

1999 DRAFTING REQUEST

Bill

Received: **05/24/1999**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Alice Clausing (608) 266-7745**

By/Representing: **Bill Wenzel**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

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

Extra Copies: **MJL, PG**

Pre Topic:

No specific pre topic given

Topic:

Pesticide use in schools

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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/3	traderc	chanaman	martykr	_____	lrb_docadmin	lrb_docadmin	S&L

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FE Sent For:

03-21-00
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1 *<END>*

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HEALTHY SCHOOLS BILL COMPONENTS

We currently envision this program being housed in the Department of ~~Public Instruction~~ ^{DPI} with a memorandum of understanding (MOU) developed between ~~DPI~~ and UW Extension. UWEX, with expertise in pesticides and IPM education, would provide education and training to school personnel while ~~DPI~~, with expertise on school and school health issues, would provide administrative oversight and support to schools.

Every school or school district in WI would be required to develop and implement an IPM policy with at least the following components:

1. Definition of Least Toxic IPM

we of term is if accurately applied ADMINISTRATIVE

"An economical and environmentally sensitive approach to pest management which utilizes proper identification of pest problems and regular monitoring to determine if and when pests are at levels severe enough to require treatment. Physical, mechanical, cultural, biological and chemical methods are used to prevent unacceptable levels of pest activity and damage, with the least hazard to people, property, and the environment. Least toxic chemical controls are used as a last resort."

2. Routine Spraying Eliminated - No routinely schedule spraying (weekly, monthly, seasonal) will be made. No pesticide fogging will be done.

3. Reporting - Reporting of pesticide users/ applicators will include:

- a. Pesticide applicator name and certification number
- b. Pesticide applied
- c. Amount of pesticide applied
- d. Amount and type of pesticide inert ingredient if different from pesticide product
- e. How pesticide was applied (broadcast spray, granular etc.)
- f. Location and area of pesticide application including as applicable address, county, zip code
- g. Date and time of application
- h. Symptoms of acute poisoning associated with the pesticide
- i. Location to which pesticide was applied (playgrounds, cafeteria etc.)
- j. Purpose of application including target pest, site to be treated, preventative or reactive application
- k. Local conditions (weather, wind, temperature, humidity)

This information would be held locally by the school/district and reported annually to the state (DATCP if Pesticide Database System is created).

Parents/teachers/guardians/medical personnel etc. would have access to it as needed anytime.

5. Notification - Advance written notification (at least 72 hours) to students, teachers, workers, neighboring citizens, parents, guardians what pesticide will be used, when, where in and around schools as well as their health effects.

*School District
public notices -
new
(PA)*

⑥ Certification/Training Program - Certify pest control personnel in Least Toxic IPM. Provide funding to have UWEX train school personnel in Least Toxic IPM.

⑦ Posting - Post all pesticide applications at time of application, should remain up for at least 72 hours afterward.

*notice to this
the way to
be want to
90 ?*

irrelevant

⑧ School Board Insurance - Require school boards to review liability and property insurance policies to determine whether schools are insured in cases of exposure to or harm from pesticide use.

9. Appeal - Any person shall have the right to file a written appeal to the school regarding a proposed pesticide application with a copy to DATCP/DPI.

acute coverage not long term

⑩ Evaluation - DPI/DHFS/UWEX report to legislature

§ 13.172 (options to return)

11. Memorandum of Understanding - Legislature would direct DPI and UWEX to develop a MOU with respect to school IPM and pesticide use. DATCP and DHFS should be consulted with respect to school IPM and pesticide use. DATCP and DHFS should be consulted with respect to pesticide use reporting and/or student and/or worker health.

(3) - speaker president make returns

standard policy

Wenzel, Bill

To: Sen.Darling; cbesmudd@cbermw.org
Subject: School IPM Proposal

I met with Mark Patronsky at Leg. Council this morning to go over the outline for the *Healthy Schools* Bill. There were a couple of points I wanted your feedback on before taking this to LRB for a bill draft:

