

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment in section 2 in §1471-Z in subsection 2 in paragraph C in the 2nd line (page 2, line 27 in amendment) by striking out the following: "and"

Amend the amendment in section 2 in §1471-Z in subsection 2 in paragraph D in the 1st line (page 2, line 28 in amendment) by striking out the following: "manager." and inserting the following: 'manager;  
and'

Amend the amendment in section 2 in §1471-Z in subsection 2 by inserting after paragraph D the following:

'E. The location of the property that the land manager intends to spray.'

Amend the amendment in section 2 in §1471-Z in subsection 3 in paragraph B in the 1st line (page 2, line 37 in amendment) by striking out the following: "Except as provided in paragraph C, pesticides" and inserting the following: 'Pesticides'

Amend the amendment in section 2 in §1471-Z in subsection 3 by striking out all of paragraph C (page 3, lines 1 to 3 in amendment) and inserting the following:

'C. Notwithstanding paragraph B, pesticides are being applied using air-carrier equipment into the crowns of fruit trees or Christmas trees and the registered property lies within 500 feet of the intended spray area. This paragraph is repealed January 1, 2012.'

Amend the amendment in section 5 in the 2nd paragraph in the first line (page 5, line 4 in amendment) by inserting after the following: "board" the following: ', with input from the Department of Health and Human Services and other public health professionals,'

Amend the amendment in section 5 in the 2nd paragraph in the next to the last line (page 5, line 14 in amendment) by inserting after the following: "property" the following: ', including, but not limited to, an Internet-based system of direct notification,'

Amend the amendment in section 6 in the 2nd line (page 5, line 17 in amendment) by inserting after the following: "Control" the following: ', with input from the Department of Health and Human Services and other public health professionals,'

Amend the amendment in section 6 in subsection 1 in the last line (page 5, line 22 in amendment) by striking out the following: "and"

Amend the amendment in section 6 in subsection 2 in the last line (page 5, line 25 in amendment) by striking out the following: "3." and inserting the following: '3;'

Amend the amendment in section 6 by inserting after subsection 2 the following:

'3. The effectiveness of the public awareness activities conducted under Title 22, section 1471-AA and section 4 of this Act;

4. The feasibility and advisability of requiring land managers to post signs on the perimeter of properties on which pesticides will be applied using aircraft or air-carrier equipment; and

5. The feasibility of establishing and maintaining an Internet-based system to allow a land manager to electronically provide information required in Title 22, section 1471-Z, subsection 2, paragraphs A to E to persons on the registry who are entitled to notification under Title 22, section 1471-Z, subsections 2 and 3.'

Amend the amendment by striking out all of section 7 (page 5, lines 26 to 28 in amendment)

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

## **SUMMARY**

This amendment incorporates the substance of House Amendment "A" to Committee Amendment "A" (H-786), except that it removes authorization of the joint standing committee of the Legislature having jurisdiction over agricultural matters to submit a bill. Like House Amendment "A" to Committee Amendment "A", this amendment:

1. Expands the information a land manager is required to provide to people on the registry to include the location of the property on which pesticides will be applied;

2. Changes the criteria for requiring notification effective January 1, 2012 by repealing the maximum distance of 500 feet for certain applications in fruit orchards and Christmas tree plantations using air-carrier equipment;

3. Directs the State Board of Pesticides Control to consult with the Department of Health and Human Services and other health professionals in developing rules for notification of pesticides applications and in developing the report to be submitted to the joint standing committee of the Legislature having jurisdiction over agricultural matters;

4. Specifically directs the board to assess the feasibility of establishing and maintaining an Internet-based system to allow electronic notification of persons on the registry who are entitled to receive notification; and

5. Directs the board to evaluate the feasibility and advisability of requiring land managers to post signs on property prior to applying pesticides on that property using aircraft or air-carrier equipment.

## **FISCAL NOTE REQUIRED**

**(See attached)**