

# MAINE STATE LEGISLATURE

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L.D. 1099

Date: 4/8/16

(Filing No. H-659)

**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 759, L.D. 1099, Bill, "An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 7 MRSA c. 417 is enacted to read:

**CHAPTER 417**

**ANIMAL AND PLANT DISEASE AND TICKS AND OTHER INSECTS  
MANAGEMENT FUND**

**§2431. Fund established**

The Animal and Plant Disease and Ticks and Other Insects Management Fund, referred to in this chapter as "the fund," is established. The fund is administered by the University of Maine Cooperative Extension and consists of funds received from any appropriation or allocation from the Legislature and funds transferred pursuant to this section. The fund, to be accounted within the University of Maine Cooperative Extension, must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund, and the fund is a nonlapsing fund. The fund may not be used to pay for administrative costs incurred by the University of Maine Cooperative Extension. Beginning in fiscal year 2017-18, notwithstanding any other provision of law, on October 1st of each year, or the first business day thereafter, the State Controller shall transfer at least \$400,000 from available balances in Other Special Revenue Funds accounts within the department or other sources available to the department to the fund. On or before February 1, 2017 and on or before February 1st of each year thereafter, the commissioner shall determine from which accounts or sources the funds must be transferred in October of that year so that the sum equals at least \$400,000 and notify the State Controller, the joint standing committee of the Legislature having jurisdiction over pest management

**COMMITTEE AMENDMENT**

1 matters and the joint standing committee of the Legislature having jurisdiction over  
 2 appropriations and financial affairs of the amounts to be transferred from each account or  
 3 source. After receiving notification from the commissioner, the joint standing committee  
 4 of the Legislature having jurisdiction over pest management matters may report out a bill  
 5 related to the transfer.

6 **§2432. Expenditures from fund**

7 Funds in the fund must be distributed to the University of Maine Cooperative  
 8 Extension and used for the following purposes:

9 **1. Pest management education.** Outreach and education initiatives on pest  
 10 management and pesticide safety, including community pest management and medical  
 11 and veterinary pest management, focusing on health-related issues caused by ticks and  
 12 mosquitoes, and pesticide application and use, focusing on pollinator health and safety;  
 13 and

14 **2. Laboratory operations.** Testing ticks provided by the public for pathogenic  
 15 organisms, and general laboratory operations involving pesticide management and  
 16 management of host ecology and ticks and other insects, including invasive insects as  
 17 determined by the department.

18 **Sec. 2. Transfer; unexpended funds; Board of Pesticides Control account.**  
 19 Notwithstanding any other provision of law, the Department of Agriculture, Conservation  
 20 and Forestry shall transfer \$400,000 from the Board of Pesticides Control, Other Special  
 21 Revenue Funds account to the University of Maine Cooperative Extension, Animal and  
 22 Plant Disease and Ticks and Other Insects Management Fund, Other Special Revenue  
 23 Funds account on September 30, 2016.

24 **Sec. 3. Appropriations and allocations.** The following appropriations and  
 25 allocations are made.

26 **UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE**  
 27 **Animal and Plant Disease and Ticks and Other Insects Management Fund N226**

28 Initiative: Allocates funds for pest management and pesticide safety outreach and  
 29 education and for testing of ticks provided by the public and certain other laboratory  
 30 operations at the University of Maine Cooperative Extension's animal and plant disease  
 31 and insect control laboratory.

32	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2015-16</b>	<b>2016-17</b>
33	All Other	\$0	\$400,000
34			
35	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$400,000</b>
36			

37 **SUMMARY**

38 This amendment renames the Animal and Plant Disease and Insect Control Fund in  
 39 the bill the Animal and Plant Disease and Ticks and Other Insects Management Fund and

ROFS

COMMITTEE AMENDMENT "B" to H.P. 759, L.D. 1099

1 changes the permitted uses of the fund. It also changes the funding source of the fund  
2 from a 20¢ fee on every sale of a container of consumer packaged pesticides to an annual  
3 allocation from the Legislature of at least \$400,000. In fiscal year 2016-17, this  
4 allocation will come from the Other Special Revenue Funds account within the  
5 Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.  
6 Beginning in 2017, the Commissioner of Agriculture, Conservation and Forestry is  
7 required to determine by February 1st of each year from which accounts or sources the  
8 funds must be transferred so that the sum equals at least \$400,000, and must notify the  
9 State Controller, the joint standing committee of the Legislature having jurisdiction over  
10 pest management matters and the joint standing committee of the Legislature having  
11 jurisdiction over appropriations and financial affairs. The transfer of funds must take  
12 place on October 1st of each year or the first business day thereafter. It further provides  
13 that, after receiving notification, the joint standing committee of the Legislature having  
14 jurisdiction over pest management matters may report out a bill related to the transfer.

15  
16

**FISCAL NOTE REQUIRED**

(See attached)

**COMMITTEE AMENDMENT**



# 127th MAINE LEGISLATURE

LD 1099

LR 1303(13)

## An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory

Fiscal Note for Bill as Amended by Committee Amendment

*BCH-659*

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

### Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$400,000	\$400,000	\$400,000
<b>Transfers</b>				
Other Special Revenue Funds	\$0	\$0	\$0	\$0

### Fiscal Detail and Notes

This bill includes ongoing Other Special Revenue Funds (OSRF) allocations of \$400,000 per year beginning in fiscal year 2016-17 to the newly created Animal and Plant Disease and Ticks and Other Insects Management Fund at the University of Maine Cooperative Extension for pest management and pesticide safety outreach and education and for testing of ticks provided by the public and certain other laboratory operations at the University of Maine Cooperative Extension's animal and plant disease and insect control laboratory.

The bill requires the Department of Agriculture, Conservation and Forestry (ACF) to transfer \$400,000 from the Board of Pesticides Control Fund (Pesticides Fund) in fiscal year 2016-17 to the Animal and Plant Disease and Ticks and Other Insects Management Fund at the University of Maine Cooperative Extension. The Pesticides Fund has sufficient resources to make this one-time transfer. This bill also requires ACF to transfer \$400,000 annually beginning in fiscal year 2017-18 to this new account from available balances in various OSRF accounts within ACF or other sources available to ACF. ACF is expected to have sufficient resources in all of its OSRF accounts to make these yearly transfers in the foreseeable future. However, ACF has indicated that it will only make these transfers from the Pesticides Fund, but the Pesticides Fund does not have sufficient resources to make these annual transfers in perpetuity. The language in the bill gives ACF the authority to determine which account balances to draw from, but does not anticipate that ACF will only draw from the Pesticides Fund.