

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION
(EMERGENCY)

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1620

H. P. 1149

House of Representatives, January 6, 1964

The Committee on Natural Resources suggested.

HARVEY R. PEASE, Clerk

Presented by Mr. Wade of Skowhegan.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FOUR

**AN ACT Providing for Permits from Commissioner of Inland Fisheries and
Game for Aerial Spraying of Chemical Insecticides.**

Emergency preamble. Whereas, the regular session of the Legislature will not be held until January, 1965; and

Whereas, there exists a problem in managing our freshwater fisheries in the State; and

Whereas, this problem is caused by aerial spraying of chemical insecticides around the shores of great ponds and along the banks of rivers and streams; and

Whereas, aerial spraying of insecticides will again be done in some areas of the State early in May of 1964; and

Whereas, uncontrolled aerial spraying of chemical insecticides has caused financial loss to hundreds of citizens in the recreation business around some of our major lake resort areas; 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,

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 37, § 4-A, additional. Chapter 37 of the Revised Statutes, as revised, is amended by adding a new section 4-A, to read as follows:

'Sec. 4-A. Permits for aerial spraying. Any person, firm or corporation before engaging in aerial spraying of any chemical insecticide shall obtain a permit from the Commissioner of Inland Fisheries and Game.

Prior to the application of any type of chemical insecticide by the means of any type of aircraft, notification must be made to the commissioner. This notification must include the type, amount, area involved and any other pertinent information concerning the spraying of insecticides the commissioner may deem necessary and proper. After the application has been received by the commissioner, permission to apply the chemical insecticide may be issued.

No person, firm or corporation shall spray, distribute, deposit or otherwise apply, or cause to be sprayed, distributed, deposited or otherwise applied any chemical insecticide harmful to fish life on or within 300 feet of the shore of any great pond or on or within 300 feet of the bank of any river or stream by means of aircraft of any type. Such spraying of each body of water shall constitute a separate offense.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.