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**From:** George & Patty Egbert  
**Sent:** Tuesday, May 09, 2017 2:54 PM  
**To:** Pesticides  
**Subject:** Support of LD 1505

Maine Board of Pesticides Control,

I am writing to express support for Maine's Legislative Document 1505, An Act to Create Consistency in the Regulation of Pesticides.

My name is George Egbert, and I am a resident of Gorham. Both as a citizen and as a professional in the lawn care industry, I support this legislation to bring consistency to pesticide regulations, reduce uncertainty and to remove duplicative efforts. The continued ability to choose state approved products to combat pests and invasive pressures, if the need arises, will ensure protection of family, property and community. When questions arise about regulations, resources or other pesticide matters, having the Board of Pesticides Control as the central resource and authority on pesticides will continue to be invaluable to the lawn care industry and residents of the State of Maine.

I encourage your support of LD 1505 as I believe it would strengthen existing state regulations of pesticides and recognize both the Board of Pesticides Control and Department of Agriculture, Forestry and Conservation's expertise, resources and authority on pesticide matters. Thank you for your time.

Sincerely,

George Egbert  
Gorham

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**From:** Adam Carace  
**Sent:** Wednesday, May 10, 2017 10:05 AM  
**To:** Pesticides  
**Subject:** LD 1505

To Whom It May Concern:

As I am sure you are aware Governor LePage has proposed Bill LD1505. Attached is a letter that I would like you to share with all board members regarding this issue.

Thank you,  
Adam  
Pest-End Inc.



## Pest-End, Inc.

15 Pelham Street  
Methuen, MA 01844  
(978) 794-4321 Fax (978) 688-8344  
pestendinc.com

P.O. Box 185  
Plaistow, NH 03865  
(603) 382-9644 Fax (603) 382-9525  
pestendinc.com

May 5, 2017

### Support LD 1505 - An Act to Create Consistency in the Regulation of Pesticides

Dear Legislator,

Pest-End Inc. would like to reiterate our support for **LD 1505 - An Act to Create Consistency in the Regulation of Pesticides**. Our company manage dangerous and deadly pests in countless commercial, residential, and institutional settings. From fighting mosquitoes and ticks that transmit dangerous and deadly diseases, protecting America's food from cockroaches and rodents, defending businesses and homes from structure-crippling termites, to specializing in bed bug eradication-pest management professionals are defenders of public health and property and a catalyst for the economy.

Thank you for granting the Pest-End Inc. the opportunity to share our views on the importance of protecting public health in Maine. With Lyme disease, the deadly Powassan virus, and countless other threats to public health prevalent in our state, we think it is important to address some of the falsehoods and misinformation disseminated by those that oppose a uniform set of pesticide regulations to better protect citizens and the environment in Maine.

- **Local Pesticide Ordinances are Legislated by Fear and Enforced by Individuals that Lack Technical Expertise:** A notable amount of local pesticide ordinances are enforced by municipal employees lacking the appropriate education compared to the Maine Board of Pesticides Control (MBPC), which is comprised of scientific experts holding doctorates and other advanced degrees. Decisions about the manufacture, sale and use of pesticides should reside with the experts that have the resources (MBPC) and not well intentioned municipal civil servants being pressured by irrational and emotional arguments that are not based in sound science.
- **Local Pesticides Ordinances are NOT Better at Protecting Wildlife:** Countless claims that local ordinances are better at protecting marine and other wildlife are also unfounded. In 2008, the State of Maine enacted 25' pesticide buffer zones when controlling for browntail moths among other precautionary safeguards for marine wildlife—resulting in more stringent pesticide regulations compared to those previously enacted by many localities. This is one prominent example of the state government reacting to environmental concerns appropriately, effectively, and swiftly. State regulations and wildlife protections are also enforced by scientific experts, ensuring effective wildlife protection compared to the enforcement of local ordinances by individuals who are uneducated in this field.



## UNCLE Pest-End, Inc.

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- **LD 1505 Will Not Violate Any Home Rule Constitutional Authority:** The power to enact statewide legislation is vested in the state legislature, and laws passed by state legislature preempt existing and future laws enacted by municipalities regardless of the “home rule” amendment and statute. Examples of statutes and fields that the state has reserved some exclusive authority include but are not limited to: the sale and distribution of food and drugs, driving licensure laws, licensing fees for hunting and trapping, ride sharing laws (e.g. Uber & Lyft), and licensing laws for several vital professions including health care providers. As my elected official in the legislative body, you have the power to enact laws that benefit and protect me and I support vesting the regulation of pesticides with the experts at the Maine Board of Pesticide Control.

Dangerous and deadly pests aren’t restricted by municipality geography and the laws that help combat them shouldn’t be either. To best protect Maine businesses, families and homes it is paramount to have a uniform set of regulations. Hundreds of contradictory and overlapping regulations differing from locality to locality could lead to situations where certain vital tools could be used to protect one community but not the other leading to an outbreak resulting in harm to both communities—jeopardizing public health. The lack of uniformity reduces business climate certainty and increases consumer costs, without a commensurate improvement in human health or the environment.

Maine remains one of a handful of states that has not statutorily vested all pesticide regulation power to their state lead agency. Passage of this bill will ensure the regulation of pesticides remains exclusively vested with the Maine Board of Pesticides Control where it belongs.

As protectors of public health in Maine, pest management professionals urge you to pass LD 1505.

Sincerely,

Adam Carace  
Pest-End Exterminators  
& Pro-Tech Lawn Care

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**From:** Jay - Old Farm Christmas  
**Sent:** Tuesday, May 09, 2017 6:01 PM  
**To:** Pesticides  
**Subject:** L.D. 1505

Ladies and Gentlemen:

I am writing in support of L.D. 1505. As a resident, land owner and farmer in Maine, I am concerned by the recent trend of local municipalities' drafting local ordinances controlling the use of pesticides. I feel that most of these efforts are ideology and emotion driven and ignore best practices (IPM) and science in determining when and how to use chemical control of pests. I do not believe that local authorities and interest groups possess the expertise or the bent to rationally evaluate or regulate anything related to the use of pest control methods, and I am certain that the US EPA and the state Board of Pesticide Control are far better equipped to consider these matters. As we all know, given enough time and attempts one could pass a referendum on nearly anything; I think that the complex and important issues surrounding use of pesticides in Maine should be dealt with at the state level to ensure rational, responsible and safe regulation.

Best regards,  
Jay Cox

The Old Farm Christmas Place, and  
The Old Farm Store, LLC  
1148 Sawyer Road  
Cape Elizabeth, ME 04107  
Ph: 207-799-0096  
Fx: 207-799-0154  
[jayc@oldfarmchristmas.com](mailto:jayc@oldfarmchristmas.com)  
[www.oldfarmchristmas.com](http://www.oldfarmchristmas.com)

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**From:** June Boston  
**Sent:** Wednesday, May 10, 2017 8:45 AM  
**To:** Pesticides  
**Subject:** LD 1505

Hello, I am in support of LD 1505. The towns and cities do not have expertise or even the ability to enforce the regulations. For example in Ogunquit, which passed no pesticides regulations a couple of years ago, the town employees dumped rat poison on the beach rock areas to control rats, killing birds. Some people will "do their own" pesticide applications. In that case, even the town itself, putting themselves and others at risk.

I am also very concerned about ticks and the Powassan virus. Will my town pass regulations banning pesticides? Is my health at risk? Who is liable?

Thank You

June Boston  
Boston Co. Golf & Athletic Fields  
207-384-5622  
[www.boston-co.com](http://www.boston-co.com)

-----Original Message-----

From:

Sent: Wednesday, May 10, 2017 10:30 AM

To: Pesticides

Subject: LD1505

Hello,My name is George Buck, owner of Evergreen Golf Club up here in Rangeley and my app.# is cma43074/3b. I just want to add my support for the bill LD1505,for a few reasons first, I feel that town and city officials don't have the knowledge they need to make these decisions.Also I think they can be swade by activists, who have an agenda which can be exaggerated,to cause fear. You on the board realize the testing and caution we applicators use everyday is done with care for safety. The people who oppose the use of pesticides usually are unwilling to listen to reason or the facts about their nessary use. So I think towns and cities should have to consult with both sides of this issue and have public hearings followed by a vote by the community,but to let the officials just take a vote is wrong, thank you for your time, George Buck

**From:** Mike Peaslee  
**Sent:** Wednesday, May 10, 2017 12:20 PM  
**To:** Pesticides  
**Subject:** Submission for members of the Board of Pesticides Control

Attached please find two documents that I would like to submit for members of Board of Pesticide Control for their meeting on May 12th.

