

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND TWELVE

S.P. 606 - L.D. 1758

**An Act To Eliminate the Deposit Requirements for Containers of Limited
and Restricted Use Pesticides**

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

Sec. 1. 7 MRSA §616-A, sub-§2, ¶B, as repealed and replaced by PL 2003, c. 452, Pt. B, §6 and affected by Pt. X, §2, is amended to read:

B. A private applicator, as defined in Title 22, section 1471-C, may not violate a rule regarding records maintained pursuant to section 606, subsection 2, paragraph G; ~~Title 22, section 1471-Q; or a rule adopted pursuant to Title 22, section 1471-Q.~~ The following penalties apply to violations of this paragraph.

- (1) A person who violates this paragraph commits a civil violation for which a fine of not more than \$500 may be adjudged.
- (2) A person who violates this paragraph after having previously violated this paragraph within the previous 4-year period commits a civil violation for which a fine of not more than \$1,000 may be adjudged.

Sec. 2. 22 MRSA §1471-A, as amended by PL 1983, c. 542, §§1 and 3, is further amended to read:

§1471-A. Purpose and policy

For the purpose of assuring to the public the benefits to be derived from the safe, scientific and proper use of chemical pesticides while safeguarding the public health, safety and welfare, and for the further purpose of protecting natural resources of the State, it is declared to be the policy of the State of Maine to regulate the sale and application of chemical insecticides, fungicides, herbicides and other chemical pesticides, ~~and to regulate the return and disposal of limited and restricted use pesticide containers.~~

Sec. 3. 22 MRSA §1471-Q, as amended by PL 1985, c. 54, §1, is repealed.

Sec. 4. 22 MRSA §1471-BB is enacted to read:

§1471-BB. Refund of deposits

A pesticide dealer shall refund deposits paid in accordance with former section 1471-Q on returned pesticide containers bearing the board's identifying stickers. The board shall refund deposits paid on out-of-state sales in accordance with former section 1471-Q.

This section is repealed December 31, 2017.

In House of Representatives, 2012

Read twice and passed to be enacted.

..... Speaker

In Senate, 2012

Read twice and passed to be enacted.

..... President

Approved 2012

..... Governor