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**Testimony of Amanda E. Beal, Commissioner
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**Before the Joint Standing Committees on
Appropriations and Financial Affairs and
Agriculture, Conservation, and Forestry**

**LD 2214 “An Act To Make Supplemental Appropriations and Allocations from the
General Fund and Other Funds for the Expenditures of State Government and Changing
Certain Provisions of the Law Necessary to the Proper Operations of State
Government for the Fiscal Years Ending June 30, 2024, and June 30, 2025”**

Hearing Date: March 4, 2024

Good afternoon, Senators Rotundo and Ingwersen, Representatives Sachs and Pluecker, and Members of the Joint Standing Committees on Appropriations and Financial Affairs and Agriculture, Conservation and Forestry. My name is Amanda Beal, and I am the Commissioner of the Department of Agriculture, Conservation and Forestry (DACF). I am here today to testify in support of LD 2214, the Governor’s Supplemental Budget proposal for State fiscal years 2024 and 2025. This testimony addresses each item and proceeds sequentially from pages A-8 through A-19.

The supplemental budget is a balanced, prudent, and responsible proposal that advances the Governor’s long-held belief that we must continue to invest in the people of Maine, our greatest asset.

That is why the Governor’s proposal strikes the balance between making timely investments to address urgent needs – like public safety, mental health, housing, education, and health care – and saving money to ensure that our state continues to stand on strong fiscal footing in the future.

We look forward to working with the Legislature in the coming weeks to arrive at a budget that protects our fiscal health and that makes prudent and timely investments to support the health, safety, and welfare of Maine people.

DACF is charged with promoting and advancing Maine’s agricultural resources; protecting and enhancing nearly 18 million acres of forestland; managing more than 700,000 acres of state parks and public lands; and administering numerous science-based programs focused on resource management, land use planning, and conservation. The impact of our work is also quite

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extensive and supports a large part of our overall natural resource-based economy, as our agriculture, forestry, and outdoor recreation sectors combined contribute more than \$20 billion to our State's economy annually and supports approximately 140,000 jobs. DACF's work is carried out statewide by our 778 year-round and seasonal staff, who oversee and fulfill a wide range of duties on a daily basis through our four Bureaus and 110 diverse programs.

You will see that our supplemental budget requests address urgent and ongoing work and critical needs within our programs. Of the 53 initiatives and 8 language items you will be asked to vote on in this budget, 6 are related to position reclassifications approved by the Bureau of Human Resources, and 31 initiatives are generally housekeeping in nature. Hopefully, these introductory comments provide helpful background information as you consider the following initiatives.

Bureau of Agriculture (0393)

This program is responsible for animal and plant health, farm and consumer quality assurance, and agricultural product marketing. It also helps to promote rural educational events and seeks to develop the public understanding of Maine agriculture's importance to the State's economy, the vitality of rural communities, and Maine's quality of life. This program includes the Divisions of Agricultural Resource Development, Animal and Plant Health, and Quality Assurance and Regulation.

The **first initiative** on page A-8 provides FY25 allocation to align with available resources in the PFAS Reserve Other Special Revenue Funds account.

The **second initiative** on page A-8 provides an appropriation of \$13,920 in FY24 and \$8,301 in FY25 to fund a reclassification approved by the Bureau of Human Resources to change the range for one State Horticulturist position.

The **third initiative** provides a one-time allocation of \$750,000 in FY25 to renovate our Cony Road facility. Proposed upgrades to the "west wing" of the 60-year-old building that houses several important Bureau programs include asbestos floor tile remediation, restroom modifications for ADA compliance, energy efficiency improvements, and a ventilation system to meet code. Full completion of this project will require these additional funds. Accompanying language can be found in **Part J**.

The **next initiative** provides a one-time appropriation of \$58,436 in FY25 to address code and safety needs for the Maine Building, which attracts over 1 million visitors at the Big E agricultural fair annually.

The **next initiative** on page A-8 seeks to bring allocation in line with available resources for the Specialty Crop Block Grant through USDA.

Conservation and Recreation Fund (Z378)

This program was established as part of Public Law 2023, chapter 284, An Act to Expand the Use of Funds to Support Land Conservation.

The **only initiative** in this program on page A-8 will transfer the All Other allocation to consolidate this account under the Land for Maine's Future Trust Fund program. This account consolidation was discussed with the sponsors of Public Law 2023, chapter 284, and they are supportive of these initiatives to allow the Department to track expenses in one account under the Land for Maine's Future Trust Fund program instead of across five different programs. You will see several initiatives related to this account consolidation throughout our budget proposal and associated language in **Part M**.

Conservation Land Management Fund (Z379)

This program was established as part of Public Law 2023, chapter 284, An Act to Expand the Use of Funds to Support Land Conservation.

