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TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON  
AGRICULTURE, CONSERVATION AND FORESTRY

In Support of LD 524

*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*

March 25, 2021

Senator Dill, Representative O'Neil, and honorable members of the Joint Standing Committee on Agriculture, Conservation and Forestry, my name is Kathy Murray, and I am the Integrated Pest Management Entomologist in the Department of Agriculture, Conservation and Forestry, speaking in support of LD 524, "*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.*"

**Current Pesticide Reporting Requirements for Schools**

The Department of Agriculture, Conservation and Forestry is firmly committed to protecting people and the environment from pests and pesticides in all settings, especially in schools. The Board of Pesticides Control (BPC) enforces state regulations specifically aimed at minimizing these risks on school properties. The Department's School Integrated Pest Management (IPM) Program provides guidance, technical resources, and training intended to help schools find effective solutions to prevent and manage pests and remain in compliance with state and federal pesticide regulations.

BPC's Rule Chapter 27 *Standards for the Pesticide Applications and Public Notification in Schools* is stringent. All public and private schools are required to adopt IPM policies and practices, including pest monitoring, the use of non-pesticide pest prevention and control tactics, and record-keeping. A trained school staff member must serve as the IPM Coordinator responsible for overseeing all pest prevention, sightings, and management actions.

Pesticides can only be applied on school properties by a licensed professional applicator with exceptions for routine disinfection and urgent stinging insect control. **Schools are required to notify parents and staff, and signs must be posted in advance of most pesticide**

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**applications done during the school year.** Schools that fully implement all IPM strategies may never need to use pesticides. However, there are times when a judicious, targeted, well-timed pesticide application used in combination with non-pesticide methods can be the most effective and least risky approach to managing a pest problem (e.g., poison ivy and hornets).

At present, Maine schools are required to maintain a pest management log using their own record-keeping systems. These records must retain the specific name of each pest encountered, steps taken to determine that action is needed to address a pest issue, all steps taken to address it, and a list of pesticide applications conducted on school grounds, including the date, time, location, trade name of the product applied, EPA Registration number, company name (if applicable), and the name and license number of the applicator. If the product has no EPA Registration number, then a copy of the label must be included.

Under current regulations, any parent or community member can view pest activity and pesticide use records upon request of the school. In addition, BPC inspection staff review these records at schools, and BPC inspection reports are available to the public upon request.

### **LD 524 Review**

LD 524 would enlarge the scope of schools' reporting responsibilities by requiring that they provide pest management log activities to the BPC on an annual basis and for the BPC to post the information on its publicly accessible website. It also requires that the BPC post a list of all BPC inspections of a school's use of pesticides and the results of those inspections. The Department supports making these records more easily accessible to the general public. Because the bill allows for BPC rulemaking surrounding this effort, staff anticipates crafting a process with IPM Coordinators that allows for online data entry that is efficient and workable for all parties.

One important area needing clarification, however, is the term "species" in the proposed legislation. It is unclear whether the term species means rodents, plants, and insects solely. Schools utilize common disinfectants (e.g., chlorine bleach) on a daily basis to disinfect food prep surfaces, frequently touched surfaces like doorknobs, and bathrooms, of microbes. These actions are well-understood and expected in a school setting. If a more broad definition is intended, it could make the reporting requirements extremely difficult and time-consuming to manage.

Because there will be questions on how best to design and implement this online reporting requirement, the Committee may consider changing this bill to a Resolve directing the Board of Pesticides Control to research and implement workable methods for doing so in a manner that provides data in a clear and useful format.

### **Technical Considerations**

There are some technical enhancements to the bill that are worth consideration:

- "School grounds" is defined in rule, whereas "school property" is not.
- The BPC does not issue "Certification Numbers." It does issue licenses with "License Numbers."
- The summary of the bill implies that schools make pesticide applications—"school's use of pesticides." Pesticide applications on school grounds are typically made by

commercial pesticide applicators contracted to do this work. It would be better to state “pesticides used on school grounds.”

**Data Management Impacts**

This effort to transition to online data management and reporting will ultimately require BPC staff resources and time to design, create, and implement. School IPM Coordinators, who typically juggle many other duties in their daily schedules, may lack access to technical and administrative support to readily transfer records from their school-based record-keeping system to the BPC. It will be necessary to provide significant outreach and education to School IPM Coordinators that will require additional staff time.

Thank you for your time. I am happy to answer any questions you may have now or at the work session.