
HOUSE BILL 2302

State of Washington

68th Legislature

2024 Regular Session

By Representatives Dent, Chapman, Davis, and Timmons

Read first time 01/11/24. Referred to Committee on Agriculture and Natural Resources.

1 AN ACT Relating to extending the pesticide application safety
2 committee; amending RCW 70.104.110; amending 2019 c 327 s 1
3 (uncodified); and providing expiration dates.

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

5 **Sec. 1.** RCW 70.104.110 and 2019 c 327 s 2 are each amended to
6 read as follows:

7 (1) The pesticide application safety committee is established.
8 Appointments to the committee must be made as soon as possible after
9 the legislature convenes in regular session. The committee is
10 composed of the following members:

11 (a) One member from each of the two largest caucuses of the house
12 of representatives, appointed by the speaker of the house of
13 representatives;

14 (b) One member from each of the two largest caucuses of the
15 senate, appointed by the president of the senate;

16 (c) The director of the department of agriculture, or an
17 assistant director designated by the director;

18 (d) The secretary of the department of health, or an assistant
19 secretary designated by the secretary;

20 (e) The director of the department of labor and industries, or an
21 assistant director designated by the director;

1 (f) The commissioner of public lands, or an assistant
2 commissioner designated by the commissioner;

3 (g) The dean of the college of agricultural, human, and natural
4 resource sciences at the Washington State University, or an assistant
5 dean designated by the dean;

6 (h) The pesticide safety education coordinator at the Washington
7 State University cooperative extension; and

8 (i) The director of the University of Washington Pacific
9 Northwest agricultural safety and health center, or an assistant
10 designated by the director.

11 (2) The committee shall be cochaired by the secretary of the
12 department of health, or the assistant secretary designated by the
13 secretary, and the director of the department of agriculture, or the
14 assistant director designated by the director.

15 (3) Primary responsibility for administrative support for the
16 committee, including developing reports, research, and other
17 organizational support, shall be provided by the department of health
18 and the department of agriculture. The committee must hold its first
19 meeting by September 2019. The committee must meet at least three
20 times each year. The meetings shall be at a time and place specified
21 by the cochairs, or at the call of a majority of the committee. When
22 determining the time and place of meetings, the cochairs must
23 consider costs and conduct committee meetings in Olympia when this
24 choice would reduce costs to the state.

25 (4)(a) An advisory work group is created to collect information
26 and make recommendations to the full committee on topics requiring
27 unique expertise and perspectives on issues within the jurisdiction
28 of the committee.

29 (b) The advisory work group shall consist of a representative
30 from the department of agriculture, two representatives of employee
31 organizations that represent farmworkers, two farmworkers with
32 expertise on pesticide application, a representative of community and
33 migrant health centers, a toxicologist, a representative of growers
34 who use air blast sprayers, a representative of growers who use
35 aerial pesticide application, a representative of growers who use
36 fumigation to apply pesticides, and a representative of aerial
37 applicators. The secretary of health, in consultation with the
38 director of the department of agriculture and the full committee,
39 must appoint members of the advisory work group, and the department
40 of health must staff the advisory work group. The letter of

1 appointment to the advisory work group members must be signed by both
2 cochairs.

3 (c) The advisory work group must hold meetings only upon the
4 committee's request. (~~To reduce costs, the advisory work group must~~
5 ~~conduct meetings using teleconferencing or other methods, but may~~
6 ~~hold one in-person meeting per fiscal year.~~)

7 (d) Members of the advisory work group shall be reimbursed for
8 mileage expenses in accordance with RCW 43.03.060.

9 (e) The advisory work group must provide a report on their
10 activities and recommendations to the full committee by November 9th
11 of each year.

12 (5) The first priority of the committee is to explore how the
13 departments of agriculture, labor and industries, and health, and the
14 Washington poison center collect and track data. The committee must
15 also consider the feasibility and requirements of developing a shared
16 database, including how the department of health could use existing
17 tools, such as the tracking network, to better display multiagency
18 data regarding pesticides. The committee may also evaluate and
19 recommend policy options that would take action to:

20 (a) Improve pesticide application safety with agricultural
21 applications;

22 (b) Lead an effort to establish baseline data for the type and
23 quantity of pesticide applications used in Washington to be able to
24 compare the number of exposures with overall number of applications;

25 (c) Research ways to improve pesticide application communication
26 among different members of the agricultural community, including
27 educating the public in English and Spanish about acute and chronic
28 health information about pesticides;

29 (d) Compile industry's best practices for use to improve
30 pesticide application safety to limit pesticide exposure;

31 (e) Continue to investigate reasons why members of the
32 agricultural workforce do not or may not report pesticide exposure;

33 (f) Explore new avenues for reporting with investigation without
34 fear of retaliation;

35 (g) Work with stakeholders to consider trainings for how and when
36 to report;

37 (h) Explore incentives for using new technology by funding a
38 partial buy-out program for old spray technology;

39 (i) Consider developing an effective community health education
40 plan;

1 (j) Consult with community partners to enhance educational
2 initiatives that work with the agricultural workforce, their
3 families, and surrounding communities to reduce the risk of pesticide
4 exposure;

5 (k) Enhance efforts to work with pesticide manufacturers and the
6 environmental protection agency to improve access to non-English
7 pesticide labeling in the United States;

8 (l) Work with research partners to develop, or promote the use of
9 translation apps for pesticide label safety information, or both;

10 (m) Evaluate prevention techniques to minimize exposure events;

11 (n) Develop more Spanish language and other language educational
12 materials for distribution, including through social media and app-
13 based learning for agricultural workforce communities;

14 (o) Explore development of an agricultural workforce education
15 safety program to improve the understanding about leaving an area
16 being sprayed; and

17 (p) Work with the industry and the agricultural workforce to
18 improve protocols and best practices for use of personal safety
19 equipment for applicators and reflective gear for the general
20 workforce.

21 (6) The committee must provide a report to the appropriate
22 committees of the legislature by May 1, 2020, and each year
23 thereafter. An initial report on the progress of the committee must
24 be provided in January 2020. The report may include recommendations
25 the committee determines necessary, and must document the activities
26 of the committee and report on the subjects listed in subsection (5)
27 of this section. The department of health and the department of
28 agriculture must provide staff support to the committee for the
29 purpose of authoring the report and transmitting it to the
30 legislature. Any member of the committee may provide a minority
31 report as an appendix to the report submitted to the legislature
32 under this section.

33 (7) This section expires July 1, (~~2025~~) 2035.

34 **Sec. 2.** 2019 c 327 s 1 (uncodified) is amended to read as
35 follows:

36 (1) In 2018, the legislature passed Engrossed Second Substitute
37 Senate Bill No. 6529. The bill recognized that farmers, farmworkers,
38 and the broader community share an interest in minimizing human
39 exposure to pesticides. It also recognized that gains have been made

1 in reducing human exposure to pesticides and that collaboration
2 between state agencies and the farming community could further reduce
3 agricultural workers exposure to pesticide drift.

4 (2) The legislation established a pesticide application safety
5 work group that would make recommendations for improving pesticide
6 application safety. Work group members included legislators from both
7 chambers and caucuses, as well as representation from state agencies
8 and the commission on Hispanic affairs. The work group sought public
9 participation to learn more about pesticide application safety. Many
10 stakeholders including but not limited to local farm hosts, the
11 agricultural industry, and members of the agricultural workforce
12 contributed valuable assistance and input.

13 (3) The work group reached two noteworthy recommendations
14 regarding what can be done now to improve pesticide application
15 safety. The recommendations are to:

16 (a) Expand training because the department of agriculture lacks
17 sufficient resources to meet the training demand from pesticide
18 applicators and handlers; and

19 (b) Establish a new pesticide application safety panel to provide
20 an opportunity to evaluate and recommend policy options, and
21 investigate exposure cases.

22 (4) The work group concluded that legislation is warranted to
23 expand funding for a training program and set up a new pesticide
24 application safety panel with clear objectives.

25 (5) This section expires July 1, ((2025)) 2035.

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