The **only initiative** in this program on page A-9 will transfer allocation to consolidate this account under the Land for Maine's Future Trust Fund program. This is the **second initiative** related to this account consolidation and has associated language in **Part M**.

DACF Administration (0401)

This program provides leadership, oversight, and operational direction for the Department. This program is responsible for the centralized budget for services provided by the Office of Information Technology, Natural Resources Service Center, the Attorney General's Office, and related items.

The **first five initiatives**, beginning on page A-10, provide funding for associated technology costs for positions referenced in other programs in DACF. I will discuss the positions in detail as I address each respective program later in my testimony.

The **next initiative** continues and makes permanent one Planning and Research Associate II position previously established by financial order. This position has provided the much-needed capacity to work with staff and other stakeholders to manage and assess impacts from the increasingly different types of recreational uses by visitors to our state parks and public lands, and to develop best management strategies to ensure adequate stewardship of these lands.

The **first initiative** on page A-11 continues and makes permanent one Agency GIS/Technology Coordinator position previously established by financial order. This position maintains the vast Geographical Information Systems (GIS) data generated within the Department and provides staff with GIS products that enhance their programs and meet the needs of our public end users.

The **second initiative** on page A-11 provides funding for the associated technology costs for a position in Forest Resource Management. The position will be discussed later in my testimony.

The **final initiative** in this program provides allocation in FY25 to align with available resources. The Department has successfully obtained new federal funding sources over the past few years for PFAS research and addressing hunger. This initiative will establish a baseline allocation for these funds.

Division of Forest Protection (Z232)

This program provides forest fire and forest resource protection to Maine's 18 million acres of forest land. The Division protects landowners through wildfire readiness, prevention, detection, suppression, and natural resources law enforcement.

The **first initiative** on page A-12 establishes one Forest Fire Prevention Specialist position to administer the Community Wildfire Defense Grant and provides funding for related All Other costs.

The **second initiative** on page A-12 provides FY25 allocation to align with available resources. The Department receives federal funding from the US Forest Service and has recently received additional funding through the Bipartisan Infrastructure Law.

The **final initiative** for this program provides an appropriation of \$56,809 in FY24 and \$3,889 in FY25 for worker's compensation premiums through Risk Management for Call When Needed Firefighters. The appropriation in FY24 includes premiums back to FY21 that were not billed to the Department until this fiscal year.

Farmers Drought Relief Grant Program (Z364)

This program was established to assist Maine farmers facing the adverse effects of drought conditions. The program will provide grants to establish sustainable, environmentally sound, and affordable sources of irrigation water to alleviate the risk of crop losses due to drought.

The **first initiative** for this program on page A-12 provides an allocation of \$1,000,000 in FY25 in Other Special Revenue Funds.

The **second initiative** for this program reduces the allocation by \$1,000,000 in FY24 to comply with Public Law 2023, chapter 412. These two initiatives align the account with available resources.

Forest Resource Management (Z233)

This program preserves the overall health of Maine's forest resources by protecting forest, shade, and ornamental tree resources of the state from significant insect and disease damage and providing pest management and damage prevention. The program conducts an inventory of Maine's forest resources on a five-year cycle. Technical assistance, scientific and economic

information, and educational services to Maine's family forest owners, the forest industry, landowners, and the public are also provided by this program.

The **first initiative** at the top of page A-13 provides an appropriation of \$5,234 in FY24 and \$2,163 in FY25 and increases allocation in Federal Expenditures Fund by \$1,343 in FY24 and \$556 in FY25 to fund a reclass approved by the Bureau of Human Resources for an Entomologist III position to a Natural Resource Pathologist position.

The **second initiative** continues and makes permanent one Entomologist I position previously established by Public Law 2021, chapter 727. This position responds to climate-related pest increases in Maine, including emerald ash borer, beech leaf disease, and browntail moth. This initiative provides an appropriation of \$111,800 in FY25.

The **next initiative** continues and makes permanent one Senior Entomology Technician position previously established by Public Law 2021, chapter 727. This position responds to climate-related pest increases in Maine, including emerald ash borer, beech leaf disease, and browntail moth. This initiative provides an appropriation of \$100,236 in FY25.

The **final initiative** for this program seeks to bring the allocation in line with available resources. The Department receives funding from the US Forest Service and recently received additional funding from the Bipartisan Infrastructure Law.

Geology and Resource Information (Z237)

This program includes the Maine Geological Survey, Floodplain Management, and Municipal Planning Assistance. The Maine Geological Survey focuses on groundwater, aquifer analysis, coastal geology, including coastal hazards, and mapping the geologic framework of the state. Floodplain Management carries out the objectives of the National Flood Insurance Program by assisting municipalities and individuals with assessments of flood risks and protection options. The Municipal Planning Assistance Program implements specific elements of the Growth Management Act, including providing municipal technical assistance and emphasizing climate adaptation.

