

1159

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Environmental Conser-
vation

AN ACT to amend the environmental conservation law, in relation to the
commercial application of aquatic antifouling paints

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 5 of section 33-0922 of the environmental
2 conservation law, as amended by chapter 345 of the laws of 2008, is
3 amended to read as follows:
4 5. When engaged in the commercial application of aquatic antifouling
5 paints, an aquatic antifouling paint application business shall ensure
6 that such aquatic antifouling paints are [only] applied by an employee
7 who is a certified commercial pesticide applicator or technician certi-
8 fied in the application of aquatic antifouling paint or an aquatic anti-
9 fouling paint applicator, or a person who is a certified commercial
10 pesticide applicator or technician certified in the application of
11 aquatic antifouling paint or an aquatic antifouling paint applicator
12 employed by another registered business with which such business has
13 contracted to apply aquatic antifouling paints; provided, however, that
14 [until December thirty-first, two thousand eight,] aquatic antifouling
15 paint may be applied by a commercial pesticide apprentice who is
16 employed by such business (a) working under the direct supervision of a
17 certified commercial pesticide applicator, or (b) working under the
18 supervision of a certified pesticide technician qualified in aquatic
19 antifouling paints, if such application is otherwise done in compliance
20 with the rules and regulations of the department.
21 S 2. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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