

# MAINE STATE LEGISLATURE

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ROFF

L.D. 1599

Date: 6-9-21

(Filing No. H-521)

MINORITY

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. 1188, L.D. 1599, "An Act To Establish A Maine Pesticide Sales and Use Registry"

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 22 MRSA §1471-CC is enacted to read:

**§1471-CC. Pesticide sales and use registry**

**1. Pesticide sales and use registry.** The board, in consultation with the Department of Administrative and Financial Services, Office of Information Technology, shall develop and administer a comprehensive online pesticide sales and use registry for documenting and quantifying pesticide sales, distribution and application in the State by licensed general use pesticide dealers, licensed pesticide dealers and certified applicators using information reported under section 1471-G.

**2. Pesticide dealers.** Beginning January 1, 2023, a general use pesticide dealer and a pesticide dealer licensed to sell pesticides in the State shall maintain a record of a sale or distribution of a pesticide. Beginning February 15, 2023 and for every month thereafter, a general use pesticide dealer and a pesticide dealer licensed to sell pesticides in the State shall submit to the board's online pesticide sales and use registry under subsection 1 a report of all sales and distributions of pesticides made by the dealer for the preceding month as required by sections 1471-G and 1471-W and as required by the board by rule.

**3. Applicators.** Beginning January 1, 2023, a certified applicator shall submit to the board's online pesticide sales and use registry under subsection 1 a report of all record-keeping data relating to an application of a pesticide as required by the board by rule within one week after the application.

**4. Rules.** The board shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

Amend the bill by inserting after section 3 the following:

**COMMITTEE AMENDMENT**

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**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF Pesticides Control - Board of 0287**

Initiative: Provides funding for the software development costs of an online pesticide sales and use registry.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$250,000	\$300,000
<b>GENERAL FUND TOTAL</b>	<u>\$250,000</u>	<u>\$300,000</u>

**Pesticides Control - Board of 0287**

Initiative: Provides funding for one Environmental Specialist IV position and 7 Environmental Specialist II positions and associated All Other costs.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$652,786	\$685,786
All Other	\$44,000	\$44,000
<b>GENERAL FUND TOTAL</b>	<u>\$696,786</u>	<u>\$729,786</u>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS**

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
	\$946,786	\$1,029,786
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$946,786</u>	<u>\$1,029,786</u>

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

**SUMMARY**

This amendment, which is the minority report, strikes the requirement that the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control post information received by pesticide distributors and applicators on a publicly accessible website maintained by the board. The amendment strikes from the bill the list of information required of pesticide distributors to submit to the board's online pesticide sales and use registry as most of this information is currently required by the Maine Revised Statutes, Title 22, section 1471-W and by the board by rule. The amendment strikes from the bill the list of information applicators must submit to the board's online pesticide sales and use registry as all record-keeping data is currently required by the board by rule. The amendment also strikes the provision that a certified applicator using integrated pest management may submit a report to the board on the day of the application if an immediate

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COMMITTEE AMENDMENT "A" to H.P. 1188, L.D. 1599

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threat to an agricultural crop arises and a day in application would result in significantly more damage to the crop or require a more extensive application of a pesticide or use of a more toxic pesticide. The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 130th MAINE LEGISLATURE

LD 1599

LR 1896(02)

An Act To Establish A Maine Pesticide Sales and Use Registry

Fiscal Note for Bill as Amended by Committee Amendment *ACH-521*  
 Committee: Agriculture, Conservation and Forestry  
 Fiscal Note Required: Yes

## Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$946,786	\$1,029,786	\$814,075	\$850,079
<b>Appropriations/Allocations</b>				
General Fund	\$946,786	\$1,029,786	\$814,075	\$850,079

### Fiscal Detail and Notes

This bill directs the Board of Pesticides Control (BPC) within the Department of Agriculture, Conservation and Forestry to develop and administer a comprehensive online pesticide sales and use registry for documenting and quantifying pesticide sales, distribution and application in the State. The BPC has indicated it will require additional staffing and resources to develop and maintain the registry. The bill includes ongoing General Fund appropriations to the BPC of \$696,786 beginning in fiscal year 2021-22 and \$729,786 in fiscal year 2022-23 for one Environmental Specialist IV position and seven Environmental Specialist II positions and associated costs. The bill also includes a one-time appropriation of \$250,000 in fiscal year 2021-22 and \$300,000 in fiscal year 2022-23 to develop the online registry and ongoing appropriations of \$50,000 beginning in fiscal year 2023-24 to maintain the registry.