

FIRST REGULAR SESSION

SENATE BILL NO. 236

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATORS KLINDT AND CLEMENS.

Read 1st time January 26, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

0974S.02I

AN ACT

To repeal section 281.040, RSMo, and to enact in lieu thereof one new section relating to private applicator's of pesticide.

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Section A. Section 281.040, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 281.040, to read as follows: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 these 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 the director determines that additional knowledge related to the use of agricultural pesticides makes additional training necessary.

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

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

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