- 1) Appeals – Mark suggested that instead of linking the Appeal to pesticide applications it might make more sense to provide for public input after the IPM plan is developed but prior to implementation. Since the IPM plan would specify the pest management practices and chemicals to be used in the school, the parents would be able to have more meaningful impact at this stage of the process. We would essentially require public notice and a hearing on the proposed plan prior to implementation. I think this idea makes a lot of sense
- 2) Periodic Reviews – consistent with the thinking in item #1 we would require annual review of the IPM plan if any changes were being contemplated. The PTA/PTO or some other parent organization could be provided with notice of any changes contemplated in the IPM and provide input.
- 3) School Board Insurance – Mark felt this was largely irrelevant and might get people off the track. His sense was that most, if not all, school districts have coverage for short term, acute problems but most would not have coverage for long term health impacts because of difficulty in establishing a causal relationship between the exposure and the health problem. This one is your call.
- 4) Evaluation - Mark noted that it is common practice to submit any Reports to the entire Legislature. He indicated that under Chap. 13.172(3) the Speaker and the President can make referrals to the appropriate Committee for review.
- 5) Lead Agency – Mark concurred that DATCP is probably best suited to take the lead. He reiterated what Ned Z. (DATCP) had said regarding DATCP being a regulatory agency while DPI does not typically engage in those activities and may not have that authority.

*not taking
Mark's
position*

As a final note Mark inquired whether there was something other than IPM as the “term of art”. He didn’t feel that it was inappropriate to use “IPM” but indicated that it’s use was usually linked with agriculture (e.g. what is “integrated” in this approach).

Let me know what you think. If I hear back tomorrow I can take this over to LRB Bill Drafting as a joint referral from our Senate offices. Feel free to email back or call at (608) 266-7745.

Sincerely,
Bill



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3123/P1
RCT:.....
cmv

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

DMote

1 AN ACT ^{reg cat} relating to: pest management by school districts.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 36.25 (43) of the statutes is created to read:

3 36.25 (43) PEST MANAGEMENT FOR SCHOOLS. The board shall provide, through the
4 extension, programs to educate employes of school districts about developing and
5 implementing pest management plans to prevent unacceptable levels of pest activity
6 and damage while minimizing hazards to persons, property and the environment,
7 consistent with the requirements of s. 94.715.

8 SECTION 2. 94.715 of the statutes is created to read:

9 94.715 Pest management for schools. (1) DEFINITIONS. In this section:

10 (a) "Active ingredient" has the meaning given in s. 94.67 (1).

1 (b) "Federal act" has the meaning given in s. 94.67 (13). ✓

2 (c) "Inert ingredient" has the meaning given in s. 94.67 (16). ✓

3 (d) "Pest" has the meaning given in s. 94.67 (24). ✓

4 (e) "Pesticide" has the meaning given in s. 94.67 (25). ✓

5 (2) REQUIREMENTS FOR SCHOOL BOARDS. A school board shall do all of the
6 following:

7 (a) Propose a pest management plan that complies with sub. (4). ✓

8 (b) After public notice and a hearing on the proposed plan under par. (a), adopt
9 a pest management plan that complies with sub. (4) and submit a copy of the plan
10 to the department. ✓

11 (c) Implement the pest management plan adopted under par. (b). ✓

12 (d) Provide public notice and a hearing before modifying the pest management
13 plan adopted under par. (b) and notify the department of any modifications to the
14 plan.

15 (e) When the use of a pesticide is determined to be necessary in a school or on
16 school grounds, use the least toxic pesticide available that is effective.

17 (f) At least 72 hours in advance of each pesticide application in a school or on
18 school grounds, provide written notification ^{of} the name of the pesticide to be applied
19 and the planned time and location of the application to all of the following:

20 1. Each employe of the school district, or of a contractor with the school district,
21 who may be present in the area of application within 72 hours after the application.

22 2. Each student who may be present in the area of application within 72 hours
23 after the application.

24 3. The parents or guardians of the students under subd. 2. ✓

1 (g) Post notice of each pesticide application in a school or on school grounds at
2 the time of the application and for at least 72 hours following the application.

3 (h) Maintain a record of all of the following for each application of pesticide in
4 a school or on school grounds:

5 1. The name and certification number, under s. 94.705, of the person applying
6 the pesticide.

7 2. The type of pesticide applied and its brand name, the name of the pesticide
8 as registered under the federal act, the pesticide registration number assigned to the
9 pesticide under the federal act, the manufacturer of the pesticide and the pesticide's
10 active ingredients and inert ingredients.

11 3. The date and time of the application and the amount of pesticide applied.

12 4. How the pesticide was applied, including any additives used and the type of
13 application device used.

14 5. The street address of the place at which the pesticide was applied and a
15 description of the area to which the pesticide was applied.

16 6. The purpose of the application, including the target pest and whether the
17 application was preventive or reactive.

18 7. For an outdoor application, a description of the temperature, humidity, wind
19 and any precipitation at the time of the application.

20 8. The symptoms of acute poisoning from the pesticide.

