

SENATE BILL 93

M4

01r0040

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

Requested: September 24, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Pest Control – Fees and Registration**

3 FOR the purpose of clarifying the authority of the Department of Agriculture to charge
4 a fee for the retaking of certain examinations; requiring the operator of a pest
5 control business annually to register certain employees with the Department;
6 establishing certain registration and renewal fees; requiring the payment of
7 certain late fees for certain applicants for a certain license, certificate, or
8 registration renewal; and generally relating to requirements for the application
9 of pesticide.

10 BY repealing and reenacting, with amendments,
11 Article – Agriculture
12 Section 5–207(c)
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2009 Supplement)

15 BY adding to
16 Article – Agriculture
17 Section 5–207(j) and (k)
18 Annotated Code of Maryland
19 (2007 Replacement Volume and 2009 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Agriculture**

23 5–207.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) Each applicant for a pest control consultant certificate, pest control
2 applicator certificate, or public agency applicator certificate shall demonstrate
3 competence to consult on pest control or to apply pesticides safely in the State by
4 passing a written examination prepared and administered by the Department. There
5 shall be no charge for an initial examination, provided that each pest control
6 applicator or each pest control consultant shall pay \$10 for each [category of]
7 examination **RETAKEN** after the initial examination. Each applicant for a private
8 applicator certificate shall pass an examination given by the Department. A private
9 applicator certificate is valid for 3 years and may be renewed by the certificate holder
10 by participation in training approved by the Department.

11 **(J) (1) ANY PERSON WHO OPERATES A PEST CONTROL BUSINESS**
12 **SHALL REGISTER ANNUALLY WITH THE DEPARTMENT EACH EMPLOYEE, OTHER**
13 **THAN A CERTIFIED APPLICATOR, WHO OFFERS OR PERFORMS PEST CONTROL AT**
14 **EACH BUSINESS LOCATION.**

15 **(2) THE APPLICATION FEE TO REGISTER AN EMPLOYEE INITIALLY**
16 **IS \$30.**

17 **(3) THE ANNUAL RENEWAL FEE TO REGISTER AN EMPLOYEE IS**
18 **\$30.**

19 **(K) IF AN APPLICATION FOR RENEWAL OF A LICENSE, CERTIFICATE, OR**
20 **REGISTRATION IS RECEIVED BY THE DEPARTMENT MORE THAN 10 DAYS AFTER**
21 **THE EXPIRATION OF THE LICENSE, CERTIFICATE, OR REGISTRATION, THE**
22 **APPLICANT IS SUBJECT TO A \$30 LATE FEE.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2010.