

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB1836

House of Origin	<u> X </u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Toscano

3. Committee: Education

4. Title: **Pesticides; school boards to adopt pest management program to minimize chemical application thereof**

5. Summary: Directs school boards to adopt integrated pest management programs to minimize the chemical application of pesticides on school property. The Board of Education (BOE) shall adopt regulations providing for the implementation of such programs by July 1, 2009, in accordance with the recommendations of the United States Environmental Protection Agency.

6. Fiscal Impact Estimates: Indeterminate. See item 8.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: This legislation requires the BOE to establish regulations for the implementation of an integrated pest management (IPM) program that shall be adopted by each local school board. School divisions face serious consequences if pesticides are misused in school areas. Misuse of pesticides might result in health problems for students and others which might trigger lawsuits when children, staff, parents, or others become ill.

The U.S. Environmental Protection Agency (EPA) recommends schools use IPM programs to reduce pesticide risk and exposure to children because it is safer and less costly than conventional pest management. According to the EPA, IPM programs could prove to be less costly than conventional pesticide management; however, the Department of Education presently has no evidence to support this claim.

At one time the Department of Education assisted the Office of Pesticide Services of the Virginia Department of Agriculture and Consumer Services by providing information to school divisions regarding programs to help develop IPM plans. This department also conducted surveys of pest management practices in all school divisions and provided regional workshops focused on the IPM programs. On November 21, 2003, the Superintendent of Public Instruction issued a memorandum (#199) to all school divisions containing information about the IPM program. Information found on the Virginia Tech School IPM Program Web site indicates that 14 school divisions voluntarily adopted the IPM programs.

The Department of Education, at this time, does not have information regarding the current status of pest management programs in effect for each school division. Therefore, it is not

possible to estimate the cost for each division to comply with the provisions of this bill. However, given that only fourteen divisions currently have formal IPM programs, it is anticipated that most divisions will experience a fiscal impact if this bill is passed.

Additionally, the legislation sets a date of July 1, 2009 for the BOE to adopt regulations for the IMP program. Given the lack of staff expertise in pest management at the Department of Education and the staff time required to complete the review process and necessary background research on the subject, it will be difficult to draft meaningful and accurate regulations in the timeframe proposed by this bill. However, the Department of Education anticipates administrative costs arising from this bill can be absorbed within current resources.

9. Specific Agency or Political Subdivisions Affected: Board of Education and local school divisions.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

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cc: Secretary of Education