21 (i) Make the information under par. (h) available to any person upon request
22 and provide the information about each pesticide application to the department
23 annually.

1 (j) Annually review liability and property insurance maintained by the school
2 board to determine whether coverage is adequate for damage or loss caused by
3 pesticides.

4 (3) PROHIBITIONS. (a) A school district may not routinely use pesticides on a
5 regularly scheduled basis in a school or on school grounds.

6 (b) A school district may not use pesticide fogging in a school ^{or} on school
7 grounds.

8 (e) A school district may not use a pesticide in a school or on school grounds
9 unless nonchemical methods of pest control have failed to prevent unacceptable
10 levels of pest activity and damage.

11 (4) PEST MANAGEMENT PLAN. A school board shall design its pest management
12 plan required under sub. (2) (b) to prevent unacceptable levels of pest activity and
13 damage while minimizing hazards to persons, property and the environment. In the
14 plan required under sub. (2) (b), a school board shall specify the pest management
15 practices that will be used by the school district and shall include all of the following:

16 (a) A description of the methods that will be used to identify pest problems,
17 including monitoring to determine whether pests are present in sufficient numbers
18 to require treatment with pesticides.

19 (b) A description of the nonchemical methods that the school district will use
20 to seek to prevent unacceptable levels of pest activity and damage.

21 (c) A description of the pesticides and methods of application that the school
22 district will use if the methods under par. (b) fail to prevent unacceptable levels of
23 pest activity and damage.

24 (c) A description of the other means that the school district will use to ensure
25 compliance with subs. (2) (e) to (j) and (3).

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3123/P1dn

RCT:.....

cmj

This is a preliminary version of the draft concerning pest management in schools. Please review it carefully to ensure that it is consistent with your intent. I have some specific questions and comments about the proposal:

1. The instructions said to certify pest control personnel. Who do you wish to have perform the certification? Who exactly would be required to be certified?

2. The instructions indicated that there should be a report to the legislature. Do you want a single report or periodic reports?

3. The draft requires school boards to submit pest management plans to DATCP. Do you want to require DATCP to review and approve or disapprove the plans or to take some other action with respect to the plans?

4. Should there be a deadline for the initial implementation of the plans?

5. The instructions indicated that pesticide fogging should be prohibited. The DATCP rules about pesticides refer to fumigation. If that is the same thing as fogging, it might be better to use the word "fumigation" in the draft.

6. The definition of "pesticide" in s. 94.67 includes germicides, sanitizers and disinfectants. Please consider whether you wish to exclude those substances from some or all of the requirements in this proposal. I do not know whether, for example, disinfectants need to be used routinely in school kitchens. Also note that "pest" includes microorganisms that are not on or in a living person or other animal.

7. Please note that this draft does not provide any funding. I will need to know the source of any funding and, if you wish to provide specific amount of funding in the bill, the amounts of that funding.

8. Under this draft, a school must notify students and parents in advance of a pesticide application if the students may be present in the area of application within 72 hours after the application. Please let me know if you want a different period or a different approach to notification.

Please contact me with any questions and with redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E mail: Bocky.Tradewell@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3123/P1dn
RCT:cmh:jf

September 14, 1999

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Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us

Tradewell, Becky

From: Wenzel, Bill
Sent: Wednesday, December 15, 1999 12:26 PM
To: Tradewell, Becky
Subject: FW: school IPM draft (LRB 3123/P1)

Becky - -

Here are our responses to the questions in your Drafters Notes on LRB 3123. Could you incorporate these items into the draft at your earliest possible convenience.

Thanks,
Bill Wenzel
266-7745

-----Original Message-----

From: Susan Mudd [mailto:cbesmudd@cbemw.org]
Sent: Saturday, December 11, 1999 7:33 AM
To: Bill.Wenzel@legis.state.wi.us; Jim.Villa@legis.state.wi.us
Cc: Barry.Ashenfelter@legis.state.wi.us; reopelle@itis.com; derlee@itis.com;
cbebspahn@cbemw.org
Subject: school IPM draft (LRB 3123/P1)

Bill and Jim-

Thanks for meeting Friday a.m. with Barry Ashenfelter, Brian Spahn, Derek Lee and myself regarding school pesticides issues.

Below are my draft replies to Becky Tradewell's questions on the draft (#1-8), followed by comments/suggestions otherwise raised in our meeting of 12/10/99.

