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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1132, L.D. 1697, “An Act to Increase Penalties to Deter Violations of the Laws Regarding Improper Pesticide Use”

Amend the bill in section 1 in paragraph A in the 3rd line (page 1, line 6 in L.D.) by inserting after the following: "chapter 258-A." the following: 'This paragraph does not apply to a private applicator as defined in Title 22, section 1471-C, subsection 22 or a private applicator of general use pesticides as defined in Title 22, section 1471-C, subsection 22-A.'

Amend the bill in section 1 in paragraph A in subparagraph (1) in division (a) in the first line (page 1, line 10 in L.D.) by striking out the following: "\$25,000" and inserting the following: '\$10,000'

Amend the bill in section 2 in paragraph B in the first line (page 1, line 31 in L.D.) by inserting after the following: "1471-C," the following: 'subsection 22, and a private applicator of general use pesticides, as defined in Title 22, section 1471-C, subsection 22-A.'

Amend the bill in section 2 in paragraph B in the first line (page 1, line 31 in L.D.) by inserting after the following: "violate" the following: 'this subchapter or a rule adopted pursuant to this subchapter or Title 22, chapter 258-A or a rule adopted pursuant to Title 22, chapter 258-A or'

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

SUMMARY

This amendment, which is the majority report, decreases the maximum fine that may be adjudged for a violation of the laws and rules governing pesticides in the bill from \$25,000 to \$10,000, except in a case for an unauthorized pesticide application in which the preponderance of the evidence demonstrates that the violator benefited substantially from the violation, in which case the maximum fine is \$50,000. The amendment clarifies that this fine does not apply to a private applicator or a private applicator of general use

1 pesticides as defined in the Maine Revised Statutes, Title 22, section 1471-C. The
2 amendment also clarifies that fines under Title 7, section 616-A, subsection 2, paragraph B
3 apply only to a private applicator or a private applicator of general use pesticides.

4 **FISCAL NOTE REQUIRED**

5 **(See attached)**