

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1544

H. P. 1126

House of Representatives, March 16, 1971

Referred to Committee on Natural Resources. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Smith of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Regulating the Application of Pesticides in Water.

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

Sec. 1. R. S., T. 22, § 1454-A, additional. Title 22 of the Revised Statutes is amended by adding a new section 1454-A, to read as follows:

§ 1454-A. Aquatic application; permits

No person, firm, corporation or other legal entity shall apply pesticides to or in any river or stream or tributary thereof, or any great pond, without a permit from the board.

Applications for such permits shall be made, on such forms and containing such information as the board may require, at least 30 days prior to the date on which the applicant proposes to commence the application of pesticides for which the permit is sought.

If, on the basis of the application for the permit, the board finds that the proposed application of pesticides will conform to applicable laws and regulations and is unlikely to adversely affect any plant or animal life, other than that sought to be controlled, it may grant the permit.

Any permit to apply pesticides granted by the board under this section may contain such reasonable terms and conditions with respect to such application as in the board's determination may be necessary to insure compliance with applicable laws and regulations and to protect plant and animal life other than that sought to be controlled.

Sec. 2. R. S., T. 22, § 1455, amended. Section 1455 of Title 22 of the Revised Statutes, as enacted by chapter 447 of the public laws of 1965, is

amended by adding a new paragraph at the end to read as follows:

The board may provide, in any permit granted pursuant to section 1454-A, that the permittee submit to reasonable periodic inspections, by authorized employees of the board or of agencies represented on the board, of its pesticide application procedures conducted under such permit, the reasonable cost of such inspection to be borne by the permittee.

Sec. 3. R. S., T. 22, § 1458, amended. Section 1458 of Title 22 of the Revised Statutes, as enacted by chapter 447 of the public laws of 1965, is amended to read as follows:

§ 1458. Reports

The board may, by regulation, require licensees **and permittees** to maintain such records and furnish reports giving such information with respect to particular applications of pesticides as it may deem necessary.

Sec. 4. R. S., T. 22, § 1461, amended. The 2nd sentence of section 1461 of Title 22 of the Revised Statutes, as enacted by chapter 447 of the public laws of 1965, is amended to read as follows:

Each day that any person operates without a license **or permit** required by this chapter shall be considered a separate offense.

STATEMENT OF FACT

The purpose of this bill is to regulate the application of pesticides in water and provide penalties for violation.