

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-952)
109TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "B" to H.P. 1980, L.D. 2015, Bill,
"AN ACT to Create the Maine Spruce Budworm Management Act."

Amend the Bill in section 12 by striking out all of subsections 1 and 2 of that part designated "§8426." and inserting in their place the following:

1. Recommendation of the director. On or before January 1st of each year, the director shall report in writing to the Bureau of the Budget and to the Legislature his estimate of the costs of implementation of any spray project proposed for that calendar year, and the costs of implementing the spruce budworm spray/^{environmental} monitoring program of the Department of Human Services contained in Title 22, chapter 269.

2. Authorization by Legislature. Following the recommendation made in accordance with subsection 1, the Legislature shall determine, not later than February 15th, the amount, if any, authorized for expenditure for any spray project in that calendar year, including the amount authorized for implementing the spruce budworm spray monitoring program, and shall determine the pre-project excise tax rate, applicable to all acres within the spray

program area, necessary to finance the full amount so authorized. That excise tax shall be assessed and collected in accordance with section 8427, subsection 2.'

Further amend the Bill in section 12 by striking out all of paragraph B of subsection 3 of that part designated "§8426." and inserting in its place the following:

'B. The moneys credited to such accounts shall be used by the Bureau of Forestry to pay any expenses, debts, accounts and lawful demands incurred in connection with spray projects authorized under this subchapter, and the director shall authorize the State Controller to draw his warrant therefor at any time. The moneys shall also be used to fund the spruce budworm spray environmental monitoring program of the Department of Human Services contained in Title 22, chapter 269. Any remaining balance in these accounts shall continue from year to year as a fund available for the purposes set out in this subchapter and for no other purposes.'

Further amend the Bill in section 12 by striking out all of paragraph A of subsection 3 of that part designated "§8427." and inserting in its place the following:

'A. The director shall determine the total amount of costs incurred or budgeted to be expended in connection with any spray project conducted during the then current calendar year, including costs incurred or budgeted to fund the spruce budworm spray environmental monitoring program of the Department of Human Services.'

Further amend the bill by inserting after section 12 the following:

Sec. 12-A,22 MRSA c. 269 is enacted to read:

CHAPTER 269

SPRUCE BUDWORM SPRAY ENVIRONMENTAL MONITORING

§1661. Spruce budworm spray monitoring

The department shall monitor the environmental effects of aerial pesticide applications resulting from the Maine Spruce Budworm Management Act, to determine the long-term and short-term effects of spruce budworm aerial spraying.

The department shall hire one individual deemed by the commissioner to be qualified to conduct this type of monitoring.

§1662. Report

The commissioner shall make regular reports to the people of this State regarding the environmental impact of spruce budworm aerial spraying. He shall also include specific reference to the spruce budworm spray monitoring activities of the department in a report to the Legislature.

§1663. Acceptance of funds

The department is authorized to accept any public or private funds which may be available for carrying out the purposes of this chapter.

This program is to be funded by the Maine Spruce Budworm Management Act.

HOUSE AMENDMENT "B" to H.P. 1980, L.D. 2015

Statement of Fact

This amendment directs the Department of Human Services to monitor the environmental effects of the spruce budworm spray program. It authorizes the commissioner to hire one person to conduct this monitoring, and requires reports to the people and the Legislature concerning these activities.

The program will be funded totally out of the/Spruce
Maine
Budworm Management Act, which is funded by excise taxes assessed against landowners. It is estimated to cost approximately \$50,000.

Filed by Mrs. Prescott of Hampden
Reproduced and distributed under the direction of the Clerk of the
House
3/19/80 (Filing No. H-952)