

# MAINE STATE LEGISLATURE

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2ms  
R O P S

L.D. 961

Date: 5/30/13

Minority

(Filing No. H-285)

3 AGRICULTURE, CONSERVATION AND FORESTRY

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5 STATE OF MAINE  
6 HOUSE OF REPRESENTATIVES  
7 126TH LEGISLATURE  
8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 675, L.D. 961, Bill, "An Act To  
10 Ensure Safe School Grounds"

11 Amend the bill by inserting after the title and before the enacting clause the  
12 following:

13 'Mandate preamble. This measure requires one or more local units of government  
14 to expand or modify activities so as to necessitate additional expenditures from local  
15 revenues but does not provide funding for at least 90% of those expenditures. Pursuant to  
16 the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to  
17 each House have determined it necessary to enact this measure.'

18 Amend the bill in section 1 in §6305 in subsection 3 by striking out all of paragraphs  
19 C and D (page 1, lines 32 to 35 in L.D.) and inserting the following:

20 'C. On an athletic field if there is a 14-day period before use of the field after  
21 application of the pesticides;

22 D. On an agricultural field in accordance with the manufacturer's instructions for use  
23 of the pesticides for appropriate pest management; or

24 E. Where bare ground of 25 square feet or greater exists as the result of a problem  
25 with pests.'

26 Amend the bill by striking out all of section 2 and inserting the following:

27 'Sec. 2. Landscaping design. The Commissioner of Education shall collaborate  
28 with the Department of Agriculture, Conservation and Forestry, Board of Pesticides  
29 Control to develop standards and guidelines related to school grounds construction that  
30 would minimize or avoid the necessity of the use of pesticides on school grounds for new  
31 construction. The commissioner and the director of the Board of Pesticides Control shall  
32 report on their recommendations for school ground construction standards and guidelines  
33 to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing  
34 Committee on Agriculture, Conservation and Forestry by March 15, 2014.

COMMITTEE AMENDMENT

1                **Sec. 3. Appropriations and allocations.** The following appropriations and  
2 allocations are made.

3                **EDUCATION, DEPARTMENT OF**

4                **School Finance and Operations Z078**

5 Initiative: Provides one-time funds for the costs associated with hiring a landscape  
6 architect to develop a landscaping design for any newly constructed school facilities that  
7 will minimize or eliminate the need to use pesticides on school grounds.

8	<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
9	All Other	\$16,250	\$0
10			
11	GENERAL FUND TOTAL	<u>\$16,250</u>	<u>\$0</u>
12			

13                                 **SUMMARY**

14                This amendment is the minority report of the Joint Standing Committee on  
15 Agriculture, Conservation and Forestry. The amendment amends the bill to allow the use  
16 of pesticides on school grounds in areas where bare ground of 25 square feet or greater  
17 exists as the result of pest problems. The amendment also amends the bill by replacing  
18 section 2, which directed the Commissioner of Education to adopt rules, with a provision  
19 that requires the Commissioner of Education to collaborate with the Department of  
20 Agriculture, Conservation and Forestry, Board of Pesticides Control in developing school  
21 ground construction standards and guidelines and requires a report to the Joint Standing  
22 Committee on Education and Cultural Affairs and the Joint Standing Committee on  
23 Agriculture, Conservation and Forestry by March 15, 2014. The amendment also adds a  
24 mandate preamble and an appropriations and allocations section.

25                                 **FISCAL NOTE REQUIRED**

26                                 **(See attached)**



# 126th MAINE LEGISLATURE

LD 961

LR 907(02)

## An Act To Ensure Safe School Grounds

Fiscal Note for Bill as Amended by Committee Amendment  
 Committee: Agriculture, Conservation and Forestry  
 Fiscal Note Required: Yes

*A(CH-285)*

### Fiscal Note

State Mandate - Exempted

#### State Mandates

##### Required Activity

Requires local school administrative units to change from an Integrated Pest Management (IPM) approach to pest management to organic techniques.

##### Unit Affected

School

##### Local Cost

Significant  
statewide

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the state from the constitutional requirement to fund 90% of the additional costs.

#### Fiscal Detail and Notes

The impact to local school administrative units may include additional costs associated with monitoring for pests and disease, training and redevelopment of the annual facility maintenance plan.

Additional costs to the Department of Education and the Board of Pesticides Control to develop the required standards and guidelines to minimize or avoid the necessity of the use of pesticides on school grounds for new construction can be absorbed within existing budgeted resources.