

# 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 scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**SECOND SPECIAL SESSION**

November 18, 1983

AND AT THE

**SECOND REGULAR SESSION**

January 4, 1984 to April 25, 1984

AND AT THE

**THIRD SPECIAL SESSION**

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

---

J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

---

---

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND ELEVENTH LEGISLATURE  
JANUARY 4, 1984 TO APRIL 25, 1984

---

---

within such region and to prevent air pollution. The board shall determine by rule the extent to which those standards apply within those areas to which the public does not have general access.

Effective July 25, 1984.

---

---

## CHAPTER 761

S.P. 848 - L.D. 2306

AN ACT to Amend the Act to  
Protect the Public from Unsafe  
Pesticide Use.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, by Public Law 1983, chapter 558, section 2, the Legislature enacted a prohibition on the application of pesticides resulting in off-target residues and ordered the Pesticides Control Board to establish standards to define what constitutes chemical trespass or off-target drift by June 1, 1984; and

Whereas, there are currently over 3,500 pesticide formulations used in Maine and it is not feasible to complete meaningful assessment of risks associated with nontarget residues within the June 1, 1984, deadline; and, therefore, it is not feasible to set reasonable standards based on reliable information within that deadline; and

Whereas, necessary application of agricultural or silvacultural pesticides could be seriously impaired or potentially halted under Public Law 1983, chapter 558, section 2, unless that enactment is repealed and replaced immediately; and

Whereas, the intent of the Legislature, in enacting Public Law 1983, chapter 558, was to insure that spraying takes place in a manner that reasonably protects the public from unsafe and inappropriate pesticide uses; and

Whereas, there is continuing public concern about the application and safety of pesticides, particularly applications that may result in drift to nontarget areas and organisms leading to possible risks to human health and the environment; and

Whereas, a study and a conference sponsored by the board reveals methods minimizing pesticide drift which are more feasible than those contemplated in Public Law 1983, chapter 558, section 2; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 7 MRSA §606, sub-§2, ¶G, as enacted by PL 1983, c. 558, §2, is repealed

Sec. 2. 7 MRSA §606, sub-§2, ¶G, as enacted by PL 1983, c. 558, §2, is repealed and the following enacted in its place:

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

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 13, 1984.

---

## CHAPTER 762

H.P. 1702 - L.D. 2240

AN ACT to Extend the Reporting Date for  
the Select Workers' Compensation Study  
Commission.