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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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

COMMITTEE AMENDMENT “ ” 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

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

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

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

| | | |
|-----------------------------|------------------|------------------|
| 7 GENERAL FUND | 2021-22 | 2022-23 |
| 8 All Other | \$250,000 | \$300,000 |
| 9 | | |
| 10 GENERAL FUND TOTAL | <u>\$250,000</u> | <u>\$300,000</u> |

11 **Pesticides Control - Board of 0287**

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

| | | |
|--|------------------|------------------|
| 14 GENERAL FUND | 2021-22 | 2022-23 |
| 15 POSITIONS - LEGISLATIVE COUNT | 8,000 | 8,000 |
| 16 Personal Services | \$652,786 | \$685,786 |
| 17 All Other | \$44,000 | \$44,000 |
| 18 | | |
| 19 GENERAL FUND TOTAL | <u>\$696,786</u> | <u>\$729,786</u> |

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21 **AGRICULTURE, CONSERVATION AND**
 22 **FORESTRY, DEPARTMENT OF**
 23 **DEPARTMENT TOTALS**

| | | |
|--|-------------------------|---------------------------|
| 24 | 2021-22 | 2022-23 |
| 25 GENERAL FUND | \$946,786 | \$1,029,786 |
| 26 | | |
| 27 DEPARTMENT TOTAL - ALL FUNDS | <u>\$946,786</u> | <u>\$1,029,786</u> |

28

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

31

SUMMARY

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

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

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FISCAL NOTE REQUIRED

(See attached)