

## Draft Outline for Legislative Report

1. Executive Summary (should briefly summarize everything a legislator needs to know about this topic and fit on 2 pages)
  - a. Why notification is important?
  - b. Point out it's been a drawn out and contentious process
    - i. Explain why it's contentious
      1. Involves balancing the benefits of notification against the costs incurred by application
      2. Different sectors of applicators face different challenges depending on the number of properties they treat and the number of applications they make each year
  - c. Short background on statute
  - d. Key policy decision waiting for legislative input
  - e. 5 bullets on the 5 reporting topics in the statute
  - f. A few bullets on the important Board decisions to date for a comprehensive registry
  - g. What are the next steps
2. Full Legislative Report
  - a. Some background and history of the notification issue
    - i. 22 M.R.S.A. § 1471-R relating to budworm spraying and resulting Chapter 51
    - ii. "By request" option included in the 1987 drift rule
    - iii. Non-ag Registry arising from the outdoor notification committee of the early 1990s
    - iv. Board's proposed rule rejected by the Legislature in favor of PL 2009, Ch. 378
    - v. PL 2009, Ch. 378 is subsequently amended by PL 2009, Ch. 584
    - vi. Table summarizing existing notification requirements versus proposed comprehensive registry
  - b. Summary of important policy decisions
    - i. That the BPC is seeking input on
    - ii. That the BPC is in agreement on
    - iii. What to do with 22 M.R.S.A. § 1471-R
  - c. Brief summary of Board work to implement the registry for 2010 and a description of its operation
    - i. Number of people on each registry
    - ii. Discussion of concerns about placing personal information on the internet
    - iii. Discussion about concerns of malicious use of the registry
    - iv. State policy on open access to public information
  - d. Work/progress on developing the comprehensive registry (= reporting item #1) that includes a description of all the meetings, PIGMEs and the Public Health Committee
    - i. Complete list of Board recommendations for the comprehensive registry
    - ii. This would include recommendations on distances (= reporting item #2)
    - iii. Recommendations/feedback from the Public Health Committee
  - e. Overview of the PR campaign and survey (= reporting item #3)
  - f. Assessment of a signage requirement (= reporting item # 4)
  - g. Assessment of Internet-based mapping options to assist land managers in determining when notification will be required (= reporting item #5)
    - i. Point out that land managers will be provided a list of nearby registry participants but they will need to send emails themselves.
      1. Otherwise the email will be from the State of Maine
    - ii. Describe AAG concern about the role of the state in fulfilling regulatory requirements placed on the private sector
    - iii. Describe anticipated costs
  - h. Describe costs of the entire project so far and moving forward (I have no idea how we'll do this)
  - i. Next Steps
    - i. Receive feedback from ACF
    - ii. Initiate rulemaking consistent with recommendations described herein and feedback from the ACF
    - iii. Final Legislative review in early 2012 or designate notification as a "routine technical"
    - iv. Update existing statutes to be consistent with 22 M.R.S.A. § 1471-Z and AA