

House File 2112 - Introduced

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BY KLEIN

A BILL FOR

1 An Act relating to certification requirements for persons
2 involved in the application of pesticides, and including
3 provisions for contingent implementation.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 206.5, subsection 7, paragraph b, Code
2 2014, is amended by adding the following new subparagraph:
3 NEW SUBPARAGRAPH. (4) The department shall provide that the
4 instructional courses be made available via the department's
5 internet site, the internet site of a person selected to teach
6 the continuing instructional courses, or the internet site of
7 the Iowa cooperative extension service in agriculture and home
8 economics of Iowa state university of science and technology.

9 Sec. 2. CONTINGENT IMPLEMENTATION — FUTURE REPEAL. The
10 department of agriculture and land stewardship shall implement
11 section 206.5, subsection 7, paragraph "b", subparagraph (4),
12 as enacted by this Act, as follows:

13 1. The department of agriculture and land stewardship shall
14 establish and implement a development project to effectuate the
15 provision if the general assembly appropriates moneys to the
16 department in an amount sufficient to support the project. The
17 department of natural resources shall assist the department
18 of agriculture and land stewardship in the implementation.
19 The department of agriculture and land stewardship shall
20 complete the development project within twelve months after the
21 effective date of the appropriation.

22 2. The department shall fully implement section 206.5,
23 subsection 7, paragraph "b", subparagraph (4), as enacted by
24 this Act, within twelve months after the development project is
25 completed as provided in subsection 1.

26 3. If the general assembly does not appropriate moneys to
27 the department of agriculture and land stewardship as provided
28 in subsection 1, by July 1, 2019, section 206.5, subsection 7,
29 paragraph "b", subparagraph (4), as enacted by this Act, is
30 repealed on that date. The department shall notify the Code
31 editor whether the conditions of this section have been met by
32 July 1, 2019.

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 BILL'S PROVISIONS. This bill allows a person who regularly
2 applies pesticides to renew their certification issued by
3 the department of agriculture and land stewardship (DALs) by
4 completing the required hours of instructional courses via the
5 internet. DALs is not required to implement the bill unless
6 the general assembly appropriates moneys to the department in
7 an amount sufficient to support a development project for its
8 full implementation. This contingent provision is repealed if
9 DALs is not appropriated the necessary amount by July 1, 2019.

10 BACKGROUND. The provision amended by the bill (Code
11 section 206.5) is part of the "Pesticide Act of Iowa" (Code
12 section 206.1). There are three classes of persons required
13 to be certified in order to apply pesticides: (1) a private
14 applicator who applies a restricted use pesticide on their own
15 farmland or on another's farmland in return for services, (2) a
16 commercial applicator who applies pesticides on someone else's
17 property, and (3) a public applicator who applies pesticides
18 as part of employment by the state or local government (Code
19 section 206.2). In order to be initially certified, the
20 applicator must pass an examination, and to be recertified, the
21 applicator must either pass an examination every third year or
22 attend two hours of continuing instructional courses every year
23 (Code section 206.5). The Iowa cooperative extension service
24 in agriculture and home economics of Iowa state university
25 of science and technology cooperates in administering the
26 continuing instructional courses.