



128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1853

S.P. 700

In Senate, March 1, 2018

**An Act To Ensure the Safe and Consistent Regulation of Pesticides
throughout the State by Providing Exemptions to Municipal
Ordinances That Regulate Pesticides**

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

Handwritten signature of Heather J.R. Priest in cursive.

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin. (GOVERNOR'S BILL)

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

2 **Sec. 1. 22 MRSA §1471-U, sub-§4**, as repealed and replaced by PL 1989, c. 93,
3 §1, is amended to read:

4 **4. Intent.** It is the intent of this section to provide information on municipal
5 ordinances. ~~This section shall not affect municipal authority to enact ordinances.~~

6 **Sec. 2. 22 MRSA §1471-U, sub-§6** is enacted to read:

7 **6. Ordinance applicability.** A municipal ordinance specifically regulating the use
8 of pesticides may not apply to:

9 A. A person licensed or certified under section 1471-D. A person licensed or
10 certified under section 1471-D shall maintain accurate records on product use and
11 applications to property, which must be available at any time for audit or inspection
12 by the board; or

13 B. A private applicator applying a pesticide, subject to restrictions under a municipal
14 ordinance, when that private applicator is producing an agricultural or horticultural
15 commodity on property owned, leased or rented by the private applicator in
16 accordance with board rules.

17 **SUMMARY**

18 This bill provides that municipal ordinances that regulate the use of pesticides do not
19 apply to commercial applicators and spray contracting firms and to private applicators
20 when the private applicators are producing agricultural or horticultural commodities.