

CHAPTER 18B

PESTICIDE CONTROL

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18B.01 DEFINITIONS.

[For text of subs 1 to 26, see M.S.2000]

Subd. 26a. **School pest management coordinator.** "School pest management coordinator" means a person employed by a Minnesota kindergarten through 12th grade public school who is responsible for the school's pest management plans and implementation of pest management at the school, including the application of pesticides to the inside or outdoor property of the school.

[For text of subs 27 to 32, see M.S.2000]

History: 1Sp2001 c 2 s 34

18B.065 WASTE PESTICIDE COLLECTION PROGRAM.

[For text of subs 1 to 4, see M.S.2000]

Subd. 5. **Waste pesticide collection account; appropriation.** A waste pesticide account is established in the agricultural fund. Assessments collected under subdivision 2 shall be deposited in the state treasury and credited to the waste pesticide account. Money in the account is appropriated to the commissioner to pay for costs incurred to implement the waste pesticide collection program.

[For text of subd 7, see M.S.2000]

History: 1Sp2001 c 2 s 35

18B.095 PESTICIDE APPLICATION IN SCHOOLS.

Subdivision 1. **Authorized applicators.** To the extent authorized under this chapter, application of a pesticide to the inside or outdoor property of a Minnesota kindergarten through 12th grade public school must be performed by a:

- (1) structural pest control applicator;
- (2) commercial or noncommercial pesticide applicator with appropriate use category certification; or
- (3) school pest management coordinator or a school employee with school pest management knowledge.

Subd. 2. **Exemption.** Pesticides determined by the commissioner to be sanitizers or disinfectants are exempt from subdivision 1.

Subd. 3. **Registry and information.** The commissioner, in consultation with the departments of health; administration; and children, families, and learning; the University of Minnesota Extension Service; the Minnesota School Boards Association; and other persons as necessary and appropriate, must:

- (1) establish and maintain a registry of school pest management coordinators; and
- (2) provide information on a regular and periodic basis to school pest management coordinators on pest management techniques and programs, including model school policies; proper pesticide use, storage, handling, and disposal; and other relevant pesticide and pest management information.

History: 1Sp2001 c 2 s 36

NOTE: This section, as added by Laws 2001, First Special Session chapter 2, section 36, is effective August 1, 2002. Laws 2001, First Special Session chapter 2, section 36, the effective date.

18B.305 PESTICIDE EDUCATION AND TRAINING.

[For text of subs 1 and 2, see M.S.2000]

Subd. 3. **Pesticide applicator education and examination review board.** (a) The commissioner shall establish and chair a pesticide applicator education and examination review board. This board, consisting of 15 members, must meet at least once a year before the initiation of pesticide educational planning programs. The purpose of the board is to discuss topics of current concern that can be incorporated into pesticide applicator training sessions and appropriate examinations. This board shall review and evaluate the various educational programs recently conducted and recommend options to increase overall effectiveness.

(b) Membership on this board must include applicators representing various licensing categories, such as agriculture, turf and ornamental, aerial, aquatic, and structural pest control and private pesticide applicators, and other governmental agencies, including the University of Minnesota, the pollution control agency, department of health, department of natural resources, and department of transportation.

(c) Membership on the board must include representatives from environmental protection organizations.

(d) This board shall review licensing and certification requirements for private, commercial, and noncommercial applicators. This board shall review category requirements and provide recommendations to the commissioner. This board expires on June 30, 2003.

History: 2001 c 161 s 8

18B.345 PESTICIDE APPLICATION ON GOLF COURSES.

(a) Application of a pesticide to the property of a golf course must be performed by:

(1) a structural pest control applicator;

(2) a commercial or noncommercial pesticide applicator with appropriate use certification; or

(3) an aquatic pest control applicator.

(b) Pesticides determined by the commissioner to be sanitizers and disinfectants are exempt from the requirements in paragraph (a).

History: 1Sp2001 c 2 s 37

18B.36 PRIVATE APPLICATOR CERTIFICATION.

Subdivision 1. **Requirement.** (a) Except for a licensed commercial or noncommercial applicator, only a certified private applicator may use a restricted use pesticide to produce an agricultural commodity:

(1) as a traditional exchange of services without financial compensation;

(2) on a site owned, rented, or managed by the person or the person's employees; or

(3) when the private applicator is one of two or fewer specified individuals employed as agricultural employment as defined by section 268.035, subdivision 2, and the owner or operator is a certified private applicator or is licensed as a noncommercial applicator.

(b) A private applicator may not purchase a restricted use pesticide without presenting a certified private applicator card or the card number.

[For text of subs 2 and 3, see M.S.2000]

History: 2001 c 7 s 12