MAINE STATE LEGISLATURE

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Amendment Name: Amendment CB (H-856) (LD 1888 2020)

Date: 8/25/2020

1	L.D. 1888
2	Date: (Filing No. H-)
3	AGRICULTURE, CONSERVATION AND FORESTRY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	129TH LEGISLATURE
8	SECOND SPECIAL SESSION
9 10	COMMITTEE AMENDMENT " " to H.P. 1354, L.D. 1888, Bill, "An Act To Protect Children from Toxic Chemicals"
11 12	Amend the bill by striking out everything after the enacting clause and inserting the following:
13	'Sec. 1. 7 MRSA §606, sub-§3 is enacted to read:
14 15 16 17	3. Unlawful use. A person may not apply herbicides as defined by Title 22, section 1471-C, subsection 13 that are synthetic, including, but not limited to, glyphosate, within 75 feet of school grounds. This subsection does not apply to residential property or land used for commercial farming.
18 19	For purposes of this subsection, unless the context otherwise indicates, the following terms have the following meanings:
20	A. "Commercial farming" has the same meaning as in section 52, subsection 3;
21 22	B. "Residential property" means real property located in this State that is used for residential dwelling purposes;
23 24 25 26	C. "School" means any public, private or tribally funded elementary school as defined in Title 20-A, section 1, subsection 10, secondary school as defined in Title 20-A, section 1, subsection 32 or a nursery school that is part of an elementary or secondary school; and
27	D. "School grounds" means:
28 29 30	(1) Land associated with a school building including playgrounds and athletic fields used by students or staff of a school. "School grounds" does not include land used for a school farm; and
31 32 33 34	(2) Any other outdoor area used by students or staff including property owned by a municipality or a private entity that is regularly used for school activities by students and staff but not including land used primarily for nonschool activities, such as golf courses, farms and museums.

Sec. 2. Environmental risk advisory committee; glyphosate. The Department of Agriculture, Conservation and Forestry, Board of Pesticides Control, within existing resources from Other Special Revenue Funds accounts, shall establish an environmental risk advisory committee to evaluate the environmental and human health risks associated with the use of glyphosate. The advisory committee shall submit an interim report no later than February 1, 2022 and a final report no later than February 1, 2023, with findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over agricultural matters. Each report must include an analysis of the use, on an annual basis, of all products with glyphosate listed as an active ingredient on the label by licensed applicators in the State. Following receipt and review of the final report, the joint standing committee of the Legislature having jurisdiction over agricultural matters may submit a bill concerning the subject matter of the report to the First Regular Session of the 131st Legislature.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Pesticides Control - Board of 0287

Initiative: Provides an allocation for one Toxicologist position, contracted staffing, environmental sampling and literature review.

20	OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
21	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
22	Personal Services	\$0	\$30,000
23	All Other	\$0	\$73,540
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$103,540
26	1		ŕ

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

29 SUMMARY

This amendment, which strikes and replaces the bill, bans the use of synthetic herbicides, including, but not limited to, glyphosate, within 75 feet of school grounds. The prohibition does not apply to agricultural land or residential property.

The amendment also directs the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to establish an environmental risk advisory committee to assess the environmental and human health risks associated with the use of glyphosate. The advisory committee is required to submit an interim report no later than February 1, 2022 and a final report no later than February 1, 2023 with findings and recommendations to the joint standing committee of the Legislature having jurisdiction over agricultural matters. The joint standing committee of the Legislature having jurisdiction over agricultural matters has the authority to submit a bill relating to the subject matter of the report during the First Regular Session of the 131st Legislature.

COMMITTEE AMENDMENT " " to H.P. 1354, L.D. 1888

l 2	This amendment also provides funding to the board necessary to carry out the requirements of this legislation.
3	FISCAL NOTE REQUIRED
1	(See attached)

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129th MAINE LEGISLATURE

LD 1888

LR 2898(03)

An Act To Protect Children from Toxic Chemicals

Fiscal Note for Bill as Amended by Committee Amendment " "
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Appropriations/Allocations	F Y 2019-20	F 1 2020-21	2021-22	2022-23
Other Special Revenue Funds	\$0	\$103,540	\$231,520	\$88,520

Fiscal Detail and Notes

This bill bans the use of glyphosate under certain conditions and directs the Board of Pesticides Control (BPC), within the Department of Agriculture, Conservation and Forestry, to establish an environmental risk advisory committee to assess the environmental and human risks associated with the use of glyphosate and complete a final report of their findings by February 1, 2023. The BPC has indicated that it will require additional staffing to complete these tasks. The bill includes additional allocations of \$103,540 to the BPC to allow expenditure of existing resources for one toxicologist, contracted staffing, environmental sampling and literature review. The impact of these new unfunded costs on other programs in the BPC cannot be determined at this time.