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House Bill 5154 (Substitute S-3 as reported by the Committee of the Whole)

Sponsor: Representative Edward Gaffney

House Committee: Agriculture and Resource Management

Senate Committee: Agriculture, Forestry and Tourism

CONTENT

The bill would amend Part 83 (Pesticide Control) of the Natural Resources and Environmental Protection Act to do the following:

- Require schools and licensed day care centers to have in place an "integrated pest management program", and to notify parents at least 48 hours before a pesticide was applied at the school or day care center.
- Require school and day care administrators to notify parents annually that they would receive advance notice of a pesticide application.
- Require the annual notice to specify two methods by which the advance notice would be given, such as a phone call, an e-mail, or a posting on the school's or center's website.
- Require an advance notice to contain certain information about the pesticide, including where it would be applied and how much would be applied.
- Prohibit a person from applying pesticides in a room at a school or day care center unless the room would be unoccupied by students or children for at least four hours after the application, or longer, if the product label required it.
- Exclude the application of sanitizers, germicides, disinfectants, or antimicrobial agents from all of the above requirements.
- Require the Michigan Department of Agriculture (MDA) to develop, in consultation with the Michigan Department of Education and the Pesticide Advisory Committee, a model integrated pest management policy for schools.
- Require the MDA to encourage school boards to adopt the model policy and require staff to obtain periodic updates and training on integrated pest management.

MCL 324.8303 et al.

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bill would increase Department of Agriculture administrative costs by requiring the MDA to develop and distribute a model integrated pest management policy within one year of the bill's effective date. The Department also would experience additional costs associated with the requirement to encourage staff to obtain training on integrated pest management from experts in the field.

Local school districts likely would experience increased costs associated with this legislation. These costs would stem from stricter and more comprehensive notification requirements. Currently, schools annually must notify parents of pesticide applications, but the law does not specify how the notification must occur. The proposed legislation is much more specific, and states the annual notification would have to be in writing, and also would require two methods of advance notice of an application of a pesticide. Also, parents could request U.S. mail notification of upcoming applications. These broadened and increased notification procedures likely would lead to increased costs to schools that have pesticides applied.

Date Completed: 2-17-04

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