

Moved by Guthrie

Seconded by Den Hartog

IN THE SENATE
SENATE AMENDMENT TO H.B. NO. 487

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 18 through 42, and insert:

"(6) Apply ineffective or improper pesticides.

(7) Make false, misleading or fraudulent records, reports or application forms required by the provisions of this ~~act~~ chapter.

(8) Apply pesticides in a ~~faulty~~, ~~careless~~, or negligent manner.

(9) Refuse or neglect to keep and maintain records required by the provisions of this ~~act~~ chapter, or to make reports when and as often as required.

(10) Distribute, sell or offer for sale any pesticide or device ~~which~~ that is misbranded.

(11) Formulate, distribute, sell or offer for sale any pesticide ~~which~~ that is adulterated.

(12) Distribute, sell or offer for sale any pesticide except in the manufacturer's original unbroken container.

(13) Refuse or neglect to comply with any limitations or restrictions placed on a license or permit issued under the provisions of this ~~act~~ chapter.

(14) Refuse or neglect to comply with any other provisions of this ~~act~~ chapter or rule, or any lawful order of the director.

(15) Aid or abet a licensed or an unlicensed person to evade the provisions of this ~~act~~ chapter, conspire with such licensed or ~~an~~ unlicensed person to evade the provisions of this ~~act~~ chapter, or allow one's license or permit to be used by another person.

(16) Make false or misleading statements during or after an inspection concerning any infestation or infection of pests found on land.

(17) Impersonate any federal, state, county or city inspector or official."

On page 2, delete lines 1 through 24, and insert:

"(18) Use or supervise the use of any restricted-use pesticide, or any state restricted-use pesticide, without having complied with the licensing requirements pursuant to this ~~act~~ chapter, and such other restrictions as had been determined by the director as necessary to prevent unreasonable adverse effects on the environment, including injury to the applicator, persons, or land, provided, that a person who is not a certified applicator but an employee of a licensed private applicator may use a restricted-use pesticide or a state restricted-use pesticide under the direct supervision of the licensed private applicator unless otherwise prescribed by the labeling of the pesticide.

(19) Use or supervise the use of a chemical in a chemigation system without having complied with the licensing requirements pursuant to this ~~act~~ chapter and rules, and such other restrictions as have been determined by

1 the director. A person who is not a certified applicator but an employee of a
2 licensed private applicator may use chemicals under the direct supervision
3 of a licensed private applicator unless otherwise prescribed by the labeling
4 of the chemical.

5 (20) Chemigate without installing the proper chemigation equipment to
6 protect against surface or ground water contamination.

7 (21) Fail to abide by the conditions of a stop sale, use or removal or-
8 der, or chemigation stop work order.

9 (22) Offer for sale, hold for sale, sell, barter, ship, deliver for
10 shipment, or receive and, having so received, deliver or offer to deliver,
11 chemicals for chemigation to an unlicensed person."

12 AMENDMENT TO SECTION 2

13 On page 3, delete lines 4 and 5, and insert: "through negotiated rulemak-
14 ing."; and delete lines 6 through 9.