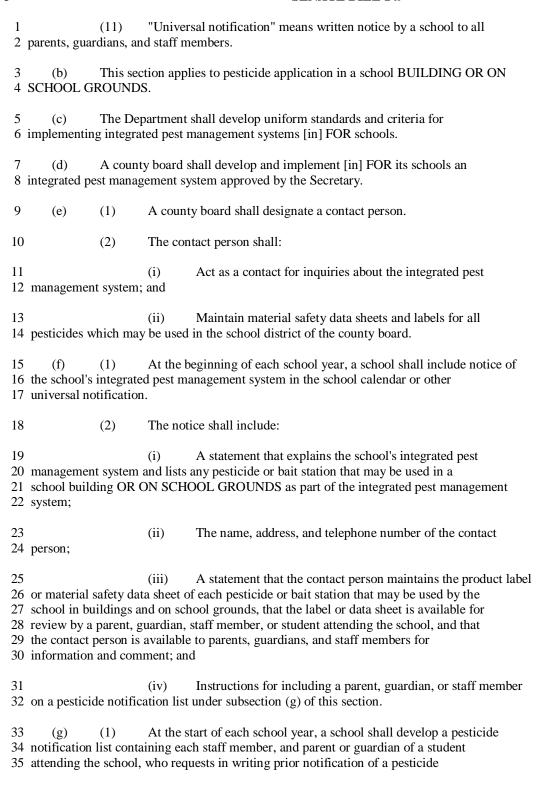
Unofficial Copy M4 1999 Regular Session 9lr0380

By: Senators Frosh, Forehand, Conway, Pinsky, Teitelbaum, Van Hollen, and Sfikas Introduced and read first time: January 27, 1999 Assigned to: Economic and Environmental Affairs							
Committee Report: Favorable with amendments Senate action: Adopted Read second time: March 3, 1999							
CHAPTER							
1 AN ACT concerning							
2 Public Schools - Integrated Pest Management							
FOR the purpose of extending the applicability of the integrated pest management systems adopted by the county boards of education to certain areas at public schools; making stylistic changes; providing for a delayed effective date; and generally relating to pesticide application in public schools.							
7 BY repealing and reenacting, with amendments, 8 Article - Agriculture 9 Section 5-208.1 10 Annotated Code of Maryland 11 (1985 Replacement Volume and 1998 Supplement)							
12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 13 MARYLAND, That the Laws of Maryland read as follows:							
14 Article - Agriculture							
15 5-208.1.							
16 (a) (1) In this section, the following words have the meanings indicated.							
17 (2) "Contact person" means an individual knowledgeable about 18 integrated pest management and designated by a county board to act under 19 subsection (e) of this section.							

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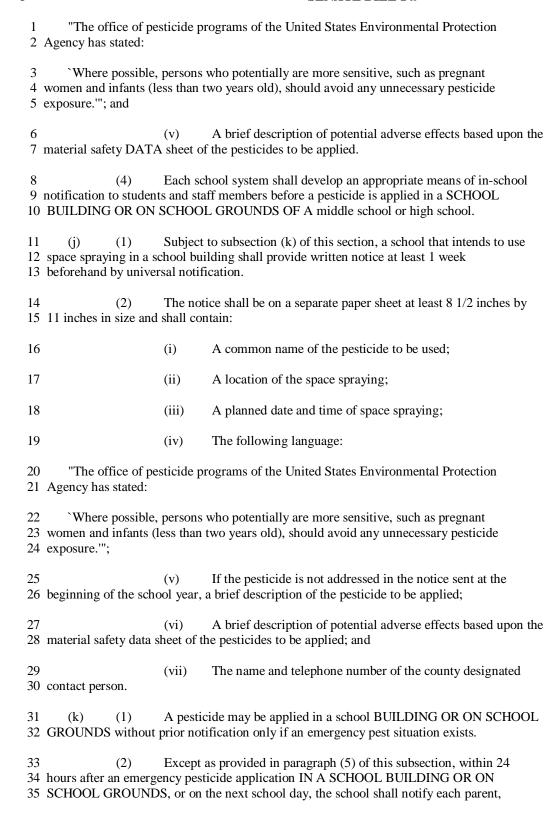
3 (4) "Crack and crevice treatment" means the application of small 4 amounts of a pesticide in a building into openings such as those commonly found at 5 expansion joints, between levels of construction, and between equipment and floors 6 (5) "Emergency" means a sudden need to mitigate or eliminate a 7 which threatens the health or safety of a student or staff member.	pest						
(6) "Integrated pest management" means a managed pest control program in which methods are integrated and used to keep pests from causing conomic, health related, or aesthetic injury through the utilization of site or pest inspections, pest population monitoring, evaluating the need for control, and the use of one or more pest control methods including sanitation, structural repair, nonchemical methods, and, when nontoxic options are unreasonable or have been exhausted, pesticides in order to:							
15 (i) Minimize the use of pesticides; and							
16 (ii) Minimize the risk to human health and the environm 17 associated with pesticide applications.	nent						
18 (7) "Pesticide" does not include:							
19 (i) An antimicrobial agent, such as a disinfectant, saniti 20 deodorizer, used for cleaning purposes; or	izer, or						
21 (ii) Any bait station.							
22 (8) "School" means a public school in the public elementary and secondary system of the State.							
24 (9) (i) "Space spraying" means application of a pesticide by into the air throughout an area.	y discharge						
26 (ii) "Space spraying" does not include crack and crevice	treatment.						
27 (10) (i) "Staff member" means an employee of a school syst	em.						
28 (ii) "Staff member" includes administrators, teachers, ar 29 support personnel.	nd other						
30 (iii) "Staff member" does not include:							
1. A registered employee or applicator certification 2. Department; or	ed by the						
2. A person assisting in the application of a pe	esticide.						

