1	L.D. 33
2	Date: (Filing No. H-)
3	AGRICULTURE, CONSERVATION AND FORESTRY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	126TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10 11 12	COMMITTEE AMENDMENT " " to H.P. 26, L.D. 33, "Resolve, Regarding Legislative Review of Portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a Major Substantive Rule of the Board of Pesticides Control"
13	Amend the resolve by striking out the title and substituting the following:
14	'Resolve, Regarding Pesticide Applications and Public Notification in Schools'
15 16	Amend the resolve by striking out everything after the title and before the summary and inserting the following:
17 18	'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
19 20 21	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
22 23 24 25	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
26 27 28	Whereas, appropriately designed and constructed school grounds, particularly athletic playing fields, are integral to minimizing the use of synthetic pesticides on school grounds; and
29 30	Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and
31 32 33 34	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.'

18 SUMMARY

This amendment changes the title of the resolve. The amendment provides for legislative review of portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control. The amendment also adds a section to the resolve that requires that, by March 15, 2014, the Commissioner of Education and the director of the Board of Pesticides Control report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Agriculture, Conservation and Forestry on developing standards and guidelines for landscaping design for school grounds that will minimize or eliminate the need to use pesticides on school grounds for any newly constructed school facilities.

FISCAL NOTE REQUIRED

(See attached)