

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 2
Yeas:	Berger, Edwards C., Holvey, Rosenbaum, Schaufler
Nays:	0
Exc.:	Esquivel, Smith P.
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	4/4

WHAT THE MEASURE DOES: Eliminates pesticide applicator licensing exemption for persons engaged in maintenance of lawns, shrubs or gardens. Allows fee for pesticide trainee certificate to be less than fee for pesticide applicator license.

ISSUES DISCUSSED:

- Issue of maximum work periods or training to be addressed through administrative rule process
- Necessity for safe and responsible use of pesticides
- Types of pesticides
- Current limitation of a trainee license to one year
- Measure applies only to businesses, not to homeowners
- Criteria for landscape operators and their employees to be exempt from obtaining a pesticide applicator license

EFFECT OF COMMITTEE AMENDMENT: Deletes provisions relating to eliminating the Department of Agriculture's authority to establish maximum work periods or training for a pesticide trainee.

BACKGROUND: Currently, persons who maintain small or home lawns, shrubs, or gardens are not required to apply for a pesticide applicator license. HB 3353 A removes the exemption, requiring individuals whose main or principal work or business is the commercial application of pesticides to residential and/or commercial landscapes to be trained on how to properly use and apply pesticides.

Current exemptions for a pesticide applicator license include pesticide manufacturers, persons who are engaged in the business of a pesticide operator or applicator only in the application of any pesticide, veterinarians, farmers or forestland owners that occasionally apply general-use pesticides, persons who sell pesticides and/or sell or lease equipment, and employees of railroads who apply pesticides on their land or property (with some restrictions regarding the equipment the employee can use without direct supervision).

HB 3353 A also revises current statute relating to the issuance or renewal of a pesticide trainee's certificate, which is issued to an employee of a pesticide operator or applicator and who applies pesticides under the direct supervision of a licensed pesticide operator or applicator (depending on the type of trainee license). Current statute establishes the fees for the trainee license to be the same as for a pesticide applicator license, although the trainee does not have the same level of authorization as a pesticide applicator. HB 3353 A allows the Department of Agriculture to set the trainee license to be less than the pesticide applicator license.

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This summary has not been adopted or officially endorsed by action of the committee.