

Senate File 274 - Introduced

SENATE FILE _____
BY JOHNSON

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to applicators of pesticides by providing for
2 exemptions from certification requirements.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1507XS 82
5 da/je/5

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1 1 Section 1. Section 206.5, subsection 3, paragraph c, Code
1 2 2007, is amended to read as follows:
1 3 c. A commercial, public, or private applicator is not
1 4 required to be certified to apply pesticides for a period of
1 5 ~~twenty-one~~ one hundred twenty days from the date of initial
1 6 employment if the commercial, public, or private applicator is
1 7 under the ~~direct~~ immediate supervision of a ~~certified~~
1 8 ~~applicator~~. For the purposes of this ~~section subsection~~,

1 9 "~~under the direct supervision of~~ immediate supervision" means
1 10 that the application of a pesticide is made by a competent
1 11 person acting under the instructions and control of a
1 12 certified applicator who is physically present, by being in
1 13 sight or hearing distance of the supervised person.

1 14 Sec. 2. Section 206.5, subsection 4, Code 2007, is amended
1 15 to read as follows:

1 16 4. A commercial applicator who applies pesticides to
1 17 agricultural land may, in lieu of the requirement of ~~direct~~
1 18 immediate supervision in subsection 3, elect to be exempt from
1 19 the certification requirements for a commercial applicator for
1 20 a period of ~~twenty-one~~ days, if the applicator meets the
1 21 requirements of a private applicator.

1 22 EXPLANATION

1 23 This bill amends Code chapter 206, the "Pesticide Act of
1 24 Iowa". The term "pesticide" is defined broadly to include any
1 25 substance intended to prevent, destroy, repel, or mitigate
1 26 insects, rodents, nematodes, fungi, or weeds. Code section
1 27 206.5 regulates various types of pesticide applicators
1 28 including persons who apply pesticides for compensation
1 29 (commercial applicators), persons who apply pesticides on
1 30 public land (public applicators), and persons who apply
1 31 pesticides on their own land or an employee of such a person
1 32 (private applicators). As part of the regulation, a
1 33 commercial, public, or private applicator must be certified by
1 34 passing an examination, and recertified by passing an
1 35 examination or completing continuing instructional courses.

2 1 However, a commercial, public, or private applicator is not
2 2 required to be certified to apply pesticides for a period of
2 3 21 days if the applicator is under the "direct supervision" of
2 4 a certified applicator (within sight or hearing distance).
2 5 The bill amends Code section 206.5 to extend the period of
2 6 time when the exception applies from 21 days to 120 days. The
2 7 bill also changes the term "direct supervision" to "immediate
2 8 supervision". The phrase "under the direct supervision of" is
2 9 defined in Code section 206.2, but the same phrase is also
2 10 defined specifically in Code section 206.5.

2 11 LSB 1507XS 82

2 12 da:nh/je/5