

MAINE STATE LEGISLATURE

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AGRICULTURE, CONSERVATION AND FORESTRY

Report A

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1330, L.D. 1890, Bill, "An Act To Make Revisions to the Laws Governing Pesticide Control"

Amend the bill by striking out all of section 7 and inserting in its place the following:

Sec. 7. 7 MRSA §607-A, as corrected by RR 1997, c. 2, §26 and amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

§607-A. Review or reregistration

1. Review required. The board shall review all chemical pesticides used in this State in accordance with the requirements of this section. This--review--must--be--completed--for--presently registered--pesticides--on--a--schedule--to--be--determined--by--the board,--with--restricted--use--pesticides--and--the--most--widely--used pesticides--receiving--priority,--and--within--3--years--for--pesticides registered--after--September--23,--1983. The board shall select 2 pesticides for review each year with priority given to pesticides that have patterns of use in this State that differ from prevalent use patterns nationally or regionally. The board may select additional pesticides for review as the board determines need and as resources allow.

2. Review process. In cooperation with technical personnel of the Department of Environmental Protection; the Department of Inland Fisheries and Wildlife; the Department of Health and Human

1008

2 Services; the Department of Marine Resources; and the Department
of Conservation, specifically the Maine Forest Service, the board
shall conduct a review ~~to include~~ consisting of the following or
4 portions of the following as the board determines relevant:

6 A. An environmental risk assessment to determine the
effects of pesticides on the ecosystem. This assessment is
8 to be based on available literature. The board shall request
data that it determines necessary to carry out the purpose
10 of this chapter, ~~but, when the literature is not available,~~
~~is inadequate or incomplete, this assessment shall be based~~
12 ~~on an environmental monitoring protocol; or~~

14 B. A health risk assessment, based on a literature search
of laboratory, clinical and epidemiological data available
16 within and without the State. The board shall request data
it determines necessary to carry out the purpose of this
18 chapter, ~~and,~~

20 ~~C. A water residue survey to determine a representative~~
~~sample of a number of wells or bodies of water, either at~~
22 ~~random, in areas of possible contamination or at other bases~~
~~to be described by the board, for the purpose of testing~~
24 ~~these waters and preparing a profile of the kinds and~~
~~amounts of pesticides present.~~

26 2-A. Water residue surveys. The board shall conduct a
28 water residue survey at least once every 6 years to establish a
representative sample of a number of wells or bodies of water,
30 selected at random, in areas of possible contamination or at
other locations to be described by the board, for the purpose of
32 testing these waters and preparing a profile of the kinds and
amounts of pesticides present.

34 **3. Effect of review on reregistration.** If the reviews in
36 this section demonstrate that the impact of the pesticide on the
ecosystem warrants additional health or environmental safeguards,
38 the board shall require implementation of those safeguards prior
to reregistration. The board may not refuse to renew a
40 pesticides registration based solely on its inability to conduct
a review in accordance with this section.'

44 **SUMMARY**

46 This amendment is a report of the Joint Standing Committee
on Agriculture, Conservation and Forestry. It revises provisions
48 for pesticides reviews by the Department of Agriculture, Food and

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2 Rural Resources, Board of Pesticides Control under the Maine
Revised Statutes, Title 7, section 607-A. It directs the board
4 to conduct a minimum of 2 reviews a year. It allows the board to
determine the review process and clarifies that the board cannot
6 refuse to renew a registration based solely on its inability to
conduct a review. It requires the board to conduct a water
residue survey at least once every 6 years.