

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1508

H. P. 1253

House of Representatives, March 29, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Michael of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Consolidate Aquatic Pesticide Permits into One Agency.

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

Sec. 1. 22 MRSA § 1471-E, as amended by PL 1977, c. 20, § 4, is repealed and the following enacted in its place:

§ 1471-E. Aquatic application, permit required

No person shall apply or cause to be applied a pesticide to the waters of the State without obtaining a waste discharge license from the Department of Environmental Protection pursuant to Title 38, chapter 3, subchapter I, Article 2.

Sec. 2. 38 MRSA § 371-A, sub-§ 3, as enacted by PL 1977, c. 373, § 31, is amended to read:

3. Exemption. Aquatic chemical applications approved by the Board of Pesticides Control Environmental Protection shall be exempt from the "no discharge" provision.

Sec. 3. 38 MRSA § 413, sub-§ 2-A, as enacted by PL 1977, c. 373, § 32, is repealed.

Sec. 4. 38 MRSA § 414-A, sub-§ 1, ¶ E is enacted to read:

E. A pesticide discharge is unlikely to exert a significant adverse impact on nontarget species. This standard shall only be applicable to applications to discharge pesticides.

STATEMENT OF FACT

The purpose of this bill is to eliminate an existing duplicate licensing procedure for persons who wish to apply pesticides to water. The bill provides that only the Board of Environmental Protection will grant or deny a license instead of both it and the Board of Pesticides Control. The existing substantive standards will remain unchanged.