

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 68

S.P. 27

January 7, 2009

An Act Regarding the Composition of the Board of Pesticides Control

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator NUTTING of Androscoggin.

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

2 **Sec. 1. 22 MRSA §1471-B, sub-§1**, as amended by PL 2007, c. 466, Pt. B, §17,
3 is further amended to read:

4 **1. Board established.** The Board of Pesticides Control is established by Title 5,
5 section 12004-D, subsection 3, within the Department of Agriculture, Food and Rural
6 Resources. Except as provided in this chapter, the board must be composed of 7 8
7 members, appointed by the Governor, subject to approval by the joint standing committee
8 of the Legislature having jurisdiction over agricultural matters and confirmation by the
9 Senate. To provide the knowledge and experience necessary for carrying out the duties
10 of the board, the board must consist of the following members: one person with practical
11 experience and knowledge regarding the agricultural use of chemicals; one person who
12 has practical experience and knowledge regarding the use of chemicals in forest
13 management; one person from the medical community; a scientist from the University of
14 Maine System specializing in agronomy or entomology having practical experience and
15 knowledge of integrated pest management; one commercial applicator; one representative
16 of a statewide organization of organic farmers and gardeners; and 2 persons appointed to
17 represent the public. The 2 members appointed to represent the public must have a
18 demonstrated interest in environmental protection and represent different geographic
19 areas of the State. The term must be for 4 years, except that of the initial appointees, 2
20 shall serve 4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year terms and one
21 shall serve a one-year term. Any vacancy must be filled by an appointment for the
22 remainder of the unexpired term.

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

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

34 **SUMMARY**

35 This bill adds a representative of a statewide organization of organic farmers and
36 gardeners to the Department of Agriculture, Food and Rural Resources, Board of
37 Pesticides Control. It also increases from 4 to 5 the number of members that constitutes a
38 quorum.

39