

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 07/09/2001

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Schug

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: **Agriculture - pesticides**
Education - miscellaneous

Extra Copies:

Submit via email: NO

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Pre Topic:

LFB:.....Schug -

Topic:

Pest management by school districts for conference committee

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

62015

DATCP -- DEPARTMENTWIDE AND RESOURCE MANAGEMENT
AND UNIVERSITY OF WISCONSIN SYSTEM

Pest Management by School Districts

60294
Schug

Motion:

Move to provide DATCP with \$136,400 SEG and 2.0 positions in 2001-02 and \$88,000 SEG in 2002-03 from the agrichemical management (ACM) fund for 1.0 program assistant, 1.0 environmental analysis and review specialist and funding for limited term employees to implement a pest management program in school districts. Further, provide the University of Wisconsin-Extension program with \$92,000 SEG from the ACM fund in 2001-02 for limited term employee funding for a pest management program in school districts.

Require DATCP to assist school districts with all requirements under this motion and to consult with the Department of Health and Family Services (DHFS) and the Department of Public Instruction concerning school pest management issues. Require the University of Wisconsin Board of Regents to provide, through UW-Extension, programs to train employees of school districts and other persons about using integrated pest management. Define "integrated pest management" as a comprehensive strategy of pest control whose major objective is to achieve desired levels of pest control in an environmentally responsible manner by combining multiple pest control measures to reduce or eliminate the need for reliance on chemical pesticides; more specifically, a combination of pest controls which addresses conditions that support pests and may include, but is not limited to, the use of monitoring techniques to determine immediate and ongoing need for pest control, increased sanitation, physical barrier methods, the use of natural pest enemies and a judicious use of lowest risk pesticides when necessary, after all other methods have been exhausted. Further, require that the training include information about the development and implementation of pest management plans to prevent unacceptable levels of pest activity and damage in schools and on school grounds while minimizing hazards to persons, property and the environment. Require UW-Extension and state Cooperative Educational Service Agencies to cooperate in providing the training.

X
practical
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Require school boards to propose a pest management plan, after obtaining the training outlined above, for at least one member of the school board or school district employee who will be involved in developing the pest management plan. Require the plan be designed to prevent unacceptable levels of pest activity and damage while minimizing hazards to people, property and the environment. Require that the plan include the pest management practices that will be used by the school district, including a description of: (a) the methods that will be used to identify pest problems, including monitoring to determine whether the number of pests justifies pesticide treatment; (b) the nonchemical methods that the school district will use to seek to prevent

may ✓
unacceptable levels of pest activity and damage; (c) the pesticides and methods of application that the school district will use if the nonchemical methods fail to prevent unacceptable levels of pest activity and damage; and (d) the means the school district will use to meet other requirements outlined below.

Require school boards to provide public notice and hold a public hearing on their proposed pest management plan, and to adopt a plan by the first day of the seventh month after the effective date of the bill that meets the requirements in (a) to (d) above. Require the plan be submitted to DATCP by the same date. Further, require the school board to implement the plan by the first day of the thirteenth month after the effective date of the bill. School boards must notify DATCP of any modifications to the pest management plan and provide public notice and a hearing before modifying their plan.

Require school boards to authorize pesticide application in a school or on school grounds only by persons who are certified by DATCP in the applicable pesticide use category under current law. Further, require that when the use of a pesticide is determined to be necessary in a school or on school grounds, that the school board use integrated pest management practices.

Require school boards to post notice of each school pesticide application during, and for at least the 72 hours after, the application. Further, unless the school district administrator or the school principal declares that a pest emergency exists, at least 72 hours in advance of each school pesticide application, require school boards to provide written notification of the name of the pesticide to be applied, the planned time and location of the application, the potential health effects of exposure to the pesticide, as indicated on its label, and the name and telephone number of a person at the school who can be called for more information or to report health effects from exposure. The written notification would need to be sent to all school district employees or contractors and all students who may be present in the area of application within 72 hours after the application. The parents or guardians of the affected students also would receive the written notification. If a pest emergency were declared, the written notification with the actual application information would need to be sent to the same persons above, as soon as possible after the application. In all cases, require the written notice to be in a font size no smaller than routinely used for other school notices to parents.

Require school boards to maintain records for each school pesticide application that include: (a) the name and certification number of the person applying the pesticide; (b) the type of pesticide applied and its brand name; (c) the name and number of the pesticide as registered under the federal insecticide, fungicide, and rodenticide act; (d) the manufacturer of the pesticide; (e) the pesticide's active and inert ingredients; (f) the date and time of the application and the amount of pesticide applied; (g) how the pesticide was applied, including any additives used and the type of application device used; (h) the street address of the place at which the pesticide was applied and a description of the area to which the pesticide was applied; (i) the purpose of the application, including the target pest and whether the application was preventive or reactive; (j) for an outdoor application, a description of the weather conditions at the time of the application; and (k) the symptoms of acute poisoning from the pesticide, as indicated on its label. Require school boards to provide the records

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NO
Change

quarterly to DATCP, unless the school district does not use pesticides and notifies DATCP of that fact. Require that the records, if required, be made available from school boards or the Department to any person upon request. In addition, require school boards to provide any information regarding pest management that is requested by DATCP.

Prohibit school districts from using pesticide fumigation, from applying pesticides for aesthetic or cosmetic purposes and from routinely using pesticides in or around schools on a regularly scheduled basis. In addition, prohibit a school district from using pesticides around schools unless nonchemical methods of pest control have failed. Require school boards to review their liability and property insurance to determine whether coverage is adequate for damage or loss caused by pesticides.

Require DATCP and the UW Board of Regents to enter into a memorandum of understanding concerning school pest management and UW-Extension training to ensure cooperation between DATCP and UW-Extension and to avoid duplication of activities. Require DATCP, in cooperation with the UW-Extension and DHFS, to submit a report evaluating the above school pesticide program on or before January 1 of each even-numbered year to the Legislature.

[Change to Bill: \$316,400 SEG and 2.0 SEG positions]

[Change to Base: \$316,400 SEG and 2.0 SEG positions]

2001

Date (time)
needed

SO ON

LRB b 2015 1 1

BUDGET AMENDMENT

RIT: JLD:

See form AMENDMENTS — COMPONENTS & ITEMS.

SENATE AMENDMENT TO SENATE SUBSTITUTE AMENDMENT 1 TO 2001 SENATE BILL 55

At the locations indicated, amend the substitute amendment as follows:

#. Page 883, line 11.: after "other" insert "practical". ✓

#. Page 886, line 22.: subst. fut^o "may" ✓ for "will".

(End)

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2015/1
RCT:jld:jf

LFB:.....Schug - Pest management by school districts for conference
committee

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 883, line 11: after "other" insert "practical".

3 **2.** Page 886, line 22: substitute "may" for "will".

4 (END)