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HOUSE BILL 2521

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State of Washington

57th Legislature

2002 Regular Session

By Representatives Linville, Schoesler, McIntire, Santos, Jackley, Kenney, Miloscia, Chase, Upthegrove, Lovick and Wood

Read first time 01/18/2002. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to registering pesticides; amending RCW 15.58.050,  
2 15.58.070, 15.58.070, and 15.58.080; providing effective dates; and  
3 providing an expiration date.

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

5 **Sec. 1.** RCW 15.58.050 and 1989 c 380 s 3 are each amended to read  
6 as follows:

7 Every pesticide which is distributed within this state or delivered  
8 for transportation or transported in intrastate commerce or between  
9 points within this state through any point outside this state shall be  
10 registered with the director subject to the provisions of this chapter.  
11 (~~Such registration shall be renewed annually prior to January 1:~~  
12 ~~PROVIDED, That~~) However, registration is not required if: A pesticide  
13 is shipped from one plant or warehouse to another plant or warehouse  
14 operated by the same person and used solely at such plant or warehouse  
15 as a constituent part to make a pesticide which is registered under the  
16 provisions of this chapter; or (~~if~~) a written permit has been  
17 obtained from the director to distribute or use the specific pesticide  
18 for experimental purposes subject to restrictions and conditions set  
19 forth in the permit.

1       **Sec. 2.** RCW 15.58.070 and 1997 c 242 s 2 are each amended to read  
2 as follows:

3       ~~(1) ((Any person desiring to register a pesticide with the~~  
4 ~~department shall pay to the director an annual registration fee for~~  
5 ~~each pesticide registered by the department for such person. The~~  
6 ~~registration fee shall be one hundred forty five dollars for each~~  
7 ~~pesticide registered.~~

8       ~~(2) The revenue generated by the registration))~~ Except under  
9 subsection (2) of this section:

10       (a) All registrations issued by the department to registrants whose  
11 names begin with the letters A through N expire December 31, 2004; and

12       (b) All registrations issued by the department to registrants whose  
13 names begin with the letters O through Z expire December 31, 2003.

14       (2) All registrations issued by the department to a registrant who  
15 is applying to register an additional pesticide during the second year  
16 of the registrant's registration period shall expire December 31st of  
17 that year.

18       (3) An application for registration shall be accompanied by a fee  
19 of two hundred ninety dollars for each pesticide, except that:

20       (a) An application for registration submitted by a registrant whose  
21 name begins with the letters O through Z shall be accompanied by a fee  
22 of one hundred forty-five dollars for each pesticide; and

23       (b) A registrant who is applying to register an additional  
24 pesticide during the year the registrant's registration expires shall  
25 pay a fee of one hundred forty-five dollars for each additional  
26 pesticide.

27       (4) Fees shall be deposited in the agricultural local fund to  
28 support the activities of the pesticide program within the department.

29       ~~((3) All pesticide registrations expire on December 31st of each~~  
30 ~~year. A registrant may elect to register a pesticide for a two year~~  
31 ~~period by prepaying for a second year at the time of registration.~~

32       ~~(4))~~ (5) Any registration approved by the director and in effect  
33 on the ((31st day of December)) last day of the registration period,  
34 for which a renewal application has been made and the proper fee paid,  
35 continues in full force and effect until the director notifies the  
36 applicant that the registration has been renewed, or otherwise denied  
37 in accord with the provision of RCW 15.58.110.

1       **Sec. 3.** RCW 15.58.070 and 1997 c 242 s 2 are each amended to read  
2 as follows:

3       ~~(1) ((Any person desiring to register a pesticide with the~~  
4 ~~department shall pay to the director an annual registration fee for~~  
5 ~~each pesticide registered by the department for such person. The~~  
6 ~~registration fee shall be one hundred forty five dollars for each~~  
7 ~~pesticide registered.~~

8       ~~(2) The revenue generated by the registration))~~ All registrations  
9 issued by the department expire December 31st of the following year  
10 except that registrations issued by the department to a registrant who  
11 is applying to register an additional pesticide during the second year  
12 of the registrant's registration period shall expire December 31st of  
13 that year.

14       (2) An application for registration shall be accompanied by a fee  
15 of two hundred ninety dollars for each pesticide, except that a  
16 registrant who is applying to register an additional pesticide during  
17 the year the registrant's registration expires shall pay a fee of one  
18 hundred forty-five dollars for each additional pesticide.

19       (3) Fees shall be deposited in the agricultural local fund to  
20 support the activities of the pesticide program within the department.

21       ~~((3) All pesticide registrations expire on December 31st of each~~  
22 ~~year. A registrant may elect to register a pesticide for a two year~~  
23 ~~period by prepaying for a second year at the time of registration.))~~

24       (4) Any registration approved by the director and in effect on the  
25 ~~((31st day of December))~~ last day of the registration period, for which  
26 a renewal application has been made and the proper fee paid, continues  
27 in full force and effect until the director notifies the applicant that  
28 the registration has been renewed, or otherwise denied in accord with  
29 the provision of RCW 15.58.110.

30       **Sec. 4.** RCW 15.58.080 and 1994 c 46 s 2 are each amended to read  
31 as follows:

32       If the renewal of a pesticide registration or special needs  
33 registration is not filed ~~((before January 1st of each year))~~ by the  
34 day the registration expires, an additional fee of ~~((twenty-five))~~  
35 fifty dollars shall be assessed and added to the original fee. The  
36 additional fee shall be paid by the applicant before the registration  
37 renewal for that pesticide shall be issued unless the applicant  
38 furnishes an affidavit certifying that the applicant did not distribute

1 the unregistered pesticide during the period of nonregistration. The  
2 payment of the additional fee is not a bar to any prosecution for doing  
3 business without proper registry.

4 NEW SECTION. **Sec. 5.** (1) Section 2 of this act takes effect  
5 January 1, 2003.

6 (2) Section 2 of this act expires January 1, 2004.

7 NEW SECTION. **Sec. 6.** Section 3 of this act takes effect January  
8 1, 2004.

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