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Date:

(Filing No. S- )

**AGRICULTURE, CONSERVATION AND FORESTRY**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**130TH LEGISLATURE**

**FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 141, L.D. 808, “An Act To Clarify the Funding for the University of Maine Cooperative Extension Diagnostic and Research Laboratory”

Amend the bill by striking out the title and substituting the following:

**'An Act To Repeal the Pesticide Container Fee and the Tick Laboratory and Pest Management Fund'**

Amend the bill by inserting after the title and before the enacting clause the following:

**'Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** in June 2020, Public Law 2019, chapter 548 went into effect imposing a fee of 15¢ per container on the retail sale in the State of pesticide products registered with the Board of Pesticides Control; and

**Whereas,** implementation of the law has proven to be problematic and complex for retailers across the State; and

**Whereas,** although the Legislature appreciates the intent to fund research related to tick and brown tail moth pest management, the pesticide container fee has put retailers at risk with Maine Revenue Services; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 7 MRSA c. 419,** as amended, is repealed.

**Sec. 2. 36 MRSA c. 725,** as amended, is repealed.

1           **Sec. 3. PL 2019, c. 548, §3** is repealed.

2           **Sec. 4. Appropriations and allocations.** The following appropriations and  
3 allocations are made.

4           **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**  
5           **Revenue Services, Bureau of 0002**

6 Initiative: Provides one-time funding to remove a line from the sales tax return.

7	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
8	All Other	\$5,000	\$0
9			
10	GENERAL FUND TOTAL	<u>\$5,000</u>	<u>\$0</u>

11  
12           **ADMINISTRATIVE AND FINANCIAL**  
13           **SERVICES, DEPARTMENT OF**  
14           **DEPARTMENT TOTALS**

15		<b>2021-22</b>	<b>2022-23</b>
16	<b>GENERAL FUND</b>	<b>\$5,000</b>	<b>\$0</b>
17			
18	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$5,000</b></u>	<u><b>\$0</b></u>

19           **UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE**  
20           **Tick Laboratory and Pest Management Fund N330**

21 Initiative: Deallocates funds due to the repeal of the pesticide container fee.

22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
23	All Other	(\$102,485)	(\$102,485)
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$102,485)</u>	<u>(\$102,485)</u>

26           **UM Cooperative Extension - Pesticide Education Z059**

27 Initiative: Deallocates funds due to the repeal of the pesticide container fee.

28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
29	All Other	(\$81,000)	(\$81,000)
30			
31	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$81,000)</u>	<u>(\$81,000)</u>

32  
33           **UNIVERSITY OF MAINE SYSTEM, BOARD OF**  
34           **TRUSTEES OF THE**  
35           **DEPARTMENT TOTALS**

36		<b>2021-22</b>	<b>2022-23</b>
37	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$183,485)</b>	<b>(\$183,485)</b>
38			
39	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>(\$183,485)</b></u>	<u><b>(\$183,485)</b></u>

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	2021-22	2022-23
<b>SECTION TOTALS</b>		
<b>GENERAL FUND</b>	\$5,000	\$0
<b>OTHER SPECIAL REVENUE FUNDS</b>	(\$183,485)	(\$183,485)
<b>SECTION TOTAL - ALL FUNDS</b>	<u>(\$178,485)</u>	<u>(\$183,485)</u>

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect 10 business days after it is approved.'

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 of the committee, strikes and replaces the bill, which is a concept draft. The amendment eliminates the Tick Laboratory and Pest Management Fund by repealing the Maine Revised Statutes, Title 7, chapter 419 and the corresponding pesticide container fee in Title 36, chapter 725. It also adds an emergency preamble and emergency clause to the bill. The amendment provides that the legislation takes effect 10 business days after it is approved. The amendment adds an appropriations and allocations section.

### FISCAL NOTE REQUIRED

(See attached)