

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 993

H.P. 694

House of Representatives, March 14, 2017

An Act To Protect Pollinators from Neonicotinoid Pesticides

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DEVIN of Newcastle.

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

2 **Sec. 1. 7 MRSA c. 419** is enacted to read:

3 **CHAPTER 419**

4 **NEONICOTINOID PESTICIDES**

5 **§2471. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Certified applicator.** "Certified applicator" has the same meaning as in Title 22,
9 section 1471-C, subsection 4.

10 **2. Licensed veterinarian.** "Licensed veterinarian" has the same meaning as in Title
11 32, section 4853, subsection 5.

12 **3. Neonicotinoid pesticide.** "Neonicotinoid pesticide" means any pesticide
13 containing a chemical belonging to the neonicotinoid class of chemicals, including
14 imidacloprid, nithiazine, acetamiprid, clothianidin, dinotefuran, thiacloprid,
15 thiamethoxam and any other chemical designated by the commissioner by rule as
16 belonging to the neonicotinoid class of chemicals.

17 **4. Nursery stock.** "Nursery stock" means any of the following:

18 A. A hardy plant, whether cultivated, native or wild, that is capable of surviving a
19 Maine winter, including, but not limited to, a deciduous tree, evergreen tree, shrub or
20 woody vine, and all viable parts of that plant;

21 B. A nonhardy plant that is cultivated in the State for distribution in another state that
22 requires plant inspection and certification before entering that other state, and all
23 viable parts of that plant; or

24 C. Any other plant for which, as determined by the commissioner, regulation of the
25 movement of the plant is necessary to control a dangerous plant pest.

26 **5. Plant pest.** "Plant pest" has the same meaning as in section 2211, subsection 6.

27 **6. Restricted use pesticide.** "Restricted use pesticide" has the same meaning as in
28 Title 22, section 1471-C, subsection 23.

29 **§2472. Labeling**

30 A person may not sell at retail in the State any seed, plant material, nursery stock,
31 annual plant, bedding plant or other plant that has been treated with a neonicotinoid
32 pesticide unless the seed, plant material, nursery stock, annual plant, bedding plant or
33 other plant bears a label, or is placed within the retail location in close proximity to a
34 prominently displayed sign, that includes the following statement:

