

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
H.P. 382 - L.D. 519

An Act To Protect Children from Exposure to Toxic Chemicals

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

Sec. 1. 7 MRSA §606, sub-§3 is enacted to read:

3. Unlawful use. A person may not apply glyphosate or dicamba within 75 feet of school grounds. This subsection does not apply to residential property or land used for commercial farming.

For purposes of this subsection, unless the context otherwise indicates, the following terms have the following meanings:

- A. "Commercial farming" has the same meaning as in section 52, subsection 3;
- B. "Residential property" means real property located in this State that is used for residential dwelling purposes;
- C. "School" means any public, private or tribally funded elementary school as defined in Title 20-A, section 1, subsection 10, secondary school as defined in Title 20-A, section 1, subsection 32 or a nursery school that is part of an elementary or secondary school; and
- D. "School grounds" means:
 - (1) Land associated with a school building including playgrounds and athletic fields used by students or staff of a school. "School grounds" does not include land used for a school farm; and
 - (2) Any other outdoor area used by students or staff including property owned by a municipality or a private entity that is regularly used for school activities by students and staff but not including land used primarily for nonschool activities, such as golf courses, farms and museums.

Sec. 2. Medical advisory committee; herbicides applied on school grounds.

The Department of Agriculture, Conservation and Forestry, Board of Pesticides Control, within existing resources from Other Special Revenue Funds accounts, shall establish a medical advisory committee to evaluate the potential impact of herbicides used on school grounds on human health. The board shall submit a report no later than February 1, 2022,

with findings and recommendations, including suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. Following receipt and review of the report, the Joint Standing Committee on Agriculture, Conservation and Forestry may submit a bill concerning the subject matter of the report to the Second Regular Session of the 130th Legislature.