

# HOUSE BILL REPORT

## HB 3068

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### As Reported By House Committee On:

Agriculture & Ecology

**Title:** An act relating to a pilot project for limited private applicator licenses and rancher private applicator licenses.

**Brief Description:** Regarding a pilot project for limited private applicator licenses and rancher private applicator licenses.

**Sponsors:** Representatives McMorris and Chandler.

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 2/5/98 [DP].

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## HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

**Staff:** Carole Richmond (786-7114).

**Background:** A pesticide licensing pilot project was authorized under legislation enacted in 1997. The intent of the project was to provide licenses for the application of restricted use herbicides to control weeds in Ferry and Okanogan Counties. The license is called a limited private applicator's license and it permits the licensee to apply herbicides to control weeds on his or her own non-production agricultural land and on the non-production agricultural land of another person if it is done without compensation other than the trading of personal services. Such non-production agricultural land is defined to include pastures, range land, fence rows, and areas around farm buildings. The application of herbicides to aquatic sites is not permitted under such a license; nor is the use of a powered apparatus in applying the herbicides. This latter prohibition does not apply to household handsized devices, to an apparatus the source of the power of which is the applicator himself or herself, or to a small device transported in an apparatus licensed as a pesticide apparatus. The application and examination requirements, as well as the fee, for a limited private applicator are the same as for a private applicator; however, the continuing education requirements are altered for this category of license.

A person who successfully completes these requirements is deemed to have met the credit accumulation requirements for private applicators. The pilot project is to expire December 31, 2002.

**Summary of Bill:**

The pilot project authorized by 1997 legislation is altered and extended through the year 2003. The project is expanded to encompass a new licensing category, that of a rancher private applicator. A person licensed under this licensing category has generally the same authorities as a person licensed as a limited private applicator under the pilot project except that a person with this license is also authorized to use restricted use rodenticides, not just herbicides, for controlling pest animals. This control and weed control are permitted on non-production agricultural land and production agricultural land used to grow hay and grain crops that are consumed by the livestock on the farm where produced, although up to 10 percent of the crops grown on the such land in a calendar year may be sold within the county of production.

The project is also expanded to include Stevens and Pend Oreille Counties. However, it may be used only in a county where the county's cooperative extension service and/or its weed board complete a memorandum of understanding with the Department of Agriculture agreeing: (1) to conduct certain department-approved re-certification coursework every year; and (2) to maintain the re-certification credit records for the limited private applicators in the county.

The licensing fee for a limited private applicator is set at \$25. For a rancher private applicator, it is set at \$75. The application requirements currently set for a private applicator do not apply to a limited private applicator or a rancher private applicator. The examination requirements of a private applicator do apply. The number of department approved education credits required for a limited private applicator's license is reduced and the number needed for a rancher private applicator is set.

A limited private applicator is no longer prohibited from using a powered apparatus to apply herbicides under the pilot project.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** More licensed applicators are needed. These provisions will help increase the number of people who are licensed.

**Testimony Against:** None.

**Testified:** Mary Beth Lang, Washington Department of Agriculture (Pro); and Sheila Kennedy, Okanogan Noxious Weed (Pro).