

**TESTIMONY OF
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DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY**

**Before the Joint Standing Committee on Agriculture, Conservation and Forestry
“An Act Making Unified Appropriations and Allocations for the Expenditures of State
Government, General Fund and Other Funds and Changing Certain Provisions of the Law
Necessary to the Proper Operations of State Government for the Fiscal Years Ending
June 30, 2021, June 30, 2022 and June 30, 2023”**

May 18, 2021

Good morning, Senator Dill, Representative O’Neil and Members of the Joint Standing Committee of Agriculture, Conservation and Forestry, I thank you for the opportunity to be here today. My name is Amanda Beal and I am the Commissioner of the Department of Agriculture, Conservation and Forestry (DACF). I am here today to present on the Governor’s change package for LD 221, An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023. I will also highlight initiatives relevant to DACF included in the Governor’s Maine Jobs and Recovery Plan and bond proposal.

Keeping in mind the Administration’s strong priorities – education, public health, our local communities, climate, our economy and making good on the promises of state government – we have crafted three proposals, which, together, chart a path for robust and widespread economic recovery and growth:

First, the Governor unveiled her Maine Jobs & Recovery Plan, this Administration’s proposal to invest more than \$1 billion in discretionary Federal relief funds allocated to Maine under the American Rescue Plan Act, meant to make historic investments in unaddressed needs and longstanding challenges to achieve three goals: 1) immediate economic recovery from the pandemic; 2) long-term economic growth for Maine; and 3) infrastructure revitalization. The plan draws heavily on recommendations from the [Governor’s Economic Recovery Committee](#) and the [State’s 10-Year Economic Development Strategy](#), transforming these plans into real action to improve the lives of our people and to strengthen the economy. We look forward to collaboration with the Legislature as we further refine the specifics of these initiatives to meet these goals.

Of particular relevance to DACF, is the \$50 million dollars proposed to support infrastructure development within Maine’s heritage industries. The \$20 million slated in the Plan for agricultural infrastructure and \$20 million for forestry would bolster these sectors of our economy and the businesses that support it at a critically important time. As you have heard me say before, we’ve always known these industries are important to our every day lives, and that became even more evident as we have been moving through the COVID-19 pandemic.

DACF recently collaborated with the Departments of Marine Resources and Economic and Community Development to conduct a survey of businesses in the agriculture, forestry, and marine sectors to determine infrastructure investment needs and priorities within these heritage industries.

The preliminary results of that survey were sent along with this testimony, but I will point out that:

- For agricultural respondents, categories that reflected the most urgent infrastructure needs were diversified farming, grain, fruit, dairy, and meat processing.
- For forestry respondents, categories that most urgently require enhancement were value-add and other wood product facilities, R&D/innovation facilities, roads/rail, and pulp and paper mill equipment.
- 50% of agricultural and 32% of forestry respondents indicated that investments of even \$100K or less would allow for significant improvements to their businesses.

The need for investment in these sectors is clear, and the opportunity to strengthen and grow these businesses is one that we can – and should – rise to as a state. Likewise, it can support Maine’s climate plan goals as well, by expanding local food system capacity and encouraging innovation in climate-friendly forest products. A significant opportunity exists to grow these sectors, create jobs and economic security in rural Maine, while supporting sustainable food production and forests.

Also proposed in the Governor’s Maine Jobs & Recovery Plan is to invest \$50 million in infrastructure updates in our State Parks. Maine’s State Parks had more than three million visits for the first time in 2020, and through March of 2021, the pace of campground reservations was already 63 percent higher than last year. While this increase shows the recreational and economic importance of State Parks for Maine, it is also straining park staff and infrastructure. Despite the appeal of State Parks, park infrastructure is outdated, lacking funding to be properly maintained, and in some cases, unsafe. In addition to structural repairs to park roads, bridges, shelters, and staff housing, the pandemic highlighted the inadequacy of plumbing and sanitation facilities. These funds will address capital maintenance and improvement needs and represent the first meaningful investment in State Parks in more than a decade.

The Governor has also presented a [bond proposal](#) aimed at rebuilding Maine’s transportation system and conserving lands and waters. The proposal dedicates \$100 million to maintain and upgrade Maine’s transportation system through the Maine Department of Transportation and also dedicates \$40 million over four years to conserve lands and waters for Maine people through the Land for Maine’s Future (LMF) Program.

LMF is the State’s primary funding vehicle for conserving land for its natural and recreational value. In addition, our state’s climate action plan, *Maine Won’t Wait*, sets a target to increase by 2030 the total acreage of conserved lands in the state to 30%. Protecting our natural and working lands is critical to maximize carbon storage, support working farms and forests, ensure valuable ecosystems remain in place for future generations, and contribute to Maine’s fight against the effects of climate change.

And most recently, Governor Mills unveiled the “Part 2” budget for the FY22-23 biennium, thanks to Maine’s good financial position reflecting fiscally responsible moves by the Governor and legislature, a proposal that makes a historic investment in Maine public schools and meets the State’s obligation to pay 55 percent of the cost of K-12 education for the first time in Maine’s history. The proposal includes a host of additional bipartisan priorities, such as initiatives to improve the health of Maine people; relief for Maine people most adversely impacted by the pandemic or overburdened by rising property taxes; enhanced revenue sharing with municipalities; PFAS remediation; and infrastructure upgrades; and adds money to the Budget Stabilization Fund.

The proposal, which is balanced and does not raise taxes, also leaves approximately \$23 million in funding on the table for use at lawmakers discretion.

At this time, I will now walk through changes and additions to LD 221 since your report-back to the AFA Committee on March 23rd. First, I would like to point out that there are three substantive changes that were not in our original budget request, and why they appear now. One is the addition of two positions – one ongoing and one limited-term – to provide us with more capacity for responding to PFAS contamination. There is also a proposed allocation of nearly \$15 million to enable that response. This takes into account the funds we were originally requesting for this purpose, as well as this Committee’s efforts to increase those resources and add staffing capacity when they reviewed our budget proposal earlier this year. Please also note that we have provided an informational 2-page document about PFAS and our efforts to date, along with this testimony. I will also note that these initiatives are accompanied by funding for the Department of Environmental Protection for sampling, purchase and installation of drinking water treatment systems, and for hauling, storage and treatