



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:** Department Of Agriculture

**Subject of possible rule making:**  
Setting pesticide license examination fees in WAC 16-228-1540.

**Statutes authorizing the agency to adopt rules on this subject:**  
RCW 17.21.030, RCW 15.58.040, and chapter 34.05 RCW. In addition, 3ESBH 2127 authorizes the department to establish pesticide license examination fees.

**Reasons why rules on this subject may be needed and what they might accomplish:**  
The Pesticide Management Division (PMD) lost \$616,000 in general fund dollars during the last biennium. Charging a \$25 exam session fee will assist the program in recovering costs to administer exams to approximately 4,000 prospective licensees each year. Exams are offered in all PMD offices, following large WSU Prelicense Shortcourses and upon request for large groups. WSDA estimates that it costs from \$19 - \$31/tester to administer exams yet does not currently collect a fee for this activity. (A private contractor would charge from \$40 - \$70 per exam session.) Currently, only an annual license application fee is collected. The application fee supports licensing and compliance activities of the division.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
While WSDA has been delegated the authority by the Environmental Protection Agency to license pesticide applicators, this federal agency does not have any role in setting license or examination fees.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

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**DATE**  
May 14, 2012

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**TITLE**  
Assistant Director, Pesticide Management Division

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