT

ESHB 1019

As of March 20, 2023

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

Brief Description: Creating the pesticide advisory board.

Sponsors: House Committee on Agriculture and Natural Resources (originally sponsored by Representatives Dent, Chapman, Ryu, Corry, Sandlin, Reeves, Springer, Schmick and Davis).

Brief History: Passed House: 3/7/23, 95-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 3/23/23.

Brief Summary of Bill

- Creates the Pesticide Advisory Board to advise the Washington State Department of Agriculture on certain issues relating to the use and application of pesticides.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Delika Steele (786-7486)

Background: The Washington State Department of Agriculture (WSDA) administers the state Pesticide Control Act and Pesticide Application Act. WSDA activities under both acts include adopting rules requiring the registration and restricted use of pesticides, testing and certifying pesticide applicators, issuing handler and worker pesticide training documentation, and providing technical assistance to pesticide applicators and workers. WSDA is one of a variety of members of the Pesticide Application Safety Committee, which was created by the Legislature in 2019, to review several aspects related specifically to pesticide application including data tracking, dissemination of information, training, and reporting.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Pesticide Advisory Board (Board) advised WSDA on pesticide-related actions and was eliminated in 2010. The Board consisted of members appointed by the WSDA Director (Director) 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.

The directors or other designated officials of several state agencies served as nonvoting members of the Board. Nonvoting members 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 WSDA.

Summary of Bill: The Board is established to advise the Director on any and all problems relating to the use and the application of pesticides in the state except for matters considered by the Pesticide Application Safety Committee. The Board is composed of both voting and nonvoting members appointed by the Director. Members appointed to the Board serve four-year terms 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 30th each year. The Director must attempt to fill any vacancy on the Board within 30 days.

The 11 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 migrant farmworkers;
- 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;
- WSDA's pollinator health coordinator, apiarist, or both;
 - a commercial beekeeper;
 - a member representing the United States Environmental Protection Agency Region 10;
 - a member representing the Department of Transportation with expertise in vegetation management; and
 - 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; and
- the Environmental Health Specialist from the Department of Health.

The Director, in consultation with the Board, must form workgroups to inform the Board on issues relating to specific pesticides or uses. Workgroups must include individuals with the appropriate expertise and may include individuals who are not members of the Board.

The Board must select a chair from among its membership and meet from time to time at the call of the chair, director, or a majority of Board members.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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