

MAINE STATE LEGISLATURE

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SMG
R. 10/10

Date: 5-25-11

(Filing No. H-350)

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

HOUSE AMENDMENT "C" 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. Transfer of names to nonagricultural pesticide application registry. If the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, referred to in this section as "the board," fails to maintain a registry of residents, lessees and property owners who request that they receive advance notification of the outdoor application of agricultural pesticides, the board shall transfer all the names on such a registry maintained by the board as of May 1, 2011 to the Maine pesticide notification registry for nonagricultural pesticide applications established pursuant to Rule Chapter 28, Section 2. A person whose name is transferred pursuant to this section may not be charged a fee for that transfer.

Notwithstanding the Maine Revised Statutes, Title 7, section 610, subsection 6, paragraph B, an amendment to Rule Chapter 28 necessary to implement the requirements of 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.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

The bill repeals the statutory requirement that the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control establish a registry of persons who request to receive advance notification of the outdoor application of pesticides; the registry applies to notification of agricultural pesticide applications. The board, by rule, also established a registry of persons who request to receive advance notification of the outdoor application of nonagricultural pesticides, known as the Maine Pesticide Notification Registry.

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HOUSE AMENDMENT "C" to H.P. 181, L.D. 228

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This amendment requires the board, when the statutorily required agricultural pesticide application registry is repealed, to transfer all the names on that registry to the Maine Pesticide Notification Registry and prohibits the board from charging a fee for that transfer.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: Andrew O'Brien

(Representative O'BRIEN)

TOWN: Lincolnville



125th MAINE LEGISLATURE

LD 228

LR 790(11)

An Act To Revise Notification Requirements for Pesticide Application

Fiscal Note for House Amendment " "

Sponsor: Rep. O'Brien of Lincolnville

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Department of Agriculture, Food and Rural Resources associated with transferring names on the agricultural pesticide application registry to the Maine Pesticide Notification Registry can be absorbed with existing staff and within existing budgeted resources.