

PESTICIDES

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: The foundation of pesticide regulations begins with the Environmental Protection Agency. The federal agency registers and evaluates pesticides, under the authority of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act. Pesticide evaluation includes examining for risks to human health and the environment.

Montana works within the EPA to implement certain aspects of federal pesticide laws. Federal law designates the states as the primary enforcer of federal pesticide law. To this end, the Montana Department of Agriculture licenses pesticide applicators, operators, and dealers; provides training and education for safe handling of pesticides; regulates the proper use and handling of pesticides; and provides technical assistance to applicators and landowners. The department also implements the Model Integrated Pest and Pesticide Management Safety Program Act to promote safe use of pesticides around schools and other facilities; and the Montana Agricultural Chemical Ground Water Protection Act to monitor and protect groundwater.

Legislative Services Division Materials: None.

Other Materials:

- EPA website, epa.gov/pesticides
- National Pesticide Information Center, npic.orst.edu

Introduced Legislation

2019: House Bill 63—Chapter number assigned. EXTENDING LIABILITY REQUIREMENT FOR COMMERCIAL PESTICIDE APPLICATORS.

HB221—Chapter number assigned. REVISING THE LICENSING REQUIREMENTS FOR FARM APPLICATORS OF PESTICIDES; PROVIDING THAT FARM APPLICATOR LICENSING EXAMINATION AND RECERTIFICATION REQUIREMENTS MAY BE FULFILLED ONLINE; REQUIRING REPORTING TO THE LEGISLATURE.

2017: HB126 – Chapter number assigned. AN ACT GENERALLY REVISING THE MONTANA PESTICIDES ACT; REVISING PESTICIDE REGISTRATION REQUIREMENTS; REVISING CERTAIN DEFINITIONS, FEES, AND REQUIREMENTS FOR COMMERCIAL APPLICATORS, COMMERCIAL OPERATORS, DEALERS, FARM APPLICATORS, AND GOVERNMENT AGENCIES; PROVIDING FOR ADDITIONAL FEES FOR CERTAIN CERTIFICATION AND TRAINING PROGRAMS; CLARIFYING PESTICIDE DEALER REQUIREMENTS; REVISING THE METHODS OF SAMPLING AND ANALYSIS; EXTENDING THE INTEGRATED PEST AND PESTICIDE MANAGEMENT SAFETY PROGRAM TO OTHER FACILITIES; EXTENDING RULEMAKING AUTHORITY; AMENDING SECTIONS 80-8-102, 80-8-107, 80-8-111, 80-8-201, 80-8-203, 80-8-207, 80-8-209, 80-8-213, 80-8-302, 80-8-303, 80-8-401, 80-8-404, AND 80-15-302, MCA; REPEALING SECTION 80-8-214, MCA.

2015: None.

2013: None.

2011: None.

2009: None.

Prepared By:

Jason Mohr, research analyst

Legislative Environmental Policy Office