## Local Government Mandate Statement Kentucky Legislative Research Commission 2021 Regular Session

## **Part I: Measure Information**

Bill Request #: 855
Bill #: HB 236 GA
Document ID #: 4699
<b>Bill Subject/Title:</b> AN ACT relating to fertilizer and pesticide use and applications and making an appropriation therefor.
Sponsor: Representative Shawn McPherson
Unit of Government: X City X County Y Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted:  Any government entity employing an individual to apply pesticides as a noncommercial applicator must pay a \$10 license fee.
Requirement: X Mandatory Optional
Effect on Powers & Duties: Modifies ExistingX Adds New Eliminates Existing
Part II. Bill Provisions and the Estimated Fiscal Impact Polating to Legal

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 236 GA provides the following definitions:

*Noncommercial applicator* - any licensed individual making applications of pesticides to lands owned, occupied, or managed by his or her employer.

Noncommercial license - a license that is issued by the Department of Agriculture for noncommercial use, and shall be valid only when an individual is making applications of pesticides to lands owned, occupied, or managed by his or her employer.

This would affect local governments who opt to spray pesticides without hiring a commercial service. If a local government employee is tasked to do this who doesn't have a noncommercial applicator license, then he must apply for a noncommercial applicator's license. The cost of this license is \$10.00. The application for a

noncommercial license must be filed prior to the start of the calendar year and is only good for that calendar year. The local government would likely pay for the license.

The fiscal impact of HB 236 GA on local governments will be minimal. Those that contract with a commercial company for pesticide applications would continue to do so, no change. Those that opt to do this in-house would have to pay \$10 for each individual that will be applying the pesticide. This might be assumed to be a relatively small number.

Beyond the fee, there may be training cost related to the individual(s) that need to qualify for the license. This would ensure the individual "possesses adequate knowledge concerning the proper use and application of pesticides in the classifications" and "demonstrates a knowledge of the proper use of and calibration of the various equipment that he or she may have applied for a license to operate, including any pressurized, hand-sized devices". Likewise, this will be a relatively small number.

The Department of Agriculture will waive fees for qualifying prison inmates and other incarcerated persons who are or will be engaged in pesticide application.

## Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II, above, pertains to the GA version. The GA version is the same as the bill as introduced. No amendments or substitutes were adopted when the bill passed its chamber of origin.

**Data Source(s):** LRC Staff

**Preparer:** Wendell F. Butler **Reviewer:** KHC **Date:** 2/22/21