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## MEMORANDUM

DATE: July 15, 2010  
TO: Board Members  
FROM: Henry Jennings, Director  
SUBJECT: Statutory Purpose & Policy Statements

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During recent legislative work sessions and the Board's process of developing the comprehensive notification registry, questions have arisen about whether the Board is familiar with and adhering to its statutory purpose and policy statements. Consequently, we decided it would be useful to include a brief discussion of the topic at a Board Meeting.

Originally, the Board had purpose statements in both Title 7 (the registration statute) and in Title 22 (the licensing statute). However, as the legislature updates statutes, they are removing purpose statements. Consequently, the purpose statement in Title 7 has now been removed from the statute, but the one in Title 22 remains since the Legislature has not yet updated Title 22. Finally, it should be noted that Title 22 actually contains two policy statements, the original purpose statement from 1975 (22 M.R.S.A. § 1471-A) and the state policy revision added in 1997 (22 M.R.S.A. § 1471-X). All of the purpose and policy statements are copied below, including the now defunct statement from Title 7.

### 7 M.R.S.A. § 603 Declaration of purpose (repealed in 2005)

The purpose of this subchapter is to regulate in the public interest, the labeling, distribution, storage, transportation, use and disposal of pesticides as hereinafter defined. The Legislature hereby finds that pesticides are valuable to our State's agricultural production and to the protection of man and the environment from insects, rodents, weeds and other forms of life which may be pests; but it is essential to the public health and welfare that they be regulated to prevent adverse effects on human life and the environment. New pesticides are continually being discovered or synthesized which are valuable to the control of pests and for use as defoliant, desiccants, plant regulators and related purposes. The dissemination of accurate scientific information as to the proper use of any pesticide is vital to the public health and welfare and the environment, both immediate and future. Therefore it is deemed necessary to provide for regulation of such pesticides.

### 22 M.R.S.A. § 1471-A

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.

22 M.R.S.A. § 1471-X

It is the policy of the State to work to find ways to use the minimum amount of pesticides needed to effectively control targeted pests in all areas of application. The agencies of the State involved in the regulation or use of pesticides shall promote the principles and the implementation of integrated pest management and other science-based technology to minimize reliance on pesticides while recognizing that outbreaks of disease, insects and other pests will necessitate fluctuations in pesticide use. These agencies, in cooperation with private interest groups, shall work to educate pesticide users and the general public in the proper use of pesticides and to determine other actions needed to accomplish the state policy.