

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 941

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H.P. 690

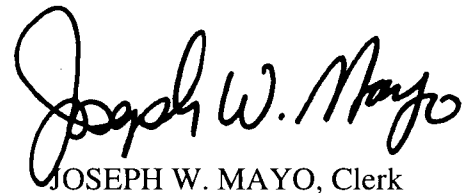
House of Representatives, March 21, 1995

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**An Act to Clarify the Board of Pesticides Control Authority Regarding  
Restricted Use Pesticides and Groundwater Contamination.**

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative SHIAH of Bowdoinham.  
Cosponsored by Representatives: CHARTRAND of Rockland, HEESCHEN of Wilton,  
JONES of Bar Harbor, SAMSON of Jay, VOLENIK of Sedgwick, Senators: BUSTIN of  
Kennebec, PINGREE of Knox.

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

2           **Sec. 1. 7 MRSA §604, sub-§30**, as enacted by PL 1975, c. 382,  
4 §3, is amended to read:

6           **30. Restricted use pesticide.** "Restricted use pesticide"  
means any pesticide or pesticide use classified for restricted  
8 use by the Administrator, EPA or the board.

10           **Sec. 2. 7 MRSA §606, sub-§2, ¶G**, as repealed and replaced by  
PL 1985, c. 506, Pt. A, §6, is amended to read:

12           G. For any person to apply pesticides in a manner  
14 inconsistent with rules for pesticide application adopted by  
the board, which rules are must be designed to minimize  
16 pesticide drift and groundwater contamination to the maximum  
extent practicable under currently available technology.  
18 Without limitation, these rules may prescribe procedures to  
be used for the application of pesticides, including the  
20 time, place, manner and method of that application, may  
restrict or prohibit use of pesticides in designated areas  
22 or during specified periods of time and may prescribe spray  
drift tolerance levels for pesticide residues in off-target  
24 areas. ~~The board shall propose the rules by June 15, 1985.~~

26           **Sec. 3. 7 MRSA §610, sub-§2, ¶C**, as amended by PL 1989, c.  
878, Pt. E, §9, is further amended to read:

28           C. Labeling requirements of all pesticides required to be  
30 registered under provisions of this subchapter, provided  
that such regulations shall may not impose any requirements  
32 for federally registered labels in addition to or different  
from those required pursuant to FIFRA; and

34           **Sec. 4. 7 MRSA §610, sub-§2, ¶D**, as enacted by PL 1975, c.  
36 382, §3, is amended to read:

38           D. Specifying classes of devices ~~which shall be~~ subject to  
the provisions of section 605, subsection 1, and

40           **Sec. 5. 7 MRSA §610, sub-§2, ¶E** is enacted to read:

42           E. Classification of any pesticides for restricted use,  
44 consistent with the purposes of this subchapter and of the  
groundwater protection laws as set forth in Title 38,  
46 chapter 3, article 1-B.

48           **Sec. 6. 22 MRSA §1471-C, sub-§23**, as amended by PL 1979, c.  
50 731, §19, is further amended to read:

