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To: Agriculture

HOUSE BILL NO. 1166

1 AN ACT TO AMEND SECTION 69-21-109, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE AGRICULTURAL AVIATION BOARD TO ADOPT RULES AND
3 REGULATIONS TO PROHIBIT APPLICATORS AND PILOTS FROM SPRAYING
4 CHEMICALS AND PESTICIDES WITHIN ONE-FOURTH MILE OF A CITY'S
5 CORPORATE LIMITS OR AN INHABITED OR RESIDENTIAL AREA; AND FOR
6 RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. Section 69-21-109, Mississippi Code of 1972, is
9 amended as follows:

10 69-21-109. The board, after public hearing duly held, is
11 hereby vested with the authority to adopt such rules and
12 regulations as may be necessary to regulate the application of
13 chemicals and pesticides according to the time of year, manner,
14 form and area of application, wind velocity, and may restrict the
15 use of certain chemicals and pesticides which create an unusual
16 hazard to the health, safety and welfare of the public. The board
17 shall adopt rules and regulations to prohibit applicators and
18 pilots from spraying chemicals and pesticides within one-fourth
19 (1/4) mile of the municipal corporate limits or an inhabited or
20 residential area. The board shall set professional standards for
21 applicators and pilots in the interest of the safety, welfare and
22 general well-being of the public of Mississippi.

23 The board shall have authority to procure samples of spray
24 and dust materials before and after they are mixed in order to
25 determine the concentration of the mixtures.

26 The Agricultural Aviation Board shall have authority to
27 maintain an office and employ necessary personnel within the
28 framework of fees collected to carry out the purposes of this

29 article.

30 It shall be the duty of the board to enforce this article and
31 all rules and regulations made and adopted in compliance with this
32 article.

33 The board or its representatives shall have access to any
34 premises where there is reason to believe that a chemical or
35 pesticide is being or has been applied by an applicator, or where
36 any applicator is based, or preparing to apply any of the
37 materials herein stated, for the purpose of enforcement of this
38 article. The board shall have authority to inspect equipment used
39 for application of chemicals and pesticides as stated in this
40 article.

41 The Board of Agricultural Aviation shall maintain a close
42 liaison and spirit of cooperation with the Mississippi Department
43 of Agriculture and Commerce, in the supervision of aurally
44 applied chemicals which are under their jurisdiction as provided
45 by Sections 69-21-7 through 69-21-15. The board, further, shall
46 closely assist the Mississippi Department of Transportation in
47 carrying out its statutory functions to the end that aviation can
48 continue its rapid advance.

49 SECTION 2. This act shall take effect and be in force from
50 and after July 1, 2000.