

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 759

H.P. 564

House of Representatives, February 18, 2003

An Act Concerning Public Members of the Board of Pesticides Control

Reference to the Committee on Agriculture, Conservation and Forestry suggested and
ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative EDER of Portland.

Cosponsored by Representatives: McKEE of Wayne, PIOTTI of Unity.

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

Sec. 1. 22 MRSA §1471-B, sub-§1 as amended by PL 1991, c. 376, §45, is further amended to read:

1. **Board established.** The Board of Pesticides Control is established by Title 5, section 12004-D, subsection 3, within the Department of Agriculture, Food and Rural Resources. Except as provided in this chapter, the board must be composed of 7 9 members, appointed by the Governor, subject to approval by the joint standing committee of the Legislature having jurisdiction over agricultural matters and confirmation by the Legislature. To provide the knowledge and experience necessary for carrying out the duties of the board, the board must consist of the following members: one person with practical experience and knowledge regarding the agricultural use of chemicals; one person who has practical experience and knowledge regarding the use of chemicals in forest management; one person from the medical community; a scientist from the University of Maine System specializing in agronomy or entomology having practical experience and knowledge of integrated pest management; one commercial applicator; and 2 4 persons appointed to represent the public. ~~The-2~~ Of the members appointed to represent the public, 2 must have a demonstrated interest in environmental protection and represent different geographic areas of the State and 2 must be from environmental and public health groups. The term must be for 4 years, except that of the initial appointees, 2 shall serve 4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year terms and one shall serve a one-year term. Any vacancy must be filled by an appointment for the remainder of the unexpired term.

Sec. 2. 22 MRSA §1471-B, sub-§2, as amended by PL 1989, c. 841, §4, is further amended to read:

2. **Organization of the board.** The board shall elect a chair and any other officers it determines necessary from among the membership. The board shall meet at the call of the chair or at the request of any 3 4 members. ~~Four~~ Five members constitute a quorum and, except as otherwise provided in this subsection, any action requires the affirmative vote of the greater of either a majority of those present and voting or at least 2 3 members. Any action by the board requesting that the Attorney General pursue a court action against an alleged violator of any law or rule requires an affirmative vote by 3 4 members or a majority of those present and voting, whichever is greater. The chair and any other officers shall serve in those capacities for a period of one year following their elections.

SUMMARY

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This bill increases the number of public members on the Board of Pesticides Control from 2 members to 4 members and requires that the new members be from environmental and public health groups.