



# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1853

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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**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

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2 **Sec. 1. 22 MRSA §1471-U, sub-§4**, as repealed and replaced by PL 1989, c. 93,  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.