

MAINE STATE LEGISLATURE

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L.D. 264

Date: 6-9-21

(Filing No. H-522)

MAJORITY

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 185, L.D. 264, "An Act To Prohibit Aerial Application of Perfluoroalkyl and Polyfluoroalkyl Substances"

Amend the bill by striking out the title and substituting the following:

'Resolve, Directing the Board of Pesticides Control To Gather Information Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in the State'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Board of Pesticides Control to amend rules relating to registered pesticides. Resolved: That the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall amend its rules governing the registration of pesticides in the State to require manufacturers and distributors to provide affidavits stating whether the registered pesticide has ever been stored, distributed or packaged in a fluorinated high-density polyethylene container and to require manufacturers to provide an affidavit stating whether a perfluoroalkyl or polyfluoroalkyl substance is in the formulation of the registered pesticide.

Sec. 2. Board of Pesticides Control to gather information relating to perfluoroalkyl and polyfluoroalkyl substances. Resolved: The Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall conduct a study to determine if fluorinated adjuvants are being used or sold in the State. The board shall explore what is needed to regulate fluorinated adjuvants in the State and shall explore what is necessary to impose a prohibition on the distribution or application of pesticides or adjuvants containing perfluoroalkyl or polyfluoroalkyl substances in the State. The board shall develop a feasible definition of perfluoroalkyl or polyfluoroalkyl adulteration in a pesticide. The board shall submit a report based on the study with findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2022. The joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the report.'

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

COMMITTEE AMENDMENT

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SUMMARY

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This amendment replaces the bill with a resolve. The amendment directs the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to amend its rules governing the registration of pesticides in the State to require manufacturers and distributors to provide affidavits stating whether the registered pesticide has ever been stored, distributed or packaged in a fluorinated high-density polyethylene container and to require manufacturers to provide an affidavit stating whether a perfluoroalkyl or polyfluoroalkyl substance is in the formulation of the registered pesticide. The amendment also directs the board to conduct a study to determine if fluorinated adjuvants are being used or sold in the State. The amendment directs the board to explore what is needed to regulate fluorinated adjuvants in the State and to explore what is necessary to impose a prohibition on the distribution or application of pesticides or adjuvants containing perfluoroalkyl or polyfluoroalkyl substances in the State. The amendment also directs the board to develop a feasible definition of perfluoroalkyl or polyfluoroalkyl adulteration in a pesticide. The amendment directs the board to submit a report based on the study, with findings and recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2022 and gives the joint standing committee authority to submit a bill to the 130th Legislature relating to the subject matter of the report.

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 264

LR 583(02)

An Act To Prohibit Aerial Application of Perfluoroalkyl and Polyfluoroalkyl Substances

Fiscal Note for Bill as Amended by Committee Amendment *A(H-522)*
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Board of Pesticides Control within the Department of Agriculture, Conservation and Forestry as a result of changes to the rules governing the registration of pesticides, conducting a study on the use of fluorinated adjuvants use in the state and reporting on possible regulatory approaches to control the use of fluorinated adjuvants are anticipated to be minor and can be absorbed within existing budgeted resources.