



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1158

H.P. 836

House of Representatives, March 22, 2021

An Act Regarding the Application of Certain Pesticides for Nonagricultural Use

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Agriculture, Conservation and Forestry pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.

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

2 **Sec. 1. 7 MRSA §606, sub-§3** is enacted to read:

3 **3. Persistent synthetic pesticides.** Except for pesticides that are used in the
4 production of agricultural products, a person may not use persistent synthetic pesticides.
5 For purposes of this subsection, the following terms have the following meanings.

6 A. "Agricultural products" has the same meaning as in section 152, subsection 2.

7 B. "Pesticide" means a substance used to control pests, including but not limited to
8 harmful insects, disease and weeds.

9 C. "Synthetic," with respect to a substance, means that the substance is formulated or
10 manufactured by a chemical process or by a process that chemically changes a
11 substance extracted from naturally occurring plant, animal or mineral sources, except
12 that "synthetic" does not apply to substances created by naturally occurring biological
13 processes.

14 **Sec. 2. Composition of the Board of Pesticides Control; working group.**

15 The Commissioner of Agriculture, Conservation and Forestry shall convene a working
16 group to review the composition of the Board of Pesticides Control. The working group
17 shall evaluate whether the composition of the board equitably represents public,
18 environmental and industry interests and shall identify whether the service of any of the
19 board members gives the appearance of a financial conflict of interest. The commissioner
20 shall present findings and recommendations to the Joint Standing Committee on
21 Agriculture, Conservation and Forestry no later than December 1, 2021. The joint standing
22 committee may submit a bill relating to the subject matter of the report to the Second
23 Regular Session of the 130th Legislature.

24 **SUMMARY**

25 This bill prohibits the use of persistent synthetic pesticides except pesticides that are
26 used in the production of agricultural products. The bill also directs the Commissioner of
27 Agriculture, Conservation and Forestry to convene a working group to review the
28 composition of the Board of Pesticides Control with respect to whether the board equitably
29 represents public, environmental and industry interests and to identify whether the service
30 of any of the board members gives the appearance of a financial conflict of interest. The
31 commissioner is required to report to the Joint Standing Committee on Agriculture,
32 Conservation and Forestry with findings and recommendations.