

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 THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1989

RESOLVES

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

questions have been arising recently about the regulation of pesticides. There is widespread concern in the agricultural community that increased municipal regulation of pesticides will create an uneven regulatory environment for farmers. Farmers could experience a severe impact because their ability to compete in regional and national markets depends on the use of standard agricultural practices that include the use of pesticides. The Legislature finds that at least one utility and one town have been in conflict over the prohibition of right-of-way spraying by the town's ordinance. The Legislature also finds that some citizens are concerned over the adequacy of state regulation alone and that questions have arisen concerning the adequacy of federal regulation and the appropriateness of more restrictive state regulation; and be it further

Study. Resolved: That the Joint Standing Committee on Agriculture shall study the regulation of pesticides, including any municipal regulation of the labeling, distribution, storage, transportation, use or disposal of pesticides. The study shall focus primarily on the impact of municipal regulation on agricultural use of pesticides, with some attention on impacts to right-of-way spraying and other uses of pesticides; and be it further

Report. Resolved: That the Joint Standing Committee on Agriculture shall report the findings and recommendations of the study to the Second Regular Session of the 113th Legislature by January 5, 1988, together with any recommended legislation. The report shall include: A review of the various ongoing studies of pesticide regulation; a descriptive survey of the present status of pesticide regulation, including the relationship between the responsibilities of the Federal Government, the various state agencies and the municipalities; and a discussion of the legal, economic, environmental and social welfare impacts of the municipal regulation of pesticides and a description of policies and methods capable of protecting the interests of citizens, municipalities, farmers and other users of pesticides, including, but not limited to, model guidelines for municipal regulation and, if appropriate, legislation clarifying state and municipal roles; and be it further

Participation and staff assistance. Resolved: That participation and input will be requested from interested groups, including the Board of Pesticides Control, the Maine Municipal Association, the Maine Farm Bureau Association and other agricultural organizations, the Natural Resources Council, Central Maine Power Company and any other interested parties. Staff assistance shall be requested from the Legislative Council; and be it further

Compensation. Resolved: That the Legislators conducting the study shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance and shall receive reimbursement for expenses upon application to the Executive Director of the Legislative Council; and be it further

Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1987-88

LEGISLATURE

Study Commission — Funding

Personal Services	\$2,640
All Other	4,000
	.
Total	\$6,640

Provides funds for the study by the Joint Standing Committee on Agriculture, including legislative per diem, travel and related expenses, notification of public hearing and printing of the final report.

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

Effective June 26, 1987.

CHAPTER 51

S.P. 634 — L.D. 1856

Resolve, to Develop a Plan for the Administration of Workers' Compensation Claims of State Employees.

Workers' compensation claims' plan. Resolved: That the Commissioner of Administration shall develop a plan to transfer responsibility for administration of all workers' compensation claims filed against the State to the department. The plan shall include a requirement that the department include in its budget request a line item identified as workers' compensation; and be it further

Report to the Legislature. Resolved: That the Commissioner of Administration shall report the plan, findings and recommendations and any necessary implementing legislation to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 6, 1988.

Effective September 29, 1987.

CHAPTER 52

H.P. 1359 — L.D. 1861

Resolve, to Reconstitute the 9-1-1 Study Commission.

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