

## OFFICE OF POLICY AND LEGAL ANALYSIS

To: Members, Joint Standing Committee on Agriculture, Conservation and Forestry  
From: Karen S. Nadeau, Legislative Analyst  
Date: May 11, 2021  
Subj: **LD 1599, An Act To Establish A Maine Pesticide Sales and Use Registry**

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### Section 1:

- Requires the Board of Pesticides Control (BPC) to submit an annual report to the ACF, HHS, ENR and IDEA Committees on developments and progress made to carry out the state policy regarding public and private initiatives to minimize reliance on pesticides.

### Section 2:

- Establishes a pesticide sales and use registry
- Directs the Department of ACF, BPC in collaboration with DAFS, OIT to create a publicly accessible online registry of pesticide dealers and applicators reporting pesticides sold, distributed or applied in the State and including the quantity, location and purpose of the use of pesticides in indoor and outdoor applications.

### Section 3:

- Requires the BPC to submit a report to the ACF, HHS, ENR and IDEA Committees on:
  - Progress made in developing and administering an online registry
  - Recommendations for ensuring that information from pesticide dealers and applicators is recorded on the registry if a dealer or applicator is unable to access the Internet.
  - Each joint standing committee has the authority to submit a bill to the 2<sup>nd</sup> Regular Session of the 130<sup>th</sup> Legislature.

## TESTIMONY

**Proponents:** *Maine Organic Gardeners and Farmers Association; written only: Resident of Arrowsic (former public information officer for the BPC) and Resident of Waldoboro*

- LD creates an opportunity to get Maine back on track toward minimizing reliance on pesticides while providing clear and easy record-keeping opportunities.
- Maine has an admirable policy of reducing reliance on pesticides, but no way to accurately gauge that this is occurring.
- Should a model and technical assistance be needed, CA's Pesticide Use Reporting database is a prime example of what has been and what can be accomplished.

**Opponents:** *TruGreen; National Association of Landscape Professionals; Maine Potato Board; Wild Blueberry Commission; Maine Farm Bureau; Green Thumb Lawn Service; written only: New England Pest Management Association; Mainely Grass; Maine Landscape and Nursery Association; Northern Turf Management; Golf Course Superintendents Association of America Maine Chapter and others*

- We are educated, trained, professional, licensed by the State and already share annual usage data with the State and extremely careful/conscientious in what products we use, when and how we apply them.
- Outside of labor costs, cost of chemicals is our greatest cost so we have no financial incentive to over-apply or misapply pesticides.
- In addition to being unnecessarily burdensome to an industry that already reports chemical use, our primary objection to this bill relates to the safety of our employees and our customers.
- LD is an open invitation for those who oppose pesticide use to harass our employees and customers; presents a potentially dangerous and unnecessary risk on a sometimes emotionally charged topic.

**NFNA:** *Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (BPC)*

- In 1997, the Maine Legislature passed LD 1726, AA To Minimize Reliance on Pesticides.
  - Created a state policy for finding ways to use the minimum amount of pesticides to effectively control targeted pests in all application areas; and
  - Directed BPC to implement a system of record-keeping, reporting, data collection and analysis that provided information on the quantities and brand names of pesticides sold.
- BPC produced reports of the 1998 and 1999 sales and use data, but legislation passed in 2000 released BPC from reporting in 2000 and 2001 b/c it did not produce a useable report that allowed evaluation of the relative levels of pesticide use by principle use sectors within the state.
- In 2001, new reporting requirement that summarized sales of agricultural pesticides by pounds of active ingredient.
- Past reporting legislation did not fund these new tasks and production of the required reports presented major hurdles for BPC staff.

**PROPOSED AMENDMENT:**

Rep. Osher has a proposed amendment to LD 1599 to address some of the concerns expressed at the public hearing.

**PRELIMINARY FISCAL IMPACT STATEMENT:** *Not yet received.*