

Requested by Representative DRAZAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 4109**

1 On page 1 of the printed bill, line 4, delete “11” and insert “6”.

2 After line 11, insert:

3 “(3) By rule, the State Department of Agriculture:

4 “(a) Shall establish exceptions to the prohibition in subsection (2) of this
5 section for aerial application of a pesticide product containing chlorpyrifos
6 during a quarantine or to stop the spread of an invasive species.

7 “(b) May establish exceptions to the prohibition in subsection (2) of this
8 section for aerial application of a pesticide product containing chlorpyrifos
9 to agricultural products intended for export for which there is no alternative
10 pesticide.”.

11 Delete lines 16 through 18 and insert:

12 **“SECTION 5. (1) As used in this section:**

13 **“(a) ‘Agricultural emergency’ has the meaning given that term in
14 40 C.F.R. 170.112 (d)(1).**

15 **“(b) ‘Restricted-entry interval’ means the time after the end of a
16 pesticide application during which presence in the area in which the
17 pesticide was applied is restricted.**

18 **“(2) The restricted-entry interval for chlorpyrifos is eight days.**

19 **“(3) During the restricted-entry interval for chlorpyrifos, a person
20 that employs a worker shall take steps to ensure that the worker does
21 not enter or remain in an area in which chlorpyrifos has been applied,**

1 **except that the employer may allow the worker to enter or remain in**
2 **the area during the restricted-area interval:**

3 **“(a) For activities not involving contact with chlorpyrifos, if the**
4 **employer ensures compliance with the requirements established by 40**
5 **C.F.R. 170.112 (b);**

6 **“(b) For short-term activities, if the employer ensures compliance**
7 **with the requirements established by 40 C.F.R. 170.112 (c); or**

8 **“(c) During an agricultural emergency, if the employer ensures**
9 **compliance with the requirements established by 40 C.F.R. 170.112**
10 **(c)(3) through (c)(9) and 40 C.F.R. 170.112 (d)(2).”.**

11 Delete lines 22 and 23.

12 On page 2, delete lines 1 through 8.

13 In line 9, delete “12” and insert “7”.

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