



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 643

H.P. 464

House of Representatives, February 7, 2019

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

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TEPLER of Topsham.
Cosponsored by Senator BREEN of Cumberland and
Representatives: BERRY of Bowdoinham, DAUGHTRY of Brunswick, HEPLER of
Woolwich, McCREIGHT of Harpswell, O'NEIL of Saco, PIERCE of Falmouth, TUCKER of
Brunswick.

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 HARMFUL PESTS**

5 **§181. Harmful pest management; identification**

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

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

17 **§182. Maine Harmful Pest Management Fund**

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

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

26 **A.** Seventy-five percent of the funding to mitigate infestation of residential
27 properties in the municipality where persons with health conditions that can be
28 exacerbated by the infestation reside and who are unable to pay for treatment of the
29 infestation; and

30 **B.** Twenty-five percent of the funding to mitigate infestation of publicly owned
31 properties in the municipality.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

16
17
18
19
20
21
22
23

§183. Rules

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

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF
Maine Harmful Pest Management Fund N236**

Initiative: Provides one-time funding to the Maine Harmful Pest Management Fund within the Department of Agriculture, Conservation and Forestry to be used in mitigating infestations of harmful pests, such as browntail moth caterpillars and ticks.

GENERAL FUND	2018-19	2019-20
All Other	\$500,000	\$0
GENERAL FUND TOTAL	<u>\$500,000</u>	<u>\$0</u>

SUMMARY

This bill authorizes the Commissioner of Health and Human Services, in consultation with the State Entomologist, to identify pests, such as browntail moths and ticks, in this State that pose a risk of significant harm to human health, and to undertake measures to manage those pests.

The bill also establishes the Maine Harmful Pest Management Fund to provide funds to municipalities severely infested with harmful pests, to be used in mitigating the infestations. It also provides \$500,000 to the fund.