

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND THIRTEENTH LEGISLATURE
4

5 Legislative Document
6

NO. 102

7 H.P. 93 House of Representatives, January 27, 1987
8 Reference to the Committee on Agriculture suggested and
ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative TARDY of Palmyra.

Cosponsored by Representatives PARENT of Benton and
HUSSEY of Milo.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SEVEN
16

17 AN ACT to Ensure Uniformity in Pesticide
18 Regulation.
19

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

22 Sec. 1. 7 MRSA §603, as enacted by PL 1975, c.
23 382, §3, is amended by adding at the end a new para-
24 graph to read:

25 Except as otherwise specifically provided in this
26 subchapter or in Title 22, chapter 258-A, no ordi-
27 nance or regulation of a municipality, including, but
28 not limited to, an action by a local governmental
29 agency or department, board of county commissioners
30 or a town or city council or a local regulation
31 adopted by the use of an initiative or referendum
32 measure, may prohibit or in any way attempt to regu-

1 late any matter relating to the labeling, distribu-
2 tion, storage, transportation, use or disposal of
3 pesticides as defined in section 604, and any of
4 these ordinances, laws or regulations are void and of
5 no force or effect.

6 Sec. 2. 22 MRSa §1471-A, as amended by PL 1983,
7 c. 542, §§1 and 3, is further amended by adding at
8 the end a new paragraph to read:

9 Except as otherwise specifically provided in this
10 chapter or in Title 7, chapter 103, subchapter II-A,
11 no ordinance or regulation of a municipality, includ-
12 ing, but not limited to, an action by a local govern-
13 mental agency or department, board of county commis-
14 sioners or a town or city council or a local regula-
15 tion adopted by the use of an initiative or referen-
16 dum measure, may prohibit or in any way attempt to
17 regulate any matter relating to the sale and applica-
18 tion of chemical pesticides, fungicides, herbicides
19 and other chemical pesticides, and any of these ordi-
20 nances, laws or regulations are void and of no force
21 or effect.

22 STATEMENT OF FACT

23 Currently, the Board of Pesticides Control and
24 various municipalities are both enacting rules and
25 regulations in the area of pesticides control. The
26 bill assures uniformity on this field by giving the
27 board's rules a preemptive effect over all other reg-
28 ulations.

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