The **only initiative** in this program on page A-13 provides FY25 allocation to align with available resources. The Department receives funding from several federal sources, including the US Geological Survey, the Federal Emergency Management Agency, and the Coastal Zone Management program through the National Oceanic and Atmospheric Administration.

Harness Racing Commission (0320)

This program provides oversight, support, and promotion for Maine's harness racing industry to ensure the integrity of live racing and wagering at facilities in Maine.

The **only initiative** in this program on page A-14 reduces the allocation in FY24 and increases the allocation in FY25 to reflect changes approved in the December 2023 Revenue Forecasting Committee report for projected increases in gambling revenue.

Land for Maine's Future (Z162)

This program coordinates and finances the acquisition of land and easements for conservation, water access, outdoor recreation, wildlife and fish habitat, farmland, and working waterfront conservation.

The **first initiative** under this program on page **A-14** provides allocation in FY25 to bring it in line with available resources. The Department receives funding from the Coastal Zone Management grant to support one position and related All Other funds. The increase is necessary to cover increased Sta-cap rates for this program.

The **second initiative** on page **A-14** will transfer the allocation from the Other Special Revenue Funds account to consolidate the accounts under the Land for Maine's Future Trust Fund program to realize administrative efficiencies.

Land for Maine's Future – Community Conservation Projects (Z307)

This program coordinates and finances the acquisition of lands and easements for community conservation projects with \$40 million received from unappropriated General Fund surplus in fiscal year 2021 (of which \$26,668,351 has been allocated or disbursed).

The **only initiative** on page **A-14** will eliminate the All Other allocation in this account as part of the account consolidation under the Land for Maine's Future Trust Fund program to realize administrative efficiencies.

Land for Maine's Future Trust Fund (Z377)

This program coordinates and finances the acquisition of land and easements for conservation, water access, outdoor recreation, wildlife and fish habitat, farmland, and working waterfront conservation.

There are **five initiatives** in this program on page **A-15**. These initiatives will complete the consolidation of accounts under the Land for Maine's Trust Fund program and will establish allocation in this account for FY25. As mentioned before, the language associated with this account consolidation can be found in **Part M**.

Land Management and Planning (Z239)

This program manages the state's public lands and performs sustainable timber management.

The **first initiative** on page A-16 establishes one Public Service Manager II position to be the Southern Region Lands Manager for public lands with high levels of public use.

The **next initiative** on page A-16 continues and makes permanent one Forester II position established in Public Law 2023, chapter 635. This position focuses on marketing forest products in the western region.

The **final initiative** provides allocation in FY25 to bring it in line with available resources.

Maine Healthy Soils Fund (Z328)

This program was created to improve the health, yield, and profitability of the state's diverse agricultural soils and commodities by expanding the use of best practices among farmers and farmland owners in Maine.

The **first initiative** for this program on page A-16 reduces the allocation in FY24 to comply with Public Law 2023, chapter 412.

The **next initiative** for this program on page A-16 provides an allocation of \$1,500,000 in FY25 to bring allocation in line with available resources. These two initiatives align the account with available resources.

Maine Land Use Planning Commission (Z236)

This program serves as the planning and zoning board for the 425 unorganized townships, 27 plantations, seven organized towns, and over 300 unorganized coastal islands, which cover 10.4 million acres – about half the state.

The **only initiative** in this program on page A-17 provides an appropriation of \$4,686 in FY24 and \$4,494 in FY25 to fund a reclassification approved by the Bureau of Human Resources for a Secretary Associate position to an Office Specialist II position.

Maine Working Farmland Access and Protection Program (Z313)

This program provides funding to protect Maine's productive and economically significant agricultural lands.

The **only initiative** in this program on page A-17 transfers the allocation from this account to the Land for Maine's Future Trust Fund program to consolidate these accounts under one program. This is the final initiative related to this account consolidation and has associated language in **Part M**.

Milk Commission (0188)

This program sets the minimum wholesale and retail price of milk. The Commission staff manages daily operations, conducts audits of dairy product processors to ensure proper payment to farmers, and conducts studies required by statute to establish retail milk prices.

The **first initiative** in this program on page A-17 provides a one-time allocation of \$3,000,000 for the distribution of payments to address escalating production costs to Maine dairy farmers. The accompanying language can be found in **Part HHH**.

The **next initiative** reduces the allocation in FY24 and in FY25 to recognize revenue changes approved by the Revenue Forecasting Committee in December 2023 for projected decreases in the milk tier program.

Natural Areas Program (Z821)

This program collects, maintains, and disseminates field-based inventory information on habitats of statewide significance to guide natural resource management and acquisition. In addition to tracking the status and trends of at-risk species and habitats, this program also serves as the central repository for information on the identification and management of Maine's terrestrial invasive plants. The program works proactively with developers to avoid and minimize impacts on Maine's unique natural areas, potentially heading off costly conflicts and delays.

