

MAINE STATE LEGISLATURE

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(New Draft of S.P. 348, L.D. 1022)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1602

S.P. 553

In Senate, May 12, 1983

Reported by Senator Wood of York from the Committee on Agriculture and printed under Joint Rule 2.

Original bill presented by Senator Brown of Washington. Cosponsored by Representative Michael of Auburn and Senator Wood of York.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

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

AN ACT to Protect the Public from
Unsafe Pesticide Use.

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

Sec. 1. 7 MRSA §606, sub-§2, ¶F, as enacted by PL 1975, c. 382, §3, is amended to read:

F. For any person to refuse or otherwise fail to comply with the provisions of this subchapter, the regulations adopted hereunder, or of any lawful order of the commissioner; or

Sec. 2. 7 MRSA §606, sub-§2, ¶G is enacted to read:

G. For any person to apply pesticides in a manner which results in off-target residues. The Board of Pesticides Control shall issue standards

1 to define what constitutes chemical trespass or
2 off-target drift by June 1, 1984.

3 Sec. 3. 7 MRSA §607-A is enacted to read:

4 §607-A. Review or reregistration

5 1. Review required. The commissioner shall
6 review all chemical pesticides used in this State,
7 in accordance with the requirements of this section.
8 This review shall be completed for presently regis-
9 tered pesticides on a schedule to be determined by
10 the commissioner, with restricted use pesticides and
11 the most widely used pesticides receiving priority,
12 and within 3 years for pesticides registered after
13 the effective date of this section.

14 2. Review process. In cooperation with techni-
15 cal personnel of the Department of Environmental Pro-
16 tection; the Department of Inland Fisheries and Wild-
17 life; the Department of Human Services; and the
18 Department of Conservation, specifically the Maine
19 Forest Service, the commissioner shall conduct a
20 review to include the following:

21 A. An environmental risk assessment to determine
22 the effects of pesticides on the ecosystem. This
23 assessment is to be based on available litera-
24 ture. The commissioner shall request data that
25 he determines necessary to carry out the purpose
26 of this chapter, but, when the literature is not
27 available, is inadequate or incomplete, this
28 assessment shall be based on an environmental
29 monitoring protocol;

30 B. A health risk assessment, based on a litera-
31 ture search of laboratory, clinical and
32 epidemiological data available within and without
33 the State. The commissioner shall request data
34 he determines necessary to carry out the purpose
35 of this chapter; and

36 C. A water residue survey to determine a repre-
37 sentative sample of a number of wells or bodies
38 of water, either at random, in areas of possible
39 contamination or at other bases to be described
40 by the commissioner, for the purpose of testing

