## MAINE STATE LEGISLATURE

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	(New	Draft	of S.	P. 348	, L.D.	1022	)	
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Legislativ	e Docum	nent				<del>-</del>	No	o. 1602
S.P. 553						In Sena	te, May 1	2, 1983
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<b>Sec</b> PL 1975	. 1. 3	<b>7 MRS</b> 82, §3	A §60 , is a	6, sub mended	-§2, ¶	F, as	enacte	ed by
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- to define what constitutes chemical trespass or
  off-target drift by June 1, 1984.
- 3 Sec. 3. 7 MRSA §607-A is enacted to read:
  - §607-A. Review or reregistration

- 1. Review required. The commissioner review all chemical pesticides used in this State, in accordance with the requirements of this section. This review shall be completed for presently regis-tered pesticides on a schedule to be determined by the commissioner, with restricted use pesticides and the most widely used pesticides receiving priority, and within 3 years for pesticides registered after the effective date of this section.
- 2. Review process. In cooperation with technical personnel of the Department of Environmental Protection; the Department of Inland Fisheries and Wildlife; the Department of Human Services; and the
  Department of Conservation, specifically the Maine
  Forest Service, the commissioner shall conduct a
  review to include the following:
  - A. An environmental risk assessment to determine the effects of pesticides on the ecosystem. This assessment is to be based on available literature. The commissioner shall request data that he determines necessary to carry out the purpose of this chapter, but, when the literature is not available, is inadequate or incomplete, this assessment shall be based on an environmental monitoring protocol;
  - B. A health risk assessment, based on a literature search of laboratory, clinical and epidemiological data available within and without the State. The commissioner shall request data he determines necessary to carry out the purpose of this chapter; and
  - C. A water residue survey to determine a representative sample of a number of wells or bodies of water, either at random, in areas of possible contamination or at other bases to be described by the commissioner, for the purpose of testing

- these waters and preparing a profile of the kinds and amounts of pesticides present.
- 3. Effect of review on reregistration. If the reviews in this section demonstrate that the impact of the pesticide on the ecosystem warrants additional health or environmental safeguards, the commissioner shall require implementation of those safeguards prior to reregistration.
  - Sec. 4. 7 MRSA §611, sub-§3 is enacted to read:
  - 3. Repeated violations. The commissioner shall record all violations of this chapter and Title 22, chapter 258-A, including the name of the owner of the land on which the pesticides were intended to be applied, the name of the licensed pesticides applicator and the name of the person who contracted the pesticide application services. The commissioner shall identify persons who repeatedly violate provisions relating to pesticide use and recommend to the Attorney General methods to prevent these repeated violations.

## 21 STATEMENT OF FACT

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This new draft clarifies the purpose of the bill. It requires the Board of Pesticides Control to define trespass is. It requires the Board of what chemical Pesticides Control to review the effects of all chemical pesticides used in Maine with newly pesticides to be reviewed within 3 years. registered The board is also charged with responsibilities to conduct on environmental and health effects using available information whenever possible. This new draft carries a \$40,000 appropriation request for the biennium, \$30,000 for starting up the process of systematic review for environmental risk assessment and \$10,000 in the 2nd year of the biennium for carrying both this work and health risk assessment. A continuing appropriation of \$10,000 is needed to ongoing work after this initial 2-year period.

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