

## CHAPTER 18B

### PESTICIDE CONTROL

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#### 18B.05 PESTICIDE REGULATORY ACCOUNT.

Subdivision 1. **Establishment.** A pesticide regulatory account is established in the agricultural fund. Fees, assessments, and penalties collected under this chapter must be deposited in the agricultural fund and credited to the pesticide regulatory account. Money in the account, including interest, is appropriated to the commissioner for the administration and enforcement of this chapter.

**History:** *1Sp2005 c 1 art 1 s 15*

#### 18B.065 WASTE PESTICIDE COLLECTION PROGRAM.

*[For text of subs 1 to 4, see M.S.2004]*

Subd. 5. [Repealed, 1Sp2005 c 1 art 1 s 98]

*[For text of subd 7, see M.S.2004]*

#### 18B.08 CHEMIGATION.

*[For text of subs 1 to 3, see M.S.2004]*

Subd. 4. **Application fee.** A person applying for a chemigation permit must pay a nonrefundable application fee of \$250. A person who holds a fertilizer chemigation permit under section 18C.205, is exempt from the fee in this subdivision.

**History:** *1Sp2005 c 1 art 1 s 16*

#### 18B.26 PESTICIDE REGISTRATION.

*[For text of subs 1 and 2, see M.S.2004]*

Subd. 3. **Application fee.** (a) A registrant shall pay an annual application fee for each pesticide to be registered, and this fee is set at 0.4 percent of annual gross sales within the state and annual gross sales of pesticides used in the state, with a minimum nonrefundable fee of \$250. The registrant shall determine when and which pesticides are sold or used in this state. The registrant shall secure sufficient sales information of pesticides distributed into this state from distributors and dealers, regardless of distributor location, to make a determination. Sales of pesticides in this state and sales of pesticides for use in this state by out-of-state distributors are not exempt and must be included in the registrant's annual report, as required under paragraph (c), and fees shall be paid by the registrant based upon those reported sales. Sales of pesticides in the state for use outside of the state are exempt from the application fee in this paragraph if the registrant properly documents the sale location and distributors. A registrant paying more than the minimum fee shall pay the balance due by March 1 based on the gross sales of the pesticide by the registrant for the preceding calendar year. The fee for disinfectants and sanitizers shall be the minimum. The minimum fee is due by December 31 preceding the year for which the application for registration is made. The commissioner shall spend at least \$300,000 per fiscal year from the pesticide regulatory account for the purposes of the waste pesticide collection program.

(b) An additional fee of \$100 must be paid by the applicant for each pesticide to be registered if the application is a renewal application that is submitted after December 31.

(c) A registrant must annually report to the commissioner the amount and type of each registered pesticide sold, offered for sale, or otherwise distributed in the state. The report shall be filed by March 1 for the previous year's registration. The commissioner shall specify the form of the report and require additional information deemed necessary to determine the amount and type of pesticides annually distributed in the state. The information required shall include the brand name, amount, and formulation of each pesticide sold, offered for sale, or otherwise distributed in the state, but the information collected, if made public, shall be reported in a manner which does not identify a specific brand name in the report.

(d) A registrant who is required to pay more than the minimum fee for any pesticide under paragraph (a) must pay a late fee penalty of \$100 for each pesticide application fee paid after March 1 in the year for which the license is to be issued.

*[For text of subds 4 to 6, see M.S.2004]*

**History:** *1Sp2005 c 1 art 1 s 17*

### 18B.31 PESTICIDE DEALER LICENSE.

*[For text of subds 1 to 4, see M.S.2004]*

Subd. 5. **Application fee.** (a) An application for a pesticide dealer license must be accompanied by a nonrefundable application fee of \$150.

(b) If an application for renewal of a pesticide dealer license is not filed before January 1 of the year for which the license is to be issued, an additional fee of \$20 must be paid by the applicant before the license is issued.

**History:** *1Sp2005 c 1 art 1 s 18*

### 18B.315 AQUATIC PEST CONTROL LICENSE.

*[For text of subds 1 to 5, see M.S.2004]*

Subd. 6. **Fees.** (a) An applicant for an aquatic pest control license for a business must pay a nonrefundable application fee of \$200. An employee of a licensed business must pay a nonrefundable application fee of \$50 for an individual aquatic pest control license.

(b) An application received after expiration of the aquatic pest control license is subject to a penalty of 50 percent of the application fee.

(c) An applicant that meets renewal requirements by reexamination instead of attending workshops must pay the equivalent workshop fee for the reexamination as determined by the commissioner.

**History:** *1Sp2005 c 1 art 1 s 19*

### 18B.32 STRUCTURAL PEST CONTROL LICENSE.

*[For text of subds 1 to 5, see M.S.2004]*

Subd. 6. **Fees.** (a) An applicant for a structural pest control license for a business must pay a nonrefundable application fee of \$200. An employee of a licensed business must pay a nonrefundable application fee of \$50 for an individual structural pest control license.

(b) An application received after expiration of the structural pest control license is subject to a penalty fee of 50 percent of the application fee.

(c) An applicant that meets renewal requirements by reexamination instead of attending workshops must pay the equivalent workshop fee for the reexamination as determined by the commissioner.

**History:** *1Sp2005 c 1 art 1 s 20*

**18B.33 COMMERCIAL APPLICATOR LICENSE.**

[For text of subs 1 to 6, see M.S.2004]

Subd. 7. **Application fees.** (a) A person initially applying for or renewing a commercial applicator license must pay a nonrefundable application fee of \$50.

(b) A license renewal application received after March 1 in the year for which the license is to be issued is subject to a penalty fee of 50 percent of the application fee. The penalty fee must be paid before the renewal license may be issued.

(c) An application for a duplicate commercial applicator license must be accompanied by a nonrefundable application fee of \$10.

**History:** 1Sp2005 c 1 art 1 s 21

**18B.34 NONCOMMERCIAL APPLICATOR LICENSE.**

[For text of subs 1 to 4, see M.S.2004]

Subd. 5. **Fees.** (a) A person initially applying for or renewing a noncommercial applicator license must pay a nonrefundable application fee of \$50, except an applicant who is a government or Minnesota Conservation Corps employee who uses pesticides in the course of performing official duties must pay a nonrefundable application fee of \$10.

(b) A license renewal application received after March 1 in the year for which the license is to be issued is subject to a penalty fee of 50 percent of the application fee. The penalty fee must be paid before the renewal license may be issued.

(c) An application for a duplicate noncommercial applicator license must be accompanied by a nonrefundable application fee of \$10.

**History:** 1Sp2005 c 1 art 1 s 22