

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1647

H. P. 1318 House of Representatives, January 6, 1970
Committee on Appropriations and Financial Affairs suggested.
Presented by Mr. Faucher of Solon. BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

AN ACT to Provide for Black Fly Control.

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

Whereas, black fly populations have become increasingly severe with consequent disruptiveness to the welfare of inhabitants; and

Whereas, the welfare, comfort and work production of citizens, and inhabitants of resort areas, in certain sections is seriously affected by black flies; and

Whereas, it is necessary to establish, without further delay, control methods used in other states on a sound basis under Maine conditions; and

Whereas, the only method of black fly larval control must, by federal regulation, be done under some form of governmental supervision; and

Whereas, black fly larval control is the most effective method but must be started in late April or May with preparatory planning well in advance; 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:

Sec. 1. R. S., T. 12, c. 213, sub-c. VII, additional. Chapter 213 of Title 12 of the Revised Statutes is amended by adding a new subchapter, to read as follows:

**SUBCHAPTER VII
BLACK FLY CONTROL**

§ 1141. Purpose

To relieve the severe nuisance and adverse effects of black flies and their bites to citizens, and inhabitants of resort areas, the State Entomologist and his agents under the supervision of the Forest Commissioner is authorized to carry out control methods, by ground or aircraft, for black flies, in and for a sufficient area surrounding communities to be protected, to establish control of said flies. The same rights of entry for black fly surveys and control are empowered as are provided in sections 1002 and 1004.

To establish sound practices under Maine conditions, control shall be practiced for the first 2 years as a pilot study for the communities of Jackman, Carrabasset and Sugarloaf.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Forestry Department (Account 1236, Activity 6005) the sum of \$54,000 to carry out the purposes of this Act. The breakdown shall be as follows:

FORESTRY DEPARTMENT	1969-70	1970-71
Personal Services	(1) \$ 2,650	(1) \$ 2,650
All Other	21,850	21,850
Capital Expenditures	5,000	—
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	\$29,500	\$24,500

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

STATEMENT OF FACTS

The above appropriation is for the following:

Technician — salary	\$2,650
Technician — expense	\$1,850
Spray applications —	\$20,000
Fog machine —	\$5,000

Citizens and business men in the west central part of Maine assert that the nuisance and poisoning effects of black flies and their bites in the summer months severely disrupts their welfare, comfort and work production; secondly that the tourist-vacation-sportsman business in the area is extensively reduced; all to the detriment of the area's economy.

It is known to them that black fly control is practiced successfully in other areas, notably in the mountain-resort areas of New York State. Successful control in these people's minds should be supervised by competent men familiar with black fly habits and breeding places, and experienced in insect control programs. Secondly, the area is so large that the State, through trained men, should supply the supervisory personnel and funding. Finally, the current allowable use of insecticides against black fly larvae (breeding young) is restricted, by federal regulation, to programs under some form of governmental supervision.