

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

December 2021

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**JOINT STANDING COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

6. The law amends animal welfare laws to define "animal care facility" and to provide that the definition of "boarding kennel" applies to all privately-owned animals that are kept for a fee.

LD 155 Resolve, Directing the Board of Pesticides Control To Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use

ENACTED LAW SUMMARY

Resolve 2021, chapter 33 directs the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to prohibit the use of any product containing certain neonicotinoids used for application in outdoor residential landscapes such as on lawn, turf or ornamental vegetation. The law provides that products used for preserving wood, controlling or treating indoor pests, controlling or treating insects outside around structural foundations and other parts of structures, and treating pets are specifically exempt from the prohibition.

The law also requires the board to allow the use of certain neonicotinoids by certified applicators on ornamental vegetation to manage emerging invasive insect pests, including but not limited to the Asian long-horned beetle, emerald ash borer and hemlock wooly adelgid in order to safeguard the public health, safety and welfare of the State and to protect the natural resources of the State.

LD 204 An Act To Amend the Law Regarding the Interest Rate for State Loans under the Potato Marketing Improvement Fund

ENACTED LAW SUMMARY

Public Law 2021, chapter 31 changes the interest rate on loans made through the Potato Marketing Improvement Fund from a fixed rate of 5% to the federal prime rate on the date of loan commitment or up to a maximum of 5% and allows existing loans in good standing to be refinanced at the same rate.

Public Law 2021, chapter 31 was enacted as an emergency measure effective April 7, 2021.

LD 207 Resolve, Regarding Legislative Review of Portions of Chapter 1: Fee Schedule, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission

ENACTED LAW SUMMARY

Resolve 2021, chapter 10 authorizes final adoption of portions of Chapter 1: Fee Schedule, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission. The law also provides that the Maine Land Use Planning Commission must finally adopt rules no later than October 1, 2021.

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Resolve 2021, chapter 10 was finally passed as an emergency measure effective May 5, 2021.

LD 264 Resolve, Directing the Board of Pesticides Control To Gather Information Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in the State

ENACTED LAW SUMMARY

Resolve 2021, chapter 83 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 law also directs the board to conduct a study to determine if fluorinated adjuvants are being used or sold in the State. It 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 law also directs the board to develop a feasible definition of perfluoroalkyl or polyfluoroalkyl adulteration in a pesticide. It 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.

LD 268 An Act To Eliminate Online Burn Permit Fees for All Areas of the State

ENACTED LAW SUMMARY

Public Law 2021, chapter 414 provides that a person may not be charged a fee to obtain a burn permit online. The law also allows a vendor or owner of a private party burn permit software system to charge a municipality for use of private party burn permit software.

LD 316 An Act To Prohibit the Use of Chlorpyrifos

ENACTED LAW SUMMARY

Public Law 2021, chapter 105 prohibits the use of pesticides containing chlorpyrifos as an active ingredient beginning January 1, 2022. From January 1, 2022 to December 31, 2022 the Board of Pesticides Control may grant a temporary permit authorizing a pesticides applicator licensed by the State to use or apply a pesticide containing chlorpyrifos as an active ingredient, as long as that licensed pesticides applicator possessed the pesticide in the State before January 1, 2022. The