The **first initiative** on page A-18 provides an appropriation of \$42,482 in FY24 and \$10,058 in FY25 for the approved reclassification of a Public Service Manager II position from range 30 to range 32.

The **next initiative** provides an allocation for the approved reclassification of a Biologist I position to a Resource Management Coordinator position.

Off-Road Recreational Vehicles Program (Z224)

This program plans, develops, and maintains snowmobile and ATV trails directly and through grants-in-aid to clubs and municipalities; manages approximately 300 miles of state-owned or leased multi-use rail trails; purchases, builds, and maintains state-owned public boat launch sites; is responsible for marking navigational hazards in selected lakes; and provides grants and technical assistance to municipalities and others in developing and maintaining locally owned boat launch sites.

The **first initiative** on page A-18 continues and makes permanent two Recreation Trails Coordinator positions previously continued by Financial Order 002857 F4. These positions were established to address issues raised by the ATV Task Force and are necessary to meet statutory requirements to inspect every mile of trail annually.

The **next initiative** in this program decreases allocation in FY24 and in FY25 to recognize revenue changes approved by the Revenue Forecasting Committee in December 2023 for projected decreases in gas tax revenue.

Parks – General Operations (Z221)

This program manages approximately 100,000 acres, including 48 state parks and historic sites. Parks staff service over three million visitors each year and offer many public service activities such as the Take It Outside (TIO) program, an initiative to bring kids and their families into the outdoors for recreation year-round. This program also provides recreational opportunities and the construction and management of fire-safe public campsites in the West Branch Penobscot River Corridor.

The **first initiative** on page A-19 continues and makes permanent one Planning and Research Associate I position to inspect projects funded by the Land and Water Conservation Fund.

The **second initiative** provides an appropriation of \$5,883 in FY24 and \$5,834 in FY25 and increases allocation in Federal Expenditures Fund Personal Services by \$6,047 in FY24 and \$5,996 in FY25 to fund the approved reclassification of one Supervisor Outdoor Recreation position to a Public Service Manager II position.

The **third initiative** on page A-19 continues and makes permanent one Planning and Research Associate I position to work as a trail specialist for Recreational Trail Program projects.

The **next initiative** provides allocation in FY25 to bring the allocation in line with available resources. The Department receives grants for the Recreational Trails Program and the Land and Water Conservation Funds. Funding for both programs has increased significantly over the past few years, by over 49% and 172%, respectively.

The **final initiative** provides a one-time allocation of \$6,000,000 in FY24 to address damage incurred at State Parks, Historic Sites, and Public Lands. Public Lands and State-owned multi-use trails were heavily damaged during the December 2023 storm, while coastal Parks and Historic Sites were impacted most during the January 2024 storms. These funds will leverage federal and state emergency relief funds, with reimbursements going to the General Fund. The accompanying language can be found in **Part III**.

LANGUAGE

Part I on page 29 authorizes the State Controller to carry forward up to \$750,000 of unspent funds in the Capital Expenditures line category at the end of this fiscal year to continue working on the upgrade at the Cony Road facility in Augusta (funds weren't available to begin the project until October 25, 2023; a predesign phase was needed to best inform the engineering and implementation stages).

Part J on **pages 29-30** authorizes a transfer of \$750,000 in fiscal year 2023-24 to complete the upgrade of the Cony Road facility in Augusta.

Part K on **page 30** authorizes a transfer in fiscal year 2024-25 of all funds in excess of \$200,000 from the unencumbered balance forward in the Personal Services line category and all funds in excess of \$300,000 from unencumbered balance forward in the All Other line category in the Division of Forest Protection, General Fund account to the Capital Expenditures line category within the same account to carry out the mission of the Division of Forest Protection.

Part L on **page 30-31** relates to the account consolidation initiative for the Harness Racing program discussed earlier in my testimony.

Part M on **pages 31-34** relates to the account consolidation initiatives related to the Land for Maine's Future program discussed earlier in my testimony.

Part HHH on **pages 76-77** authorizes a transfer of \$3,000,000 in FY 2023-24 to provide payments to address escalating production costs to Maine milk producers.

Part III on **page 77** authorizes a transfer of \$6,000,000 in FY 2023-24 to address damage incurred at State Parks, Historic Sites, and Public Lands from storms in December 2023 and January 2024.

Part JJJ on **pages 77-78** authorizes the State Controller to carry forward up to \$500,000 of unspent funds in All Other and up to \$1,500,000 of unspent funds in Capital Expenditures to replace two databases in the Bureau of Agriculture, Food and Rural Resources.

This concludes my presentation on our 2024-2025 Supplemental Budget. I, along with my team here today, would be glad to respond to any questions you may have.