

(Reprinted with amendments adopted on April 15, 2019)

FIRST REPRINT

A.B. 205

ASSEMBLY BILL NO. 205—ASSEMBLYWOMEN
GORELOW; DURAN, MARTINEZ AND NGUYEN

FEBRUARY 18, 2019

Referred to Committee on Education

SUMMARY—Makes various changes concerning pest management in public schools. (BDR 34-844)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 3, 4)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring the establishment of an integrated pest management policy for controlling pests and weeds on the property of a school district; requiring the appointment of a chief integrated pest management coordinator in each school district; authorizing the appointment of subordinate integrated pest management coordinators; requiring certain employees of a school district to be certified in integrated pest management if the certification is available at no additional cost to the school district; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of a school district to manage and control school property within the district, except for the property of a charter school. (NRS 393.010) Existing law requires the board of trustees of each school district to ensure that the public schools within the school district use only environmentally sensitive cleaning and maintenance products in the cleaning of all floor surfaces in the public schools within the school district. (NRS 386.4195) **Section 3** of this bill requires the board of trustees of each school district to establish and maintain an integrated pest management policy to provide pest and weed control on the property of the district. **Section 3** prescribes the required contents of such a policy, which include: (1) a procedure for monitoring the property of the district to determine when pests or weeds are present and, when pest or weed problems are significant, to take corrective action; and (2) written guidelines for determining when specific measures should be taken to control pests



* A B 2 0 5 R 1 *

14 and weeds. **Section 4** of this bill requires the superintendent of a school district to
15 appoint a chief integrated pest management coordinator to carry out the policy.
16 **Section 4** also authorizes a superintendent to appoint subordinate integrated pest
17 management coordinators to assist the chief integrated pest management
18 coordinator in the performance of his or her duties. **Section 5** of this bill requires
19 the board of trustees of a school district to ensure that at least 10 percent of the
20 employees of the school district who provide custodial or maintenance services are
21 certified in integrated pest management if the certification is available at no
22 additional cost to the school district, by a nonprofit organization that meets certain
23 qualifications.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 386 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 5, inclusive, of this act, unless*
5 *the context otherwise requires, "integrated pest management"*
6 *means a strategy for controlling pests and weeds with minimal use*
7 *of pesticides or herbicides.*

8 **Sec. 3. 1.** *The board of trustees of each school district shall*
9 *adopt and maintain an integrated pest management policy to*
10 *provide pest and weed control on the property of the district. The*
11 *integrated pest management policy must include, without*
12 *limitation:*

13 (a) *The qualifications for a person to be authorized to apply*
14 *pesticides or herbicides on any property belonging to the district;*

15 (b) *Information concerning the designation of and required*
16 *training for a chief or subordinate integrated pest management*
17 *coordinator appointed pursuant to section 4 of this act;*

18 (c) *A procedure for monitoring the property of the district to*
19 *determine when pests or weeds are present and, when significant,*
20 *for taking corrective action;*

21 (d) *Written guidelines for determining when to take specific*
22 *measures to control pests and weeds, which must:*

23 (1) *Prioritize the use of preventive measures, including,*
24 *without limitation, proper maintenance and sanitation to deny*
25 *pests access to food, water and shelter;*

26 (2) *Require the use of nonchemical pest or weed*
27 *management before using pesticides or herbicides; and*

28 (3) *Require any use of pesticides or herbicides to be carried*
29 *out in a manner that creates the lowest possible risk to health and*
30 *safety;*

31 (e) *A system for maintaining records of reports of inspections*
32 *of facilities, work orders and service reports for pest or weed*



1 *control services, applications of pesticides or herbicides and*
2 *complaints concerning pesticides or herbicides, including, without*
3 *limitation, rules concerning the length of time that such records*
4 *must be maintained;*

5 *(f) A plan for educating and, if appropriate, training*
6 *employees of the school district concerning their roles and duties*
7 *concerning the integrated pest management policy; and*

8 *(g) A procedure to notify school employees, pupils, parents or*
9 *guardians of pupils and other affected persons before any*
10 *pesticide or herbicide is applied on the property of a school. Such*
11 *notice may be provided by telephone, in writing or by electronic*
12 *mail.*

