

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 406

H.P. 322

House of Representatives, January 29, 2007

**An Act To Prohibit Aerial Spraying of Pesticides near Buildings,
Roads and Bodies of Water**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SCHATZ of Blue Hill.
Cosponsored by Representatives: BLISS of South Portland, EBERLE of South Portland,
FAIRCLOTH of Bangor, Senator: DAMON of Hancock.

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

2 **Sec. 1. 22 MRSA §1471-Y** is enacted to read:

3 **§1471-Y. Prohibition on aerial spraying in certain areas**

4 In addition to requirements for forest insect aerial spray projects under section 1471-
5 R, the buffers established under this section apply to all applications of pesticides from
6 aircraft.

7 **1. Buffer for buildings.** A person may not apply a pesticide within 300 feet of a
8 school, hospital, nursing home, church, residence or any building occupied by humans at
9 the time of the application.

10 **2. Buffer for public roads.** A person may not apply a pesticide within 25 feet of the
11 right-of-way of a public road. For the purposes of this section, "public road" has the
12 same meaning as "public way" as defined in Title 29-A, section 101, subsection 59.

13 **3. Buffer for bodies of water.** A person may not apply a pesticide over a body of
14 water or within the shoreland area of a body of water as defined in rules adopted to
15 regulate timber harvesting activities under Title 12, section 8867-B.

16

SUMMARY

17 This bill establishes buffers where aerial spraying of pesticides is prohibited.