- 1) require training; certification could be done through a test at end of training session, eg by UW-EXT, or could require training only but not certification; p.3, L. 5, (h)1. does this imply DATCP certification? 2) single report to legislature ok once or every couple of years, need not be frequent 3) require filing with DATCP, do NOT require DATCP to approve/disapprove; do require DATCP to keep them and make available to anyone 4) yes; need a deadline for completion/submission of the plan (how about 6 months after effective date of legislation) and for implementation (how about 12 months after effective date of legislation)
- 5) we need to check fumigation vs. fogging; we think fumigation is broader and is term that should be used
- 6) let's exclude sanitizers, germicides and disinfectants
- 7) Funding-I need to check with LFB on source of \$ DATCP is going after in 13.10 motion and try to tap into the same for this; \$ needs would be for school staff training and conversion to IPM approach; any chance of getting contract savings if eliminate routine sprayings?
- 8) 72 hours advance notice is what is wanted as written; please add to it however that the notification should include from label the known potential health effects from exposure and the name and number of decisionmaker at the school who can be called for more info, to report a health problem
- 9) p. 2, L.17, (e)-- what would the fiscal note/impact be of adding a clause that DATCP and DHSS together come up with a list of which is "least toxic pesticide available that is effective" for common school pests? do NOT propose to add if would add large fiscal note
- 10) p. 4, L. 1 (j)--I'm not sure we need to require school boards to review insurance policy ANNUALLY; perhaps just require it once, the power of this is telling them to do it the first time; future review is implied as review in the future, without us having to be explicit note: I forgot to bring # 10 up in our meeting, but am guessing that you'll agree that less burdensome requirements of school boards would be good
- 11) p.5, L.1 and 4-8, (5)--maybe we should say UW-EXT provide the assistance or UW-EXT in cooperation with DATCP
- 12) potentially ADD an emergency clause/out of 72 hour prior notification requirement; make emergency declaration something principal or higher must make and should still require on site posting and, as no advance notice will have been given, written notice when/as/just after posting-as soon as possible thereafter
- 13) p.2, L. 6 (2) requirements for school boards-I assume these can be subcontracted out

(eg f, g, h)?

Please review these and let me know if I have misunderstood any of our conversation. As soon as you can review this, please let me know if changes needed and if not, as we agreed, please get to Becky Tradewell (email address is Becky.Tradewell@legis.state.wi.us). THANKS, Susan

Tradewell, Becky

From: Tradewell, Becky
Sent: Friday, December 17, 1999 4:15 PM
To: Wenzel, Bill
Subject: RE: school IPM draft (LRB 3123/P1)

Bill,

I have been reviewing the message from Susan Mudd containing comments on the draft concerning pesticide use in schools. I have made some changes in the draft, but I need to know what you want to do about some of the items in the message.

Item 1: On the training of school personnel, I do not know how to describe who must be trained. For example, should the person responsible for developing the pest management plan be required to have training? Should each person who applies pesticides be required to have training? Should it be left up to the school district to specify who should get the training, as long as at least one person is trained? Or do you have something else in mind? In response to Susan's question, the reference on p. 3, line 5, was intended to refer to the certification that DATCP already does under s. 94.705 of certain pesticide applicators. Do you want to also require certification for the persons who are required to obtain training under this proposal?

Item 2: Do you want a one-time report or periodic reports? Susan indicates that either would be acceptable.

Item 7: Do you want me to wait for more information about funding or do you want to see a redraft before that information is available?

Item 9: I do not know what the fiscal impact would be of adding the language that Susan discusses. It is possible for you to get a fiscal estimate before the draft is introduced and to then modify the draft to eliminate any provisions that you determine are too costly. How would you like me to proceed on this item?

Item 11: Do you want to require assistance from the UW Extension, rather than from DATCP?

Item 12: Should I add an exemption from the requirement for advance notification?

Please let me know if you have any questions about my questions or about anything else related to the draft.

Thanks,

Becky Tradewell
266-7290

-----Original Message-----

From: Wenzel, Bill
Sent: Wednesday, December 15, 1999 12:26 PM
To: Tradewell, Becky
Subject: FW: school IPM draft (LRB 3123/P1)

Becky - -

Here are our responses to the questions in your Drafters Notes on LRB 3123. Could you incorporate these items into the draft at your earliest possible convenience.

Thanks,
Bill Wenzel
266-7745

-----Original Message-----

From: Susan Mudd [<mailto:cbesmudd@cbemw.org>] <[mailto:\[mailto:cbesmudd@cbemw.org\]](mailto:[mailto:cbesmudd@cbemw.org])>
Sent: Saturday, December 11, 1999 7:33 AM
To: Bill.Wenzel@legis.state.wi.us; Jim.Villa@legis.state.wi.us

Cc: Barry.Ashenfelter@legis.state.wi.us; reuppelle@itlis.com; derlee@itlis.com; cbebspahn@cbernwi.org
Subject: school IPM draft (LRB 3123/P1)

Bill and Jim-

Thanks for meeting Friday a.m. with Barry Ashenfelter, Brian Spahn, Derek Lee and myself regarding school pesticides issues.

Below are my draft replies to Becky Tradewell's questions on the draft (#1-8), followed by comments/suggestions otherwise raised in our meeting of 12/10/99.

1) require training; certification could be done through a test at end of training session, eg by UW-EXT, or could require training only but not certification; p.3, L. 5, (h)1. does this imply DATCP certification? 2) single report to legislature ok once or every couple of years, need not be frequent 3) require filing with DATCP, do NOT require DATCP to approve/disapprove; do require DATCP to keep them and make available to anyone 4) yes; need a deadline for completion/submission of the plan (how about 6 months after effective date of legislation) and for implementation (how about 12 months after effective date of legislation)

5) we need to check fumigation vs. fogging; we think fumigation is broader and is term that should be used

6) let's exclude sanitizers, germicides and disinfectants

7) Funding-I need to check with LFB on source of \$ DATCP is going after in 13.10 motion and try to tap into the same for this; \$ needs would be for school staff training and conversion to IPM approach; any chance of getting contract savings if eliminate routine sprayings?

8) 72 hours advance notice is what is wanted as written; please add to it however that the notification should include from label the known potential health effects from exposure and the name and number of decisionmaker at the school who can be called for more info, to report a health problem

9) p. 2, L.17, (e)-- what would the fiscal note/impact be of adding a clause that DATCP and DHSS together come up with a list of which is "least toxic pesticide available that is effective" for common school pests? do NOT propose to add if would add large fiscal note

10) p. 4, L. 1 (j)--I'm not sure we need to require school boards to review insurance policy ANNUALLY; perhaps just require it once, the power of this is telling them to do it the first time; future review is implied as review in the future, without us having to be explicit note: I forgot to bring # 10 up in our meeting, but am guessing that you'll agree that less burdensome requirements of school boards would be good

11) p.5, L.1 and 4-8, (5)--maybe we should say UW-EXT provide the assistance or UW-EXT in cooperation with DATCP

12) potentially ADD an emergency clause/out of 72 hour prior notification requirement; make emergency declaration something principal or higher must make and should still require on site posting and, as no advance notice will have been given, written notice when/as/just after posting-as soon as possible thereafter

13) p.2, L. 6 (2) requirements for school boards-I assume these can be subcontracted out (eg f, g, h)?

Please review these and let me know if I have misunderstood any of our conversation. As soon as you can review this, please let me know if changes needed and if not, as we agreed, please get to Becky Tradewell (email address is Becky.Tradewell@legis.state.wi.us). THANKS, Susan

Tradewell, Becky

From: Wenzel, Bill
Sent: Monday, February 21, 2000 12:02 PM
To: Tradewell, Becky
Subject: FW: Healthy Schools bill--decisions and timeframe

Hi Becky - -

Please note the following responses to questions that you posed on our Healthy Schools Initiative (IPM - LRB 3123/P1). If you can turn these around quickly I would sincerely appreciate. We'd like to get this one "out there" ASAP. Could you give me an idea of the "turn around" time?

Thanks,
Bill

-----Original Message-----

From: Susan Mudd [mailto:cbesmudd@cbemw.org] <mailto:cbesmudd@cbemw.org>
Sent: Thursday, February 17, 2000 3:36 PM
To: Bill Wenzel; Jim Villa; j_shibilski@pta.org; Chris Gunst; reopelle@itis.com; Barry Ashenfelter; Tricia Yates
Cc: cbesbapahn@cbemw.org; David Zaber
Subject: Healthy Schools bill--decisions and timeframe

Today's meeting regarding the Healthy Schools bill included representatives of Sen Alice Clausing (Bill Wenzel), Sen Brian Burke (Barry Ashenfelter), Sen Alberta Darling (Jim Villa), Rep Antonio Riley (Chris Gunst), WEAC (Tricia Yates), Wisconsin's Environmental Decade (Keith Reopelle) and Citizens for a Better Environment (Susan Mudd, Brian Spahn).