13 *2. The superintendent of each school district and each chief*
14 *and subordinate integrated pest management coordinator*
15 *appointed pursuant to section 4 of this act shall maintain a copy of*
16 *the integrated pest management policy established pursuant to*
17 *subsection 1.*

18 **Sec. 4. 1. The superintendent of each school district:**

19 *(a) Shall appoint a chief integrated pest management*
20 *coordinator to carry out the integrated pest management policy*
21 *established pursuant to section 3 of this act; and*

22 *(b) May appoint subordinate integrated pest management*
23 *coordinators to assist the chief integrated pest management*
24 *coordinator in the performance of his or her duties.*

25 *2. An employee of the school district may be appointed as the*
26 *chief integrated pest management coordinator or subordinate*
27 *integrated pest management coordinator pursuant to subsection 1.*

28 *3. Not later than 90 days after appointing a chief or*
29 *subordinate integrated pest management coordinator, the*
30 *superintendent shall report to the Department:*

31 *(a) The name, address, telephone number and electronic mail*
32 *address of the integrated pest management coordinator;*

33 *(b) The effective date of the appointment; and*

34 *(c) The role to which the person has been appointed.*

35 *4. A chief or subordinate integrated pest manager appointed*
36 *pursuant to this section shall:*

37 *(a) Oversee any staff who are responsible for pest and weed*
38 *control and ensure proper training of such staff in accordance*
39 *with section 5 of this act and the pest management policy*
40 *established pursuant to section 3 of this act;*

41 *(b) Oversee the work of any contractor who is engaged to*
42 *provide pest and weed control;*



1 (c) *Communicate with school administrators, the*
2 *superintendent of the school district and the board of trustees of*
3 *the school district concerning planned activities to control pests*
4 *and weeds; and*

5 (d) *Ensure compliance with the integrated pest management*
6 *policy established pursuant to section 3 of this act, including,*
7 *without limitation, the system for maintaining records and the*
8 *procedure prescribed in the policy for providing notification*
9 *before the application of a pesticide or herbicide on property*
10 *belonging to the school district.*

11 **Sec. 5. 1.** *If a certification in integrated pest management*
12 *that meets the requirements of subsection 2 is available at no*
13 *additional cost to a school district, the board of trustees of each*
14 *school district must ensure that at least 10 percent of the*
15 *employees of the school district who provide custodial or*
16 *maintenance services hold such a certification.*

17 2. *A certification in integrated pest management is valid for*
18 *the purposes of subsection 1 if the certification was issued by a*
19 *nonprofit organization that:*

20 (a) *Is recognized nationally or internationally;*

21 (b) *Has at least 15 years of experience providing education*
22 *and training to school employees concerning management of pests*
23 *in structures and landscape;*

24 (c) *Displays ongoing involvement in the development of*
25 *integrated pest management strategies;*

26 (d) *Requires a majority of its officers and board of directors to*
27 *hold an advanced degree in a field related to pest management*
28 *and a certification or other credential in integrated pest*
29 *management; and*

30 (e) *Provides training that is required for the certification in a*
31 *manner that is accessible in-person or remotely.*

32 **Sec. 6.** *The board of trustees of a school district shall adopt an*
33 *integrated pest management policy pursuant to section 3 of this act*
34 *on or before January 1, 2020, and conduct all pest and weed control*
35 *activities occurring thereafter on the property of the district in*
36 *accordance with such a policy.*

37 **Sec. 7.** *The provisions of NRS 354.599 do not apply to any*
38 *additional expenses of a local government that are related to the*
39 *provisions of this act.*

40 **Sec. 8.** *This act becomes effective:*

41 1. *Upon passage and approval for the purpose of developing an*
42 *integrated pest management policy pursuant to section 3 of this act,*
43 *appointing chief and subordinate integrated pest management*
44 *coordinators pursuant to section 4 of this act and performing any*



- 1 other preparatory administrative tasks that are necessary to carry out
- 2 the provisions of this act; and
- 3 2. On January 1, 2020, for all other purposes.

⑩



* A B 2 0 5 R 1 *