

Testimony of Ashley Luszczki
Before the Joint Standing Committee on Agriculture, Conservation and Forestry
Opposing L.D. 356, An Act to Require Notification of Certain Outdoor Pesticide Applications
March 6, 2024

Senator Talbot Ross, Representative Pluecker, and members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Ashley Luszczki. Thank you for the opportunity to testify on L.D. 356, An Act to Require Notification of Certain Outdoor Pesticide Applications. I am providing testimony in opposition to this legislation on behalf of the Maine State Chamber of Commerce, which represents small to large businesses across the state.

The Maine State Chamber of Commerce recognizes the importance of ensuring pesticides are stored, transported, and applied in a safe and responsible manner. Based on the legislation's preamble and the inclusion of "pets" in 7 M.R.S. § 606, it appears the intent is to safeguard human and animal health. While this goal is important, the Chamber has serious concerns that the proposed legislation would impose unnecessary burdens on businesses, increasing administrative time and costs while also leading to unintended economic and environmental challenges.

Pesticide use varies depending on location, landscaping needs, and agricultural requirements. Requiring notification seven days in advance of each pesticide application would introduce new administrative hurdles for businesses, including tracking notification timelines, determining when pesticides can be applied, and managing changing conditions. Factors such as weather and pest emergence further complicate this process. For example, a rainy day may postpone pesticide use, requiring repeated notifications to abutting property owners. Similarly, pest emergence requiring swift action may not align with the proposed seven-day notification window, potentially reducing the effectiveness of treatment.

We feel this bill would also disproportionately impact businesses that operate on large properties, such as property management companies, golf courses, and farms, which often abut several properties. On golf courses, pesticides are carefully applied to maintain high-quality playing conditions, while in agriculture, they can be essential for maintaining healthy crops by preventing disease and unwanted pests. Compliance with additional notification requirements would add significant costs and operational challenges, affecting industries that depend on these products to maintain quality standards.

Beyond the economic burden, the bill could also lead to unintended environmental and public health risks. Recent browntail moth outbreaks in Maine underscore the importance of timely pesticide use. Delays in addressing infestations could result in widespread tree damage, increased allergen exposure, and respiratory issues for residents and those who come to Maine to enjoy a

bit of rest and outdoor recreation. Restricting rapid response to such outbreaks could have a significant impact on both environmental and public health.

In closing, the Chamber supports the safe and responsible use of pesticides. However, we are opposed to this legislation as it is overly broad and could create significant operational and financial challenges for Maine businesses while also posing unintended economic, environmental and public health risks.