
SUBSTITUTE HOUSE BILL 1054

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives G. Chandler, Linville, Schoesler, Clements, Grant, Anderson, Parlette, Dunshee and Cooper)

Read first time 02/02/1999. Referred to Committee on .

1 AN ACT Relating to the duties of the commission on pesticide
2 registration; and amending RCW 15.92.090, 15.92.095, and 15.92.100.

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

4 **Sec. 1.** RCW 15.92.090 and 1995 c 390 s 1 are each amended to read
5 as follows:

6 (1) A commission on pesticide registration is established. The
7 commission shall be composed of twelve voting members appointed by the
8 governor as follows:

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

18 (b) One member from each of the following: (i) Forest protection
19 industry; (ii) food processors; (iii) agricultural chemical industry;

1 and (iv) professional pesticide applicators. One member shall be
2 appointed for each such segment of the industry and shall be nominated
3 by a state-wide, private association of that segment of the industry.
4 The representative of the agricultural chemical industry shall be
5 involved in the manufacture of agricultural crop protection products.

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

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

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

33 (4) The commission shall elect a chair from among its voting
34 members each calendar year. After its original organizational meeting,
35 the commission shall meet at the call of the chair. A majority of the
36 voting members of the commission constitutes a quorum and an official
37 action of the commission may be taken by a majority vote of the
38 (~~voting members~~) quorum.

1 **Sec. 2.** RCW 15.92.095 and 1995 c 390 s 2 are each amended to read
2 as follows:

3 (1) ~~((The following apply))~~ This subsection applies to the use of
4 ~~((state moneys appropriated to Washington State University specifically~~
5 ~~and expressly for studies or activities regarding the registration of~~
6 ~~pesticides))~~ state appropriations made to or legislatively intended for
7 the commission on pesticide registration and to any other moneys
8 appropriated by the state and received by the commission on pesticide
9 registration:

10 (a) The moneys may not be expended without the express approval of
11 the commission on pesticide registration;

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

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

32 (2) The commission on pesticide registration shall establish
33 priorities to guide it in approving the use of moneys for evaluations,
34 studies, and investigations under this section. Each biennium, the
35 commission shall prepare a contingency plan for providing funding for
36 laboratory studies or investigations that are necessary to pesticide
37 registrations or related processes that will address emergency
38 conditions for agricultural crops that are not generally predicted at
39 the beginning of the biennium.

1 **Sec. 3.** RCW 15.92.100 and 1995 c 390 s 3 are each amended to read
2 as follows:

3 The commission on pesticide registration shall:

4 (1) Provide guidance to the food and environmental quality
5 laboratory established in RCW 15.92.050 regarding the laboratory's
6 studies, investigations, and evaluations concerning the registration of
7 pesticides for use in this state for minor crops and minor uses and
8 concerning the availability of pesticides for emergency uses;

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

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

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

31 (5) Ensure that prior to approving any residue study that there is
32 written confirmation of registrant support and willingness or ability
33 to add the given minor crop to its label including any restrictions or
34 guidelines the registrant intends to impose.

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