

MAINE STATE LEGISLATURE

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(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1588

H.P. 1162 House of Representatives, May 15, 1987
Reference to the Committee on Agriculture suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative TARDY of Palmyra.
Cosponsored by Representatives WHITCOMB of Waldo, PARENT
of Benton, and BRAGG of Sidney.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Continue on an Annual Basis the
2 Registration Fee Charged to Pesticide
3 Manufacturers and Other Registrants in
4 1987.
5

6 Be it enacted by the People of the State of Maine as
7 follows:

8 Sec. 1. 7 MRSa §607, sub-§6, as amended by PL
9 1985, c. 627, §1, is repealed and the following en-
10 acted in its place:

11 6. Registration fee; validity. The applicant de-
12 siring to register a pesticide shall pay an annual
13 registration fee, except as otherwise provided in
14 this subsection, of \$75 for each pesticide registered
15 for that applicant. Ten dollars of each \$75 shall be

1 used for purposes of funding research, analysis and
2 evaluation relating to public health concerns arising
3 out of pesticide use. The annual registration fee is
4 \$65 for any pesticide for which the applicant indi-
5 cates, by affidavit or other method satisfactory to
6 the department, that retail sales do not exceed
7 \$6,000 per year in this State. All such registrations
8 shall expire on December 31st of any one year or in a
9 manner consistent with the Maine Administrative Pro-
10 cedure Act as to license expiration, Title 5, section
11 10002, whichever is later.

12 **Sec. 2. Allocation.** The following funds are al-
13 located from other special revenue to carry out the
14 purpose of this Act.

15		<u>1987-88</u>	<u>1988-89</u>
16	<u>AGRICULTURE, FOOD AND</u>		
17	<u>RURAL RESOURCES,</u>		
18	<u>DEPARTMENT OF</u>		
19	Board of Pesticides Control		
20	Positions	(2)	(3)
21	Personal Services	\$64,000	\$78,000
22	Provides funds for		
23	continuation of one		
24	seasonal, full-time		
25	inspector position,		
26	a transfer of one		
27	full-time inspector		
28	position from the		
29	federal grant and		
30	creation of a new		
31	position to direct		
32	certification and		
33	licensing activi-		
34	ties.		

35 STATEMENT OF FACT

36 The purpose of this bill is to reinstate the re-
37 quirement that pesticide manufacturers and distribu-

1 tors pay an annual registration fee for each pesti-
2 cide product they intend to market in this State. It
3 will continue the registration fee at the same level
4 established for calendar year 1987.

5 In 1986, the 112th Legislature responded to the
6 board's request for additional funding with a
7 one-time increase of \$15 for calendar year 1987. The
8 intent, at least of the Joint Standing Committee on
9 Agriculture, was for the 113th Legislature to evalu-
10 ate how the board should be funded in the future
11 since its activities benefited the entire citizenry.
12 Through an inadvertent error, the requirement that
13 registration fees be paid was eliminated as of the
14 end of calendar year 1987.

15 Registration funds traditionally have supported
16 approximately 54% of the board's normal operating
17 budget while the balance has come from the General
18 Fund, 17%, and shrinking federal grants, 29% in 1986.
19 It is essential that authority be restored so regis-
20 tration fees may be charged on an annual basis fol-
21 lowing 1987.

22 In the past 4 years, the Legislature has deleg-
23 ated additional responsibilities to the board for
24 such issues as obsolete pesticides, returnable con-
25 tainers and spray drift. At the same time, federal
26 support has been declining while public interest has
27 remained high. Consequently, the board has experi-
28 enced difficulty in terms of both manpower and fund-
29 ing to meet all its demands. This bill, therefore,
30 seeks to continue the fee at the \$75 level so that
31 the 1987 level of services can be continued and new
32 responsibilities carried out.

33 The board is currently in the process of promul-
34 gating rules to establish application standards so
35 that drift to sensitive areas is minimized. Once
36 adopted, a major educational effort will be needed to
37 inform applicators how to comply with the rules.
38 This bill will allow creation of a new position that
39 would not only be responsible for certification and
40 licensing activities, but for working with the Coop-
41 erative Extension Service to develop appropriate
42 training programs. Since the board is on record as
43 believing that education rather than enforcement is

1 the most effective mechanism for obtaining applicator
2 compliance, this action should result in not only
3 more respect for the pesticide laws, but less contro-
4 versy over pesticide issues.

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