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Legislative Document

No. 1181

H.P. 818

House of Representatives, March 28, 2017

**An Act To Provide Funding to Municipalities Severely Infested by
Brown-tail Moth Caterpillars**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative TEPLER of Topsham.
Cosponsored by Senator VITELLI of Sagadahoc and
Representatives: BATTLE of South Portland, BERRY of Bowdoinham, DAUGHTRY of
Brunswick, DeCHANT of Bath, DEVIN of Newcastle, McCREIGHT of Harpswell, PIERCE
of Dresden, Senator: DILL of Penobscot.

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

2 **Sec. 1. 7 MRSA c. 6-B** is enacted to read:

3 **CHAPTER 6-B**

4 **MANAGEMENT OF BROWN-TAIL MOTH CATERPILLARS**

5 **§181. Brown-tail moth caterpillar management**

6 The commissioner may use appropriate methods for the management of brown-tail
7 moth caterpillars and the prevention of their breeding, including but not limited to
8 conducting or contracting for brown-tail moth caterpillar management activities. The
9 commissioner in undertaking activities under this section shall use a combination of the
10 lowest risk, most effective integrated pest management techniques and science-based
11 technology.

12 **§182. Maine Brown-tail Moth Caterpillar Management Fund**

13 **1. Fund established.** The Maine Brown-tail Moth Caterpillar Management Fund,
14 referred to in this section as "the fund," is established to carry out the purposes of this
15 chapter. The fund consists of any money received as contributions, grants or
16 appropriations from private and public sources.

17 **2. Purposes.** The department may expend the money available in the fund to
18 municipalities designated by the State Entomologist as being severely infested with
19 brown-tail moth caterpillars. A municipality may not receive more than \$50,000 from the
20 fund. A municipality provided funds under this subsection shall use:

21 A. Seventy-five percent of the funding to mitigate infestation on residential
22 properties in the municipality on which persons with health conditions that can be
23 exacerbated by the infestation reside and who are unable to pay for treatment of the
24 infestation; and

25 B. Twenty-five percent of the funding to mitigate infestation on publicly owned
26 properties in the municipality.

27 **3. Administration.** The fund, to be accounted for within the department, must be
28 held separate and apart from all other money, funds and accounts. Any balance
29 remaining in the fund at the end of a fiscal year does not lapse but must be carried
30 forward to the next fiscal year. The State Entomologist shall administer the fund
31 allocations.

32 **§183. Rules**

33 The department shall adopt routine technical rules pursuant to Title 5, chapter 375,
34 subchapter 2-A necessary to administer and enforce this chapter.

35 **Sec. 2. Appropriations and allocations.** The following appropriations and
36 allocations are made.

