

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2002

D. One member representing organic growers and producers;

E. One member representing structural pest management;

F. One member representing rights-of-way vegetation management;

G. One member representing turf or landscape management;

H. One member representing a nonprofit environmental organization; and

I. One member representing integrated pest management research.

3. Term of office. The term of office for members is 3 years except that, of the original members appointed, the appointing authority shall appoint members to serve one-year, 2-year and 3-year terms to establish staggered terms.

4. Coordinators. The commissioner and the Director of the University of Maine Cooperative Extension shall each appoint one member of the council to serve as a cocoordinator of the council.

5. Duties; responsibilities. The council shall facilitate, promote, expand and enhance integrated pest management adoption in all sectors of pesticide use and pest management within the State. Specifically, the council shall:

A. Identify long-term and short-term priorities for integrated pest management research, education, demonstration and implementation;

B. Serve as a communication link for the development of coordinated multidisciplinary partnerships among researchers, educators, regulators, policymakers and integrated pest management users;

C. Identify funding sources and cooperate on obtaining new funding for on-site trials, education and training programs and other efforts to meet identified goals for expanding, advancing and implementing integrated pest management;

D. Establish measurable goals for expansion of integrated pest management into new sectors and advancing the level of integrated pest management adoption in sectors where integrated pest management is already practiced; and

E. Cooperate with appropriate organizations to establish protocols for measuring and documenting integrated pest management adoption in the State.

6. Report. The council shall report to the joint standing committee of the Legislature having jurisdiction over agricultural matters annually on all of the council's activities during the year.

§2405. Integrated Pest Management Fund

There is created a dedicated, nonlapsing Integrated Pest Management Fund. The commissioner shall credit funds from any source to the Integrated Pest Management Fund for the purpose of developing and implementing integrated pest management programs. Appropriations from the General Fund may not be credited to the Integrated Pest Management Fund.

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

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Board of Pesticides Control

Initiative: Provides an additional allocation to support integrated pest management demonstration projects and to provide reimbursement to members of the newly established Integrated Pest Management Council.

Other Special Revenue Fund	2001-02	2002-03
All Other	\$0	\$50,000

See title page for effective date.

CHAPTER 498

H.P. 1456 - L.D. 1953

An Act to Amend the Laws Governing Pesticide Control to Increase the Pesticide Product Registration Fee

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §607, sub-§6, as amended by PL 1993, c. 410, Pt. S, §1, is further amended to read:

6. Registration fee; validity. The applicant desiring to register a pesticide shall pay an annual registration fee of \$105 beginning in calendar year 1994 and \$115 beginning in calendar year 2003 and thereafter for each pesticide registered for that applicant. Annual registration periods expire on December 31st of any one year or in a manner consistent with the Maine Administrative Procedure

Act, Title 5, section 10002, as to license expiration, whichever is later.

See title page for effective date.

CHAPTER 499

S.P. 726 - L.D. 1967

An Act to Assist Municipalities of Sagadahoc County with the Change in the County Budget Year

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the transition to a different county budget year requires the appropriate county officers of Sagadahoc County to have the authority to borrow money before the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. PL 2001, c. 143, §3 is amended to read:

Sec. 3. Transition. The Sagadahoc County commissioners, in order to facilitate the change in fiscal year made by this Act, shall submit a budget for the period of January 1, 2002 to June 30, 2002 and for the period of July 1, 2002 to June 30, 2003. Notwithstanding the provisions of the Maine Revised Statutes, Title 30-A, section 932, the county officers authorized to issue notes and securities may borrow money, for purposes of the transitional budgets authorized in this Act, by issuing bonds or notes in anticipation of taxes from the transitional budgets, the total face amount of which does not exceed 80% of the taxes anticipated from the transitional budgets and the period of borrowing of which does not exceed 5 years.

Prior to February 15, 2002, the municipal officers of each municipality in Sagadahoc County shall notify the county clerk in writing of the manner in which the municipality intends to pay its portion of the transitional county budget for the period January 1, 2002 to June 30, 2002. At the time of notification, the municipal officers shall indicate whether the municipality intends to pay its full share of the January 1, 2002 to June 30, 2002 transitional budget during 2002 in accordance with the Maine Revised Statutes, Title 30-A, section 706 or whether it intends to pay its share of the transitional budget in equal payments over 2, 3, 4 or 5 years ending not later than the year 2006. In accordance with the payment schedule indicated in its notification, any municipality not paying its full portion of the January 1, 2002 to June 30, 2002 transitional budget in 2002 shall make payments for the transitional budget to the county at the time the municipality makes its payment to the county for the current year. Each municipality is responsible to the county for payment of the municipality's share of the January 1, 2002 to June 30, 2002 transitional budget and any interest incurred by the county for borrowing on behalf of the municipality in anticipation of taxes as provided in this section.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 5, 2002.

CHAPTER 500

S.P. 681 - L.D. 1883

An Act to Clarify the On-premise Liquor License Application Process

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 28-A MRSA §653, sub-§1, ¶C, as amended by PL 1999, c. 589, §1, is further amended to read:

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license ~~or for renewal of an on-premise license~~ within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commis-