

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1115

S. P. 373

In Senate, March 4, 1981

Referred to the Committee on Agriculture. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Wood of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Clarify the Definition of Commercial Applicator in the Maine Pesticides Control Act of 1975.

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

22 MRSA § 1471-C, sub-§ 5, as repealed and replaced by PL 1977, c. 20, § 1, is amended to read:

5. Commercial applicator. "Commercial applicator" means any person, whether or not the person is a private applicator with respect to some uses, who uses or supervises the use of any limited or restricted-use pesticides on any property other than as provided by subsection 22, or who uses general-use pesticides in custom application on such property or who applies any pesticide from an aircraft. "Commerical applicator" also includes state and municipal employees who use or supervise the use of any pesticide on any property.

STATEMENT OF FACT

The purpose of this bill is to close 2 gaps in the current statutes regarding licensing of pesticide applicators. First, the statutes do not require large landowners who use their own equipment and employees to aeriaily spray with general-use pesticides to have their employees certified. This bill would classify those employees as commercial applicators and thereby ensure that they have knowledge and skill in pesticide application. Second, the statutes do not appear to

require public employees who apply general-use pesticides, often in populated areas, to have knowledge and skill in pesticide application. This bill would clarify the situation by classifying those employees as commercial applicators and thereby ensuring that they have at least some degree of skill and knowledge in pesticide application. Board of Pesticides Control regulations already so classify public employees, but there is some question as to whether they have sufficient statutory foundation to be enforceable.