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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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

COMMITTEE AMENDMENT " " 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 title and before the summary and inserting the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation provides funding in fiscal year 2015-16 for the testing of ticks provided by the public for pathogenic organisms; and

Whereas, this funding will help keep people safe outdoors and combat the rise of Lyme disease in Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

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

COMMITTEE AMENDMENT

1 appropriation or allocation from the Legislature and funds transferred pursuant to this
2 section. The fund, to be accounted within the University of Maine Cooperative
3 Extension, must be held separate and apart from all other money, funds and accounts.
4 Eligible investment earnings credited to the assets of the fund become part of the assets of
5 the fund, and the fund is a nonlapsing fund. The fund may not be used to pay for
6 administrative costs incurred by the University of Maine Cooperative Extension.
7 Beginning in fiscal year 2016-17, notwithstanding any other provision of law, at the close
8 of each fiscal year, the State Controller shall transfer at least \$400,000 from available
9 balances in Other Special Revenue Funds accounts within the department or other sources
10 available to the department to the fund. On or before June 30th of each fiscal year, the
11 commissioner shall determine from which accounts or sources the funds must be
12 transferred so that the sum equals at least \$400,000 and notify the State Controller and the
13 joint standing committee of the Legislature having jurisdiction over appropriations and
14 financial affairs of the amounts to be transferred from each account or source.

15 **§2432. Expenditures from fund**

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

18 1. Pest management education. Outreach and education initiatives on pest
19 management and pesticide safety, including community pest management and medical
20 and veterinary pest management, focusing on health-related issues caused by ticks and
21 mosquitoes, and pesticide application and use, focusing on pollinator health and safety;
22 and

23 2. Laboratory operations. Testing ticks provided by the public for pathogenic
24 organisms, and general laboratory operations involving pesticide management,
25 management of ticks and other insects, including invasive insects as determined by the
26 department, and host ecology and management.

27 **Sec. 2. Transfer; unexpended funds; Board of Pesticides Control account.**
28 Notwithstanding any other provision of law, the Department of Agriculture, Conservation
29 and Forestry shall transfer \$400,000 from the Board of Pesticides Control, Other Special
30 Revenue Funds account to the University of Maine Cooperative Extension, Animal and
31 Plant Disease and Ticks and Other Insects Management Fund, Other Special Revenue
32 Funds account by June 30, 2016.

33 **Emergency clause.** In view of the emergency cited in the preamble, this
34 legislation takes effect when approved.'

35 **SUMMARY**

36 This amendment, which is the majority report of the committee, renames the Animal
37 and Plant Disease and Insect Control Fund in the bill the Animal and Plant Disease and
38 Ticks and Other Insects Management Fund and changes the permitted uses of the fund. It
39 also changes the funding source of the fund from a 20¢ fee on every sale of a container of
40 consumer packaged pesticides to an annual allocation from the Legislature of at least
41 \$400,000. In fiscal year 2015-16, this allocation will come from the Other Special
42 Revenue Funds account within the Department of Agriculture, Conservation and

1 Forestry, Board of Pesticides Control. Beginning in fiscal year 2016-17, the
2 Commissioner of Agriculture, Conservation and Forestry is required to determine from
3 which accounts or sources the funds must be transferred so that the sum equals at least
4 \$400,000. The amendment also adds an emergency preamble and emergency clause.