Here are:

- 1) the answers arrived at by consensus of those present to the questions most recently posed by the bill's drafter, Becky Tradewell. Answers follow each of her questions. (note: not every person listed above was able to be present for the entire discussion, so some may come back with further thoughts that could change the draft, likely a post-introduction version or for amendments)
 - 2) the approach which folks agreed to proceeding
- NOTE: I was having real difficulty hearing, if I got anything wrong, please tell me; I don't intend by this summary to be changing anything we agreed to!

>Item 1: On the training of school personnel, I do not know how to describe
>who must be trained. For example, should the person responsible for
>developing the pest management plan be required to have training? Should
>each person who applies pesticides be required to have training? Should it
>be left up to the school district to specify who should get the training, as
>long as at least one person is trained? Or do you have something else in
>mind?

✓ Train each person who is to apply

In response to Susan's question, the reference on p. 3, line 5, was

>intended to refer to the certification that DATCP already does under s.
>94.705 of certain pesticide applicators. Do you want to also require
>certification for the persons who are required to obtain training under this
>proposal?

✓ YES

✓>Item 2: Do you want a one-time report or periodic reports? Susan indicates
>that either would be acceptable.

Periodic, once per biennium

>Item 7: Do you want me to wait for more information about funding or do you

>want to see a redraft before that information is available?

No, please do the redraft;

We anticipate 3 principal cost centers in the bill: 1) DATCP staff (shouldn't actually be much given funds already in hand and relatively small role they will play); 2) training of school personnel (probably the largest cost) and 3) notification of parents et al before applications; we want to minimize this cost by having print notices go home with students (thus avoiding the need for 1st class mailings)

one pot that we believe has adequate funds in the ag chem cleanup fund, however when draft is done we'd appreciate LFB looking at it for source ideas; also we are aware of federal funds (EPA at least) for training sessions that could offset state/local costs

- >Item 9: I do not know what the fiscal impact would be of adding the
- >language that Susan discusses. It is possible for you to get a fiscal
- >estimate before the draft is introduced and to then modify the draft to
- >eliminate any provisions that you determine are too costly. How would you
- >like me to proceed on this item?

Please proceed with redraft without waiting for fiscal estimates; please do include a clause that DATCP and DHSS together come up with a list of which is "least toxic pesticide available that is effective" for common school pests; DATCP should be able to do this easily with its school manual...

- >Item 11: Do you want to require assistance from the UW Extension, rather
- >than from DATCP?

DATCP subcontract or through MOU use UW Ext; latter may also need cooperation of the 12 CESA's (whom schools are used to getting services from)

- >Item 12: Should I add an exemption from the requirement for advance
- >notification?

Yes, but the emergency must be declared by the superintendent of the school district (as is the case with snow days) and the exemption would not remove the requirement for on site posting and, as no advance

- >notice will have been given, written notice when/as/just after posting-as
- >soon as possible thereafter

I also note below one item that seems to not yet reflect our intentions from prior discussions:

- 1) the 72 hours advance notice should include from label the known
 - >potential health effects from exposure and the name and number of
 - >decisionmaker at the school who can be called for more info, to report a
 - >health problem

APPROACH FOR PROCEEDING:

- a) Dear Colleague letter to go out from Clausing and Darling ASAP (Mudd to do a draft for them; Wenzel to ask Tradewell for LRB analysis) seeking co-sponsors
- b) calls to be done next week seeking co-sponsors (Burke to be first name on bill after Clausing and Darling) by 2/25 or 1 week after letter goes out, whichever is later
- c) bill to be introduced as soon as sufficient co-sponsors lined up but in time to make Clausing's committee's hearing of week of 2/28-3/2 or later
- d) calls to be made early next week (Mon 2/21) to drum up press interest: Ron Seely, MJS, Chuck Q, Cap Times by Reopelle and Mudd; education reporters by Barb Brady
- e) press release next Wed or Thurs (2/23 or 2/24) announcing bill, its bipartisan support, all sponsors have by then
- f) school boards to be approached for support (or least to neutralize) by PTA/Shibilski (if willing and able) and/or WEAC/Yates and/or SAA/Kameruds (if support solid and willing)--Mudd to contact Shibilski; Yates to contact Kamerude
- g) hearing in early March in Clausing committee-diverse impressive turnout needed (Wenzel to notify all of date ASAP; Spahn, Mudd, Reopelle to work on turnout)
- h) goal to get through JFC and Senate this session; pass next session; use as leverage to improve DATCP's program in the interim

Again, if I've gotten any of it wrong, or forgotten something, please let me know. Onward! THANKS, Susan