

MAINE STATE LEGISLATURE

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Date: 5/13/11

majority

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 181, L.D. 228, Bill, "An Act To Revise Notification Requirements for Pesticide Application"

Amend the bill by adding after section 2 the following:

'Sec. 3. Directive to the Board of Pesticides Control regarding requests for notification of outdoor pesticide applications. The Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, referred to in this section as "the board," shall amend Rule Chapter 28, Section 1 to establish a distance from an aerial application of pesticides within which a person is entitled to receive notification of the application. The rule must allow an owner, lessee or other legal occupant of a sensitive area to make a request for notification and receive notification of aerial applications of pesticides within 1,000 feet of the sensitive area.

For purposes of this section, "sensitive area" has the same meaning as in the board's Rule Chapter 10. Notwithstanding the Maine Revised Statutes, Title 7, section 610, subsection 6, paragraph B, the amendment to Rule Chapter 28 under this section is routine technical rulemaking as defined in Title 5, chapter 375, subchapter 2-A and must be adopted and in effect no later than January 1, 2012.'

SUMMARY

This amendment adds to the bill a provision that directs the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to amend its rules governing the process for requesting notification of outdoor applications of pesticides to establish a distance from an aerial application of pesticides within which a person is entitled to receive notification of the application. The rule must further specify that an owner, lessee or other legal occupant of a sensitive area receive notification of aerial applications of pesticides made within 1,000 feet of the sensitive area.

FISCAL NOTE REQUIRED
(See Attached)

COMMITTEE AMENDMENT



Approved: 05/04/11 *mac*

125th MAINE LEGISLATURE

LD 228

LR 790(02)

An Act To Revise Notification Requirements for Pesticide Application

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

No net fiscal impact

Fiscal Detail and Notes

Minor savings may be realized by the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control from repealing these provisions. Additional costs to the board associated with rulemaking can be absorbed with existing staff and within existing budgeted resources.