

FIRST REGULAR SESSION

HOUSE BILL NO. 588

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MYERS (Sponsor), HOBBS AND STEVENSON (Co-sponsors).

Read 1st time February 17, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1664L.011

AN ACT

To repeal section 281.040, RSMo, and to enact in lieu thereof one new section relating to licensure of private applicators of pesticides.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 281.040, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 281.040, to read as follows:

281.040. 1. No private applicator shall use any restricted use pesticide unless he first complies with the requirements determined pursuant to subsection 2 or 5 of this section, as necessary to prevent unreasonable adverse effects on the environment, including injury to the applicator or other persons, for that specific pesticide use.

2. The private applicator shall qualify for a certified private applicator's license by attending a course of instruction provided by the director on the use, handling, storage and application of restricted use pesticides. The content of the instruction shall be determined and revised as necessary by the director. Upon completion of the course, the director shall issue a certified private applicator's license to the applicant. The director shall not collect a fee for the issuance of such license, **but the University of Missouri extension service may collect a fee for the actual cost of the materials necessary to complete the course of instruction. Both the director of the department and of the University of Missouri extension service shall review such costs annually.**

3. A certified private applicator's license shall expire five years from date of issuance and may then be renewed without charge or additional fee. Any certified private applicator holding a valid license may renew that license for the next five years without additional training unless

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 the director determines that additional knowledge related to the use of agricultural pesticides
18 makes additional training necessary.

19 4. If the director does not qualify the private applicator under this section he shall inform
20 the applicant in writing of the reasons therefor.

21 5. The private applicator may apply to the director, or his designated agent, for a private
22 applicator permit for the one-time emergency purchase and use of restricted use pesticides.
23 When the private applicator has demonstrated his competence in the use of the pesticides to be
24 purchased and used on a one-time emergency basis, he shall be issued a permit for the one-time
25 emergency purchase and use of restricted use pesticides. The director or his designated agent
26 shall not collect a fee for the issuance of such permit.