

MAINE STATE LEGISLATURE

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SMJ
2019

L.D. 643

Date: 5/22/19 Minority (Filing No. H-341)

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 464, L.D. 643, Bill, "An Act To Provide Funding to Municipalities Severely Affected by Pest Infestations"

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

'Sec. 1. 22 MRSA c. 249 is enacted to read:

CHAPTER 249

MANAGEMENT OF HARMFUL PESTS

§791. Harmful pest management; identification

1. Harmful pest identification. The commissioner, in consultation with the State Entomologist, shall identify pests, such as insects and arachnids, including, but not limited to, browntail moths and ticks, that are prevalent in this State and pose a risk of significant harm to human health, referred to in this chapter as "harmful pests."

2. Harmful pest management. The commissioner, in consultation with the State Entomologist, may undertake measures determined appropriate by the commissioner to manage harmful pests, including the prevention of breeding of harmful pests. In undertaking management of harmful pests pursuant to this section, the commissioner may contract with an entity outside the department for these services, but any activities must be conducted using a combination of the lowest-risk, most effective, science-based management techniques and technology.

§792. Maine Harmful Pest Management Fund

1. Fund established. The Maine Harmful Pest Management Fund, referred to in this section as "the fund," is established to carry out the purposes of this chapter. The fund consists of any money received as contributions, grants or appropriations from private and public sources.

COMMITTEE AMENDMENT

2.0895

1 2. Purposes. The department may expend the money available in the fund to
2 municipalities designated by the State Entomologist as being severely infested with
3 harmful pests. A municipality may not receive more than \$50,000 from the fund. A
4 municipality provided funds under this subsection shall use:

5 A. Fifty percent of the funding to mitigate infestation of residential properties in the
6 municipality where persons with health conditions that can be exacerbated by the
7 infestation reside and who are unable to pay for treatment of the infestation; and

8 B. Fifty percent of the funding to mitigate infestation of publicly owned properties in
9 the municipality.

10 3. Administration. The fund, to be accounted for within the Maine Center for
11 Disease Control and Prevention, Division of Public Health and Emergency Preparedness,
12 must be held separate and apart from all other money, funds and accounts. Any balance
13 remaining in the fund at the end of a fiscal year does not lapse but must be carried
14 forward to the next fiscal year.

15 **§793. Rules**

16 The department shall adopt routine technical rules pursuant to Title 5, chapter 375,
17 subchapter 2-A necessary to administer and enforce this chapter, including rules to
18 establish the criteria for determining the severity of harmful pests and the threat to public
19 health.

20 **Sec. 2. Appropriations and allocations.** The following appropriations and
21 allocations are made.

22 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
23 **Maine Harmful Pest Management Fund N236**

24 Initiative: Provides one-time funding to the Maine Harmful Pest Management Fund
25 within the Department of Health and Human Services, Maine Center for Disease Control
26 and Prevention, Division of Public Health and Emergency Preparedness to be used in
27 mitigating infestations of harmful pests, such as browntail moth caterpillars and ticks.

28	GENERAL FUND	2019-20	2020-21
29	All Other	\$500,000	\$0
30			
31	GENERAL FUND TOTAL	\$500,000	\$0

33 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
34 section number to read consecutively.

35 **SUMMARY**

36 This amendment, which is the minority report, requires the Commissioner of Health
37 and Human Services instead of the Commissioner of Agriculture, Conservation and
38 Forestry, in consultation with the State Entomologist, to identify pests, such as browntail
39 moths and ticks, in this State that pose a risk of significant harm to human health, and to

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COMMITTEE AMENDMENT "A" to H.P. 464, L.D. 643

1 undertake measures to manage those pests. It also changes the percentage of funds used
2 for mitigation of infestation in residential properties to be the same as is used for
3 mitigation of infestation in publicly owned properties.

4 The amendment also establishes the Maine Harmful Pest Management Fund within
5 the Department of Health and Human Services, Maine Center for Disease Control and
6 Prevention, Division of Public Health and Emergency Preparedness to provide funds to
7 municipalities severely infested with harmful pests, to be used in mitigating the
8 infestations.

9 The amendment specifies that a municipality is required to use 50% of the funding,
10 rather than 75 percent as proposed in the bill, to mitigate infestation of residential
11 properties in the municipality where persons with health conditions that can be
12 exacerbated by the infestation reside and who are unable to pay for treatment of the
13 infestation. The amendment also specifies that a municipality is required to use the other
14 50% of the funding, rather than 25% as proposed in the bill, to mitigate infestation of
15 publicly owned properties in the municipality.

16 **FISCAL NOTE REQUIRED**

17 **(See attached)**



129th MAINE LEGISLATURE

LD 643

LR 395(02)

An Act To Provide Funding to Municipalities Severely Affected by Pest Infestations

Fiscal Note for Bill as Amended by Committee Amendment

A(H-341)

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$500,000	\$0	\$0	\$0
Appropriations/Allocations				
General Fund	\$500,000	\$0	\$0	\$0

Fiscal Detail and Notes

The bill includes a one-time General Fund appropriation to the Department of Health and Human Services of \$500,000 in fiscal year 2019-20 to the Maine Harmful Pest Management Fund within the Maine Center for Disease Control and Prevention, Division of Public Health and Emergency Preparedness to be used by municipalities in mitigating infestations of harmful pests, such as browntail moth caterpillars and ticks. Any additional costs to the Department of Agriculture, Conservation and Forestry as a result of consultations by the State Entomologist regarding harmful pests are anticipated to be minor and can be absorbed within existing budgeted resources.