Please distribute as appropriate.

Thank you,

Mike

Mike Peaslee  
Technical Manager  
Associate Certified Entomologist  
**Modern Pest Services**  
Brunswick, Maine 04011  
[207-721-0167](tel:207-721-0167) Office  
[207-632-0318](tel:207-632-0318) Cell  
[mikepeaslee@modernpest.com](mailto:mikepeaslee@modernpest.com)

"This communication and its attachments are confidential and may be privileged. If you are not the intended recipient, please immediately notify the sender and then delete this communication and its attachments without reading it or forwarding it."



Michael Peaslee  
BOD New England Pest Management Assoc.  
Associate Certified Entomologist  
Technical Manager  
Modern Pest Services  
Brunswick, Maine 04011

In support of LD 1501 - An act to “An Act to Create Consistency in the Regulation of Pesticides”

Members of the Maine Board of Pesticides:

My name is Michael Peaslee, I am a resident of Lisbon Falls, the Technical Manager for Modern Pest Services and Co-Chair of Public Affairs for the New England Pest Management Association. I appreciate the opportunity to submit information to you in support of LD 1505.

Under current Maine Statues individual municipalities have the ability to establish local rules and ordinances related to the use, storage, recordkeeping, and reporting and even licensing of businesses and individuals who apply pesticides. Over the past few years the number of communities that have passed and or are considering passing such ordinances has increased. Unfortunately while I believe these ordinances are well intended I do not believe the people at the local level have the expertise and understanding necessary to appropriately regulate pesticides and their permitted uses.

As you all well understand the regulation of pesticides is a very complex proposition that involves cooperation with both federal and state agencies with multitudes of experts in various fields. While I believe that the local communities have what they perceive as the best interest of their individual communities I do not believe they have the manpower, the expertise and the budgets necessary to properly regulate and manage the oversite of pesticides. These decisions should be made at the state and national level by the qualified experts. No city that has passed a local pesticide related ordinance has budgeted any revenue for this purpose. That is telling to me that they really don't understand the complexity of this issue.

As described in the Maine State Government Annual Report 2015-2016 the purpose of the Board of Pesticide Control is:

The Board of Pesticides Control ensures the public has access to the benefits of pesticide use while protecting the public from unintended impacts. The primary responsibilities of the Board are to: (a) register all pesticide products sold and used in Maine, (b) examine and license persons involved in the



commercial application of pesticides, pesticide distributors and agricultural producers, (c) promulgate appropriate regulations regarding pesticide distribution and use, (d) investigate complaints arising from the use of pesticides, (e) ensure compliance with state and federal pesticide laws, (f) cooperate with other agencies in environmental monitoring and protection, and (g) promote the principles and the implementation of integrated pest management and other science-based technology to minimize reliance on pesticides.

You are the experts in this field; local communities do not have the expertise, experience or financial means to effectively perform these responsibilities. Allowing individual communities to continue to regulate pesticides poses risk to the health and welfare of the citizens of the state of Maine, not just those who reside in those communities but all residents as well as tourists who visit and spend their \$\$ here that are so important to our state economy.

The burden on licensed professionals and businesses in Maine that in any manner use pesticides to try to comply with a plethora of varying ordinances from community to community is very time consuming, confusing and expensive. The goal of these local ordinances seems to be to protect their residents from a perceived risk when in reality they may achieve the exact opposite. Requiring businesses to comply with these ordinances will increase cost which in turn must be passed on to the consumer. As cost increases the risk of having homeowners decide to go the DIY route vs. hiring a qualified professional to provide a necessary service in reality poses a much greater risk to our environment. Does the average homeowner have the knowledge, tools or understanding of how to properly mix, apply and dispose of these products?

