

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1157

H.P. 800

House of Representatives, March 8, 2005

### An Act To Protect Children from Toxic Chemicals in Schools

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Reference to the Committee on Natural Resources suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative KOFFMAN of Bar Harbor.  
Cosponsored by Senator RAYE of Washington and  
Representatives: CURLEY of Scarborough, DAVIS of Falmouth, GOLDMAN of Cape  
Elizabeth, McFADDEN of Dennysville, McKANE of Newcastle, PLUMMER of Windham,  
RICHARDSON of Warren, Senator: COWGER of Kennebec.

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

4 **Sec. 1. 38 MRSA c. 24, sub-c. 9 is enacted to read:**

6 **SUBCHAPTER 9**

8 **FUNDING FOR REMOVAL OF PESTICIDES AND  
OTHER HAZARDOUS MATERIALS FROM SCHOOLS**

10 **§2241. Definitions**

12 As used in this subchapter, unless the context otherwise  
14 indicates, the following terms have the following meanings.

16 **1. Distributor.** "Distributor" means a person who sells or  
18 distributes general use pesticides in wholesale quantities to  
licensed general use pesticide dealers in the State for retail  
sale.

20 **2. General use pesticide.** "General use pesticide" has the  
22 same meaning as in Title 22, section 1471-C, subsection 11-B.

24 **3. Unit.** "Unit" means an individual container of pesticide  
26 of any size distributed, or to be distributed, to retailers for  
purchase by a consumer. "Unit" includes, but is not limited to,  
containers such as bags, boxes, bottles and cans.

28 **§2242. Fee on general use pesticides**

30 Beginning January 1, 2006, a fee of 30¢ is imposed on  
32 distributors for each unit of general use pesticides distributed  
within the State. This section does not apply to a pesticide  
34 product exempt from licensing requirements under Title 22,  
section 1471-W, subsection 5. Beginning in 2007, the fee  
36 required under this section and copy of the report required under  
Title 22, section 1471-W, subsection 3 for the prior calendar  
38 year are due from each distributor to the department by March  
31st annually.

40 **§2243. Administration**

42 **1. Collection and deposit of revenue.** The department shall  
44 establish procedures to collect the fee in section 2242. All  
fees collected by the department under this section must be  
46 deposited in the Maine Solid Waste Management Fund established  
under section 2201. The fee required by section 2242 must be  
48 accompanied by a copy of the annual report required of pesticide  
distributors under Title 22, section 1471-W, subsection 3.

