

Senate File 2204 - Introduced

SENATE FILE 2204

BY EDLER

A BILL FOR

1 An Act relating to certification requirements for persons
2 involved in the application of pesticides.

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

1 Section 1. Section 206.5, subsection 7, paragraph b,
2 subparagraphs (2) and (3), Code 2018, are amended to read as
3 follows:

4 (2) The department shall ~~administer the instructional~~
5 ~~courses, by either teaching the courses or selecting persons~~
6 ~~to teach the courses,~~ administer the educational program,
7 or oversee the administration of the program, according to
8 criteria ~~as~~ provided by rules adopted by the department.

9 (3) (a) The department shall, to the extent possible,
10 select persons to ~~teach the courses~~ administer the educational
11 program in each county. The department is not required to
12 compensate persons selected to ~~teach the courses~~ administer
13 the educational program. In selecting persons, the department
14 shall rely upon organizations interested in the application
15 of pesticides, including associations representing pesticide
16 applicators and associations representing agricultural
17 producers.

18 (b) The Iowa cooperative extension service in agriculture
19 and home economics of Iowa state university of science and
20 technology shall cooperate with the department in administering
21 the educational program.

22 ~~(3) (4) The Iowa cooperative extension service in~~
23 ~~agriculture and home economics of Iowa state university of~~
24 ~~science and technology shall cooperate with the department in~~
25 ~~administering the instructional courses. The~~ In administering
26 an educational program, the department, a person selected by
27 the department, or the Iowa cooperative extension service may
28 conduct examinations, teach courses, train persons selected to
29 teach courses, or distribute informational materials to persons
30 teaching the courses.

31 Sec. 2. Section 206.5, subsection 7, Code 2018, is amended
32 by adding the following new paragraph:

33 NEW PARAGRAPH. *0c.* The department shall provide that the
34 educational program be made available via the department's
35 internet site. The department shall cooperate with a person

1 selected by the department as provided in paragraph "b" or the
2 Iowa cooperative extension service in agriculture and home
3 economics of Iowa state university of science and technology to
4 also make the educational program available via their internet
5 sites.

6 Sec. 3. CONTINGENT IMPLEMENTATION.

7 1. The department of agriculture and land stewardship shall
8 fully implement the provisions in section 206.5, subsection
9 7, paragraph "0c", as enacted in this Act contingent upon the
10 completion of a development project that includes all stages of
11 initial programming and testing.

12 2. a. The department may establish and administer
13 the development project in cooperation with one or more
14 interested persons selected by the department to administer the
15 educational program and the Iowa cooperative extension service
16 in agriculture and home economics.

17 b. The department is not required to begin or complete the
18 development project unless it is appropriated necessary moneys
19 by the general assembly. The department shall complete the
20 development project within twelve months after the effective
21 date of the necessary appropriation.

22 3. The department shall fully implement the provisions
23 described in subsection 1 within twelve months after the
24 development project is completed as provided in subsection 2.

25 EXPLANATION

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

28 GENERAL. This bill provides for an educational program
29 administered by the department of agriculture and land
30 stewardship (DALS) that currently requires a person who
31 regularly applies pesticides to obtain an initial certification
32 or a renewal of a certification through a process of passing an
33 examination and attending instructional courses (referred to as
34 an educational program).

35 BILL'S PROVISIONS — ADMINISTRATION OF THE EDUCATIONAL

1 PROGRAM. The bill provides that the department may select
2 a qualified person to administer the program by giving
3 examinations as well as instructional courses. It provides
4 that Iowa state university of science and technology (ISU) may
5 cooperate with the department to provide the same services.

6 BILL'S PROVISIONS — USE OF THE INTERNET. The bill provides
7 that DALs must make the educational program available via the
8 department's internet site. It also provides that DALs must
9 cooperate with the qualified selected person or ISU to also
10 make the educational program available via their internet
11 sites. However, DALs is not required to commence or complete
12 this project unless it is appropriated necessary moneys by the
13 general assembly.

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