We talk about Maine being Open for Business and communities being certified business friendly, the reality is the current means of allowing individual communities to regulate pesticides promotes neither of these.

As members of the Board of Pesticide Control I urge you all to support LD 1505 and allow the state lead agency responsible for oversight and management of pesticide use to be the sole source of pesticide regulations in Maine. It's in the best interest of our citizens, businesses and tourists that you pass this bill.



May 5, 2017

### **Support LD 1505 - An Act to Create Consistency in the Regulation of Pesticides**

Dear Pesticide Board Member,

As a Maine resident, Technical Manager for Modern Pest Services, Entomologist, Co-Chair of Public Policy and Member of the Board of Directors of the New England Pest Management Association and also a Master Pesticide licensee in Maine, I along with many other pest management professionals and many pest management companies in Maine would like to reiterate my support for **LD 1505 - An Act to Create Consistency in the Regulation of Pesticides**. Our companies manage dangerous and deadly pests in countless commercial, residential, and institutional settings. From fighting mosquitoes and ticks that transmit dangerous and deadly diseases, protecting America's food from cockroaches and rodents, defending businesses and homes from structure-crippling termites, carpenter ants and other wood destroying insects to specializing in bed bug eradication-pest management professionals are defenders of public health and property and a catalyst for the economy.

Thank you for granting myself and the New England Pest Management Association (NEPMA) the opportunity to share our views on the importance of protecting public health in Maine. With Lyme disease, the deadly Powassan virus, and countless other threats to public health prevalent in our state, we think it is important to address some of the falsehoods and misinformation disseminated by those that oppose a uniform set of pesticide regulations to better protect citizens and the environment in Maine.

- **Local Pesticide Ordinances are Legislated by Fear and Enforced by Individuals that Lack Technical Expertise:** A notable amount of local pesticide ordinances are enforced by municipal employees lacking the appropriate education compared to the Maine Board of Pesticides Control (MBPC), which is comprised of scientific experts holding doctorates and other advanced degrees. Decisions about the manufacture, sale and use of pesticides should reside with the experts that have the resources (MBPC) and not well intentioned municipal civil servants being pressured by irrational and emotional arguments that are not based in sound science.
- **Local Pesticides Ordinances are NOT Better at Protecting Wildlife:** Countless claims that local ordinances are better at protecting marine and other wildlife are also

unfounded. In 2008, the State of Maine enacted 25' pesticide buffer zones when controlling for browntail moths among other precautionary safeguards for marine wildlife—resulting in more stringent pesticide regulations compared to those previously enacted by many localities. This is one prominent example of the state government reacting to environmental concerns appropriately, effectively, and swiftly. State regulations and wildlife protections are also enforced by scientific experts, ensuring effective wildlife protection compared to the enforcement of local ordinances by individuals who are uneducated in this field.

- **LD 1505 Will Not Violate Any Home Rule Constitutional Authority:** The power to enact statewide legislation is vested in the state legislature, and laws passed by state legislature preempt existing and future laws enacted by municipalities regardless of the “home rule” amendment and statute. Examples of statutes and fields that the state has reserved some exclusive authority include but are not limited to: the sale and distribution of food and drugs, driving licensure laws, licensing fees for hunting and trapping, ride sharing laws (e.g. Uber & Lyft), and licensing laws for several vital professions including health care providers. As my elected official in the legislative body, you have the power to enact laws that benefit and protect me and I support vesting the regulation of pesticides with the experts at the Maine Board of Pesticide Control.

Dangerous and deadly pests aren't restricted by municipality geography and the laws that help combat them shouldn't be either. To best protect Maine businesses, families and homes it is paramount to have a uniform set of regulations. Potentially hundreds of contradictory and overlapping regulations differing from locality to locality could lead to situations where certain vital tools could be used to protect one community but not the other leading to an outbreak resulting in harm to both communities—jeopardizing public health. The lack of uniformity reduces business climate certainty and increases consumer costs, without a commensurate improvement in human health or the environment.

