

# MAINE STATE LEGISLATURE

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1 (New Draft of S.P. 350, L.D. 978)  
2 (New Title)  
3 FIRST REGULAR SESSION  
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5 ONE HUNDRED AND TWELFTH LEGISLATURE  
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7 Legislative Document

No. 1458

9 S.P. 545

In Senate, May 2, 1985

10 Reported by Minority Report from the Committee on Energy and  
11 Natural Resources and printed under Joint Rule 2. Original bill sponsored by  
12 Senator Brown of Washington. Cosponsored by Representative Mitchell of  
Freeport and Representative Willey of Hampden.

JOY J. O'BRIEN, Secretary of the Senate

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14 STATE OF MAINE  
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16 IN THE YEAR OF OUR LORD  
17 NINETEEN HUNDRED AND EIGHTY-FIVE  
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19 AN ACT to Reduce Public Health Risks in  
20 Spruce Budworm Control Efforts.  
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22 Be it enacted by the People of the State of Maine as  
23 follows:

24 7 MRSA §607-A, sub-§4 is enacted to read:

25 4. Spruce budworm insecticide review. The com-  
26 missioner shall give priority in the review to those  
27 insecticides used in the control of spruce budworm.  
28 The review of these materials shall be completed no  
29 later than September 1, 1986.

30 A. Following the review of these insecticides,  
31 the commissioner shall designate one which poses  
32 the lowest risks to human health and the environ-  
33 ment as the preferred alternative. The insecti-  
34 cide so designated shall be the only insecticide  
35 registered for spruce budworm control.

1 B. Other insecticides reviewed under this sub-  
2 section may be given reserve status registration  
3 if they meet all other requirements of this chap-  
4 ter.

5 C. An insecticide which has reserve status reg-  
6 istration for control of spruce budworm may be  
7 used for a period of one year in place of or in  
8 conjunction with other insecticides registered  
9 for budworm control if the commissioner finds,  
10 after consulting with the Director of the Maine  
11 Forest Service and after public notice and hear-  
12 ing, that:

13 (1) The insecticides registered for spruce  
14 budworm control are not available in ade-  
15 quate quantities or in a timely manner; or

16 (2) The insecticides registered for spruce  
17 budworm control will not provide adequate  
18 control under the special conditions antici-  
19 ipated during the upcoming control season.  
20 These special conditions may include insect  
21 population densities and trends, stand con-  
22 ditions and unreasonable and significant  
23 cost differentials between the alternative  
24 control measures.

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STATEMENT OF FACT

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The purpose of this new draft is to establish, as a matter of state policy and practice, that insecticides used in the control of spruce budworm infestations should be the safest available even if some premium in cost is necessary to achieve this protection of Maine's citizens and wildlife.

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This new draft requires the State to designate a safe "insecticide of choice" on the basis of risk to human health and the environment. However, other insecticides which meet the general provisions of Maine law may be used if special conditions clearly justify the higher risk.

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