

2 **ESB 6273** - H AMD TO AG COMM AMD (H-4996.1/92) **0362 ADOPTED 03/06/92**

3

4 By Representatives R. Johnson, Chandler, and Haugen

5

6 On page 1, after line 6 of the amendment, strike the remainder of  
7 the amendment and insert the following:

8 "NEW SECTION. **Sec. 1.** A new section is added to chapter 15.58 RCW  
9 to read as follows:

10 (1) Except as provided in subsections (2) and (5) of this section,  
11 no city, town, or county may regulate the use of pesticides: On lands  
12 designated as being agricultural or forest lands under RCW 36.70A.170;  
13 on land classified as farm and agricultural land under chapter 84.34  
14 RCW; on land regarding which pesticide use is regulated under chapter  
15 76.09 RCW; or on a right of way or easement for a state highway or for  
16 a privately or governmentally owned public utility.

17 (2) A city, town, or county may regulate the use of pesticides on  
18 lands, rights of way, or easements listed in subsection (1) of this  
19 section only for the purpose of: Implementing the requirements of the  
20 rules of the state's department of health or state board of health for  
21 protecting drinking water supplies; or providing compliance with water  
22 quality standards established by the state's department of ecology by  
23 rule.

24 (3) Before proposing an ordinance to regulate pesticides, a city,  
25 town, or county shall consult with the state's departments of  
26 agriculture, ecology, and health.

27 (4) Except as provided in subsection (5) of this section, no unit  
28 of local government in this state other than a city, town, or county  
29 may regulate pesticides.

1 (5) The provisions of this section do not prohibit a unit of local  
2 government from managing or regulating pesticides on property in which  
3 the unit of government has any legal or equitable ownership interest or  
4 leasehold interest."

5 "NEW SECTION. **Sec. 2.** A new section is added to chapter 17.21 RCW  
6 to read as follows:

7 (1) Except as provided in subsections (2) and (5) of this section,  
8 no city, town, or county may regulate the use of pesticides: On lands  
9 designated as being agricultural or forest lands under RCW 36.70A.170;  
10 on land classified as farm and agricultural land under chapter 84.34  
11 RCW; on land regarding which pesticide use is regulated under chapter  
12 76.09 RCW; or on a right of way or easement for a state highway or for  
13 a privately or governmentally owned public utility.

14 (2) A city, town, or county may regulate the use of pesticides on  
15 lands, rights of way, or easements listed in subsection (1) of this  
16 section only for the purpose of: Implementing the requirements of the  
17 rules of the state's department of health or state board of health for  
18 protecting drinking water supplies; or providing compliance with water  
19 quality standards established by the state's department of ecology by  
20 rule.

21 (3) Before proposing an ordinance to regulate pesticides, a city,  
22 town, or county shall consult with the state's departments of  
23 agriculture, ecology, and health.

24 (4) Except as provided in subsection (5) of this section, no unit  
25 of local government in this state other than a city, town, or county  
26 may regulate pesticides.

27 (5) The provisions of this section do not prohibit a unit of local  
28 government from managing or regulating pesticides on property in which

1 the unit of government has any legal or equitable ownership interest or  
2 leasehold interest."

3 "NEW SECTION. Sec. 3. This act is necessary for the immediate  
4 preservation of the public peace, health, or safety, or support of the  
5 state government and its existing public institutions, and shall take  
6 effect immediately."

7 "NEW SECTION. Sec. 4. This act shall expire on July 1, 1994."