An Act To Require Schools To Submit Pest Management Activity Logs and Inspection Results to the Board of Pesticides Control for the Purpose of Providing Information to the Public

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

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

Sec. 1. 22 MRSA §1471-CC is enacted to read:

§1471-CC. School pesticide data collection; public posting

A school shall maintain and provide to the board by January 15th of each year a pest management activity log for the previous calendar year that includes a list of pesticide applications on school property. The log must include the date and location of each application, the species of pest being managed, the trade name of the pesticide applied, the United States Environmental Protection Agency registration number if the pesticide is subject to registration, the name and license or certification number of the applicator and other pertinent information required by the board by rule to be included in the log.

The board shall post on its publicly accessible website all information provided by each school under this section. The board shall also post and maintain on its publicly accessible website a current list of all board inspections of pesticide use by each school and the results of those inspections.

For purposes of this section, "school" means a public, private or tribally funded kindergarten, elementary school, secondary school or nursery school that is part of an elementary or secondary school.

SUMMARY

This bill establishes in law certain requirements of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control related to pest management on school property. It requires a school to maintain a pest management activity log related to the application of pesticides. It requires this information to be provided annually to the board and requires the board to post the information on its publicly accessible website. It also requires that the board post on its publicly accessible website a list of all board inspections of a school's use of pesticides and the results of those inspections.
An Act To Require Schools To Submit Pest Management Activity Logs and Inspection Results to the Board of Pesticides Control for the Purpose of Providing Information to the Public

Preliminary Fiscal Impact Statement for Original Bill
Sponsor: Rep. Larsen-Daughtry of Brunswick
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

Preliminary Fiscal Impact Statement

Potential State Mandate - Unfunded

State Mandates

<table>
<thead>
<tr>
<th>Required Activity</th>
<th>Unit Affected</th>
<th>Local Cost</th>
</tr>
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<tbody>
<tr>
<td>Requires local school administrative units to submit a pest management activity log to the Board of Pesticide Control by January 15th of each year for the previous calendar year. Local school administrative units currently prepare a pest management activity log with the required data pursuant to rules established by the Board of Pesticide Control.</td>
<td>School</td>
<td>Insignificant</td>
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</tbody>
</table>

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

Any additional cost the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control as a result of changes to rules related to their record keeping of pest management activity on school properties are anticipated to be minor and can be absorbed within existing budgeted resources.
COMMITTEE AMENDMENT “ ” to H.P. 672, L.D. 908, Bill, “An Act To Require Schools To Submit Pest Management Activity Logs and Inspection Results to the Board of Pesticides Control for the Purpose of Providing Information to the Public”

Amend the bill by incorporating the attached fiscal note.

SUMMARY

This amendment incorporates a fiscal note.

The fiscal note on the amendment, which is a fiscal note only amendment, identifies certain requirements in the bill as a potential state mandate. In order to be a mandate pursuant to the Constitution of Maine, a provision must require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The committee finds the provisions identified as a potential mandate do not require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue.

The requirement in the bill that a local school administrative unit submit a pest management activity log to the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control by January 15th of each year for the previous calendar year does not require an expansion or modification of activities so as to necessitate additional expenditures from local revenue. Local school administrative units currently prepare pest management activity logs with the required data pursuant to rules established by the Board of Pesticides Control. The committee finds that the act of submitting a pest management activity log that is already required to be maintained does not necessitate additional expenditures from local revenue.
Fiscal Note

Potential State Mandate - Unfunded

State Mandates

**Required Activity**
Requires local school administrative units to submit a pest management activity log to the Board of Pesticide Control by January 15th of each year for the previous calendar year. Local school administrative units currently prepare a pest management activity log with the required data pursuant to rules established by the Board of Pesticide Control.

*Unit Affected*  
School

*Local Cost*  
Insignificant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

**Fiscal Detail and Notes**

Any additional cost the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control as a result of changes to rules related to their record keeping of pest management activity on school properties are anticipated to be minor and can be absorbed within existing budgeted resources.