

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

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

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

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

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

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

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

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

**EDUCATION, DEPARTMENT OF**

**School Finance and Operations Z078**

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

<b>GENERAL FUND</b>	<b>2013-14</b>	<b>2014-15</b>
All Other	\$16,250	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$16,250</b>	<b>\$0</b>

## **SUMMARY**

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

**FISCAL NOTE REQUIRED**  
(See attached)