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	year.	ie school	BUILDING OR ON SCHOOL GROUNDS during the school					
	(2) add additional names guardian of a student	on writte	ool shall keep the pesticide notification list current and shall n request by a staff member, or by the parent or the school.					
6 7	(3) Department on reques		ool shall make the pesticide notification list available to the					
	After the start of each school year, a school shall provide the written information required under subsection (f)(2) of this section to a newly employed staff member or the parent or guardian of a student newly enrolled during the school year.							
13	(i) (1) Except as provided in paragraph (3) of this subsection, at least 24 hours before a pesticide is applied in a school building OR ON SCHOOL GROUNDS, the school shall provide to each parent, guardian, and staff member on the pesticide notification list the:							
15		(i)	Common name of the pesticide;					
16		(ii)	Location of the application;					
17		(iii)	Planned date and time of application; and					
18 19		(iv) uld reduc	United States Environmental Protection Agency warning that e or eliminate exposure to all pesticides.					
20 21	(2) (1) of this subsection		ool may provide prior notification, required under paragraph					
22 23	staff member;	(i)	Written notice sent home with the student or provided to the					
24		(ii)	Telephone call;					
25		(iii)	Direct contact; or					
26		(iv)	Written notice mailed at least 3 days prior to the application.					
		the pestion	ase of a pesticide application [in] AT an elementary school, at cide is applied in a school building OR ON SCHOOL provide to each parent or guardian, and staff member:					
30		(i)	The common name of the pesticide;					
31		(ii)	The location of the application;					
32		(iii)	The planned date and time of application;					
33		(iv)	The following language:					



		uardian, and staff member on the pesticide notification list that a pesticide was pplied for emergency pest control.					
3	include the:	(3)	The notification required under paragraph (2) of this subsection shall				
5			(i)	Common name of the pesticide applied;			
6			(ii)	Approximate location of the application;			
7			(iii)	Date of application; and			
8			(iv)	Reason for the emergency application.			
9		(4)	Notifica	tion under this subsection may be made by:			
10			(i)	Telephone call;			
11			(ii)	Direct contact; or			
12 13	staff membe	er.	(iii)	Written notice sent home with the student or provided to the			
16	14 (5) In the case of an emergency pesticide application [in] AT an 15 elementary school, within 24 hours after AN EMERGENCY pesticide application IN A 16 SCHOOL BUILDING OR ON SCHOOL GROUNDS, or on the next school day, the school 17 shall provide to each parent, guardian, and staff member:						
18			(i)	The common name of the pesticide;			
19			(ii)	The location of the application;			
20			(iii)	The date and time of application;			
21			(iv)	The following language:			
22 23	2 "The office of pesticide programs of the United States Environmental Protection 3 Agency has stated:						
	Where possible, persons who potentially are more sensitive, such as pregnant women and infants (less than two years old), should avoid any unnecessary pesticide exposure."; and						
27 28	(v) A brief description of potential adverse effects based upon the material safety data sheet of the pesticides applied.						
31	29 (1) Each school system shall develop appropriate means of in-school notification before a bait station is used in [the] A school BUILDING OR ON SCHOOL GROUNDS. The means may include a sign posted on the door of the room in which the bait station is placed.						

- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 July 1, 1999 2000.