Maine remains one of a handful of states that has not statutorily vested all pesticide regulation power to their state lead agency. Passage of this bill will ensure the regulation of pesticides remains exclusively vested with the Maine Board of Pesticides Control where it belongs.

As protectors of public health in Maine, pest management professionals urge you as a member of the Maine Board of Pesticide Control to support passage of LD 1505.

Sincerely,

Mike Peaslee  
Technical Manager  
Associate Certified Entomologist  
**Modern Pest Services**  
Brunswick, Maine 04011  
207-721-0167 Office  
207-632-0318 Cell  
[mikepeaslee@modernpest.com](mailto:mikepeaslee@modernpest.com)



**From:** Central Exterminating Svc.  
**Sent:** Wednesday, May 10, 2017 12:37 PM  
**To:** Pesticides  
**Subject:** LD1505 Comment

***CENTRAL EXTERMINATING SERVICES, Inc.***

*P. O. Box 1333  
Camden, ME 04843-1333  
207 763-3086 [ces@tidewater.net](mailto:ces@tidewater.net)*

10 May 2017

Board of Pesticides Control  
28 State House Station  
Augusta, ME  
[pesticides@maine.gov](mailto:pesticides@maine.gov)

RE: LD1505 – An Act to Create Consistency in the Regulation of  
Pesticides

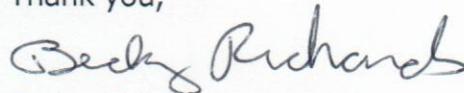
Dear Board Members

On behalf of Central Exterminating Services, Inc., please let me express our support for LD 1505. Central Exterminating Services, Inc. is a small family owned and operated pest control business that has been serving our community for 35 years. In that time, we have been dedicated to fair service to our customers and safe and environmentally sound practices, complying with all regulation. We have benefited from the seminars and educational support offered by your Board and other agencies within New England.

Professional pest control services are just as integral to our society as professional medical care or professional law enforcement. It is the professionals who are dedicated to better knowledge, proper application methods and the judicious application of pesticides, only when needed.

A homeowner or municipality should not be limited in seeking out the most professional and best qualified pest services when needed, by ordinances, that although well intentioned, do not provide the most good. Therefore, we urge you to support LD 1505. Allowing professionals to do their job without town restrictions will undoubtedly prevent the misapplication of pesticides by non-trained persons. Trained pest control is imperative to protecting the health and personal property of our communities.

Thank you,



Becky Richards  
Office Manager/former Owner  
Commercial Master Applicator Licensee

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**From:** thomas ross

**Sent:** Wednesday, May 10, 2017 2:36 PM

**To:** Pesticides

**Subject:** Dear sir, My name is Thomas ross, owner operator of ez pest solutions, CMA 5497. would like all board members to endorse LD1505 as written. thank you

Sent from Windows Mail

-----Original Message-----

From:

Sent: Wednesday, May 10, 2017 3:07 PM

To: Pesticides

Subject: LD1505

please will all board members endorse this bill as written..thank you Thomas ross, EZ Pest Solutions

Patrick Doran  
Golf Course Superintendent

Point Sebago  
"Number One in Family Fun Since 1970"

office: (207) 558-8044 • fax: (207) 655-3371 • cell: (207) 607-1161  
email: [patrick.doran@pointsebago.com](mailto:patrick.doran@pointsebago.com) • website: <http://www.pointsebago.com>

Point Sebago  
261 Point Sebago Road  
Casco, ME 04015

Maine Board of Pesticide Control,

I am writing to support the adoption of LD 1505, An Act to Create Consistency in the Regulation of Pesticides.

I feel that the regulation of pesticides should be controlled by experts, not by local municipalities. By allowing municipalities to adopt their own control measures, I believe that confusion and inefficiencies would be unavoidable.

I want my children to be able to enjoy the outdoors as I did growing up in Maine. The use of pesticides can be an asset to us all when used safely and correctly by trained professionals. The removal of that tool by uninformed, or misinformed, municipalities could have severe economic and environmental ramifications. For that reason, I feel it is very important for decisions that are to be made concerning pesticides, be made by the professionals who have the experience, knowledge and expertise to make those decisions.

I encourage your support of LD 1505.

Sincerely,

Patrick Doran

Topsham, ME

**From:** Walter Perry <wperry@cornerstoneam.com>  
**Sent:** Thursday, May 11, 2017 11:08 AM  
**To:** Pesticides  
**Cc:** Mike Peaslee ; Ted Brayton  
**Subject:** NEPMA Maine LD 1505  
**Attachments:** Maine LD 1505 Preemption Question NEPMA.pdf; Maine LD 1505 Maine Board of Pesticides Control Letter.pdf

**Importance:** High

Maine Board of Pesticide Control

I have attached our letter in support of LD 1505 that I would like to be circulated to all of the board members. In addition I have attached another document that outlines our position that I would like circulated as well.

Thank you for your assistance.

Regards,

Walter Perry

Walter Perry / Executive Director  
New England Pest Management Association  
53 Regional Dr., Suite 1 / Concord, NH 03301  
866-386-3762



## **Legislative Authority to Enact L.D. 1505: *Act to Create Consistency in the Regulation of Pesticides*, Does Not Violate Maine Constitutional and Statutory “Home Rule” Provisions**

During the public hearing on Monday a question was asked whether LD 1505 might violate the Maine Constitution’s “home rule” provision. The answer is no.

Article 4 “Legislative Power” Section 1 of the Maine Constitution states:

The Legislature, with the exceptions hereinafter stated, shall have full power to make and establish with all reasonable laws and regulations for the defense and benefit of the people of this State, not repugnant to this Constitution, nor to that of the United States.

The Maine Constitution clearly delegates the “full power” to the Legislature to enact laws for the benefit of the citizens of Maine. In Maine, there is also a strong and healthy tradition of local governance, better known as “home rule.” In 1969 an amendment to the State Constitution was approved by Maine voters creating Article VIII “Municipal Home Rule” Part two, Section 1 which states:

The inhabitants of any municipality shall have the power to alter and amend their charters on all matters, *not prohibited by Constitution or general law*, which are local and municipal in character. The Legislature shall prescribe the procedure by which the municipality may so act.

Soon after that amendment passed, the Maine legislature also enacted Title 30-A § 3001 which states:

Any municipality, by the adoption, amendment or repeal of ordinances or bylaws, may exercise any power or function which the Legislature has power to confer upon it, *which is not denied either expressly or by clear implication*, and exercise any power or function granted to the municipality by the Constitution of Maine, general law or charter.

Under “home rule” municipalities are authorized to enact laws specific to their jurisdiction and granted by the Legislature. This authority may be beneficial in certain circumstances of self-governance but does have specific limitations detailed in the Maine Constitution and statute highlighted above. The most pertinent limitation is that a municipality may not enact an ordinance that is “prohibited by general law” or is “denied either expressly or by clear implication” by state law.

When a state law conflicts with a local law, regardless of which law was enacted first, the state law will preempt the local law. Preemption is derived from the Founders, in the Supremacy Clause of the U.S. Constitution<sup>1</sup> and it confers to the Maine Legislature the authority to enact laws for the benefit of the state and people of Maine.

There are many examples of statutes that preempt action by municipalities to promote uniformity, efficiencies, public safety and equality where municipal regulation could jeopardize the safety and health of the people of Maine. Examples of statutes and fields that reserve some exclusive authority with the state include but are not limited to: the sale and distribution of food and drugs, driving licensure laws, licensing fees for hunting and trapping, ride sharing laws (Uber & Lyft), and licensing laws for numerous vital professions including health care providers.

L.D. 1505 would not violate the Maine Constitution or the powers granted to municipalities under “home rule.” L.D. 1505 would provide uniformity in the manufacture, sale and use of pesticides in Maine, protecting people and the environment by vesting this exclusive authority in the Maine Board of Pesticides Control, which is proper, due to that Agency’s superior subject matter expertise, experience and resources.

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<sup>1</sup> U.S. Const. art. VI, cl. 2



NEW ENGLAND PEST MANAGEMENT ASSOCIATION, INC.

May 11, 2017

**Re: Support LD 1505 - An Act to Create Consistency in the Regulation of Pesticides**

Dear Maine Board of Pesticides Control:

Thank you for granting the New England Pest Management Association (NEPMA) the opportunity to share our views on the importance of protecting public health and professional pesticide regulation in Maine. NEPMA enthusiastically supports **LD 1505 - An Act to Create Consistency in the Regulation of Pesticides**. Our Association did not ask for this bill. Rather, it emanated from Governor LePage and his faith in the Maine Board of Pesticides Control (BPC). It also stems from the Governor's understanding as to how important professional, safe, and uniform pesticide laws and enforcement are to protecting public health.

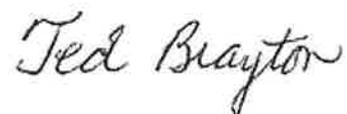
The Governor wants what is best for the people of Maine and he wouldn't have introduced this legislation if he didn't think the BPC was the best regulatory agency for pesticides. The members of the BPC hold several advanced and doctorate degrees, are leading experts in their fields, and have been thoroughly vetted and approved by the Governor and the Maine State Legislature. Not only does the BPC have an outstanding board of experts, but your professional and highly trained staff and vast amount of resources enables the BPC to enforce laws in an exemplary manner that municipalities just can't match. Not only does the Governor have faith in you, but your Commissioner, Walter Whitcomb testified in support of this bill and the BPC because he knows that professional pesticide regulation is the only way forward.

Local governments aren't equipped to regulate pesticides, and that's why 46 other states only allow their state lead agency to regulate these products because they are the most qualified to do so—it is that simple. Local governments in Maine that regulate pesticides often have unqualified individuals enforcing questionably-crafted pesticide laws. Individuals without college degrees and scientific knowledge are making potentially life and death decisions when enforcing these ordinances. With Lyme disease, the deadly Powassan virus, and countless other threats to public health prevalent in our state, we think it is not only important to have a uniform set of pesticide regulations with one regulatory agency, but rather, we believe it is vital.

There was a question about whether LD 1505 would violate "home rule" provisions, but the answer is no (see attached). We also note all the tools already available to protect citizens: from the notification registry to posting to Rule Ch. 60, which allows any citizen, municipality or county to petition for a "critical use pesticide area" designation. Municipalities wishing to protect targeted areas could use the designation for that purpose, rather than adopt a blanket town-wide ordinance.

In conclusion, NEPMA and our member companies urge your support of LD 1505. Without professional regulation of pesticide laws, the most harrowing outcomes are only one amateur mistake away.

Sincerely,

A handwritten signature in cursive script that reads "Ted Brayton". The letters are fluid and connected, with a prominent loop on the 'T' and a long tail on the 'y'.

Ted Brayton  
President

---

**From:** David D'Andrea <dfdandy@gmail.com>  
**Sent:** Thursday, May 11, 2017 11:08 AM  
**To:** Pesticides  
**Subject:** LD 1505

Greetings to All on the Board of Pesticides Control,

By now you are all aware of the bill LD 1505 that the Governor's office has put forward to the Legislative Committee. This is a very, very important issue for those of us in the green industry in our great state of Maine. As a long time golf course superintendent, both in Massachusetts and now, twenty years in Maine, I must tell you just how confident I am in the BPC's work and control. As I said to the legislative committee when testifying on May 1, it is much harder to become a Master Licensed Applicator in Maine than it is in Massachusetts because of the additional testing in regulations and then, the oral exam. This is **THE** opportunity for all of you on the board to assert yourselves as the most trusted, knowledgeable, and competent group in the state to be in sole charge and control of how pesticides are used, regulated, and reported in our state.

Please pledge your strong support of LD 1505 at tomorrow's board meeting. We need you !!

Sincere thanks,

David D'Andrea  
Head Superintendent  
Sable Oaks Golf Club  
S. Portland, maine