

MAINE STATE LEGISLATURE

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Date: 6/4/25

(Filing No. H-486)

MAJORITY
AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1132, L.D. 1697, "An Act to Increase Penalties to Deter Violations of the Laws Regarding Improper Pesticide Use"

Amend the bill in section 1 in paragraph A in the 3rd line (page 1, line 6 in L.D.) by inserting after the following: "chapter 258-A." the following: 'This paragraph does not apply to a private applicator as defined in Title 22, section 1471-C, subsection 22 or a private applicator of general use pesticides as defined in Title 22, section 1471-C, subsection 22-A.'

Amend the bill in section 1 in paragraph A in subparagraph (1) in division (a) in the first line (page 1, line 10 in L.D.) by striking out the following: "\$25,000" and inserting the following: '\$10,000'

Amend the bill in section 2 in paragraph B in the first line (page 1, line 31 in L.D.) by inserting after the following: "1471-C," the following: 'subsection 22, and a private applicator of general use pesticides, as defined in Title 22, section 1471-C, subsection 22-A.'

Amend the bill in section 2 in paragraph B in the first line (page 1, line 31 in L.D.) by inserting after the following: "violate" the following: 'this subchapter or a rule adopted pursuant to this subchapter or Title 22, chapter 258-A or a rule adopted pursuant to Title 22, chapter 258-A or'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the majority report, decreases the maximum fine that may be adjudged for a violation of the laws and rules governing pesticides in the bill from \$25,000 to \$10,000, except in a case for an unauthorized pesticide application in which the preponderance of the evidence demonstrates that the violator benefited substantially from the violation, in which case the maximum fine is \$50,000. The amendment clarifies that this fine does not apply to a private applicator or a private applicator of general use

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COMMITTEE AMENDMENT "A" to H.P. 1132, L.D. 1697

1 pesticides as defined in the Maine Revised Statutes, Title 22, section 1471-C. The
2 amendment also clarifies that fines under Title 7, section 616-A, subsection 2, paragraph B
3 apply only to a private applicator or a private applicator of general use pesticides.

4

FISCAL NOTE REQUIRED

5

(See attached)

COMMITTEE AMENDMENT



132nd MAINE LEGISLATURE

LD 1697

LR 748(02)

An Act to Increase Penalties to Deter Violations of the Laws Regarding Improper Pesticide Use

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-486)
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund
Minor revenue increase – Other Special Revenue Funds

Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional fines will increase General Fund or other dedicated revenue by minor amounts.

Fiscal Detail and Notes

Any additional costs to the Department of Agriculture, Conservation and Forestry from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.