

Senate File 370 - Introduced

SENATE FILE 370
BY KAPUCIAN

A BILL FOR

1 An Act relating to the use of certain pesticides, by providing
2 for a fee increase, the establishment of a fund, and making
3 appropriations.

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

1 Section 1. Section 206.5, subsection 2, paragraph a, Code
2 2019, is amended to read as follows:

3 a. A commercial applicator shall pay a seventy-five dollar
4 fee for a three-year certification. A public applicator or a
5 private applicator shall pay a ~~fifteen~~ thirty dollar fee for a
6 three-year certification.

7 Sec. 2. Section 206.5, subsection 2, Code 2019, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. c. Moneys collected by the department from
10 certification fees shall be credited to the administration fund
11 created in section 206.5A.

12 Sec. 3. NEW SECTION. **206.5A Pesticide administration and**
13 **enforcement fund.**

14 1. A pesticide administration and enforcement fund is
15 created in the state treasury under the management and control
16 of the department.

17 2. The fund shall include moneys collected by the department
18 in fees as provided in section 206.5 and moneys appropriated
19 by the general assembly. The fund may include other moneys
20 available to and obtained or accepted by the department,
21 including moneys from public or private sources.

22 3. Moneys in the fund are appropriated to the department
23 and shall be used exclusively to administer and enforce the
24 provisions of this chapter as determined and directed by the
25 department, and shall not require further special authorization
26 by the general assembly.

27 4. a. Notwithstanding section 12C.7, interest or earnings
28 on moneys in the fund shall be credited to the fund.

29 b. Notwithstanding section 8.33, moneys credited to the fund
30 that remain unexpended or unobligated at the end of a fiscal
31 year shall not revert to any other fund.

32 EXPLANATION

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

35 BILL'S PROVISIONS. This bill amends Code chapter 206,

1 the "Pesticide Act of Iowa", which is administered by the
2 department of agriculture and land stewardship (DALs). The
3 bill increases the amount of a fee required to be paid by a
4 public or private applicator before obtaining a three-year
5 certification. All certification fees are credited to a new
6 pesticide administration and enforcement fund under DALs'
7 management and control to be used to administer and enforce the
8 provisions of the Code chapter.

9 BACKGROUND. A person who applies a restricted-use pesticide
10 as designated by DALs rule must be certified as a commercial,
11 public, or private applicator. In addition to paying a fee,
12 the person must pass an examination or attend continuing
13 instructional courses. A commercial applicator is a person
14 engaged in the business of applying pesticides, a public
15 applicator is a person employed to apply pesticides by a state
16 or local government, and a private applicator is a person who
17 applies or supervises the use of a pesticide on property owned
18 or leased by the person.