

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN

H.P. 26 - L.D. 33

Resolve, Regarding Pesticide Applications and Public Notification in Schools

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control has submitted a major substantive rule regarding a portion of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools to the Legislature for review; and

Whereas, appropriately designed and constructed school grounds, particularly athletic playing fields, are integral to minimizing the use of synthetic pesticides on school grounds; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized; and be it further

Sec. 2. Landscaping design. Resolved: That 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 of Education 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.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.