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Date: (Filing No. H-)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 181, L.D. 228, Bill, “An Act To Revise Notification Requirements for Pesticide Application”

Amend the amendment by striking out all of section 3 and inserting the following:

Sec. 3. Directive to the Board of Pesticides Control regarding requests for notification of outdoor pesticide applications. The Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, referred to in this section as "the board," shall amend Rule Chapter 28, Section 1 to establish a distance of 1,350 feet if pesticides are being applied using aircraft and 500 feet if being applied using air-carrier equipment from a sensitive area within which a person is entitled to receive notification of the application.

For purposes of this section, "sensitive area" has the same meaning as in the board's Rule Chapter 10. Notwithstanding the Maine Revised Statutes, Title 7, section 610, subsection 6, paragraph B, the amendment to Rule Chapter 28 under this section is routine technical rulemaking as defined in Title 5, chapter 375, subchapter 2-A and must be adopted and in effect no later than January 1, 2012.

Sec. 4. Directive to the Board of Pesticides Control regarding notification of outdoor pesticide applications. The Department of Agriculture, Food and Rural Resources, Board of Pesticides Control, referred to in this section as "the board," shall amend Rule Chapter 28 to require that the board notify an individual listed on the Maine Pesticide Notification Registry of aerial and air-carrier applications of agricultural pesticides. Notwithstanding the Maine Revised Statutes, Title 7, section 610, subsection 6, paragraph B, the amendment to Rule Chapter 28 under this section is routine technical rulemaking as defined in Title 5, chapter 375, subchapter 2-A and must be adopted and in effect no later than January 1, 2012.'

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

SUMMARY

This amendment directs the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to amend its rules governing the distance from an application

1 of pesticides within which a person is entitled to receive notification of the application.
2 The amendment also requires the Board of Pesticides Control to amend its rules to require
3 that the board notify individuals listed on the Maine Pesticide Notification Registry of
4 aerial and air-carrier applications of agricultural pesticides.

5 **SPONSORED BY:** _____

6 **(Representative SHAW)**

7 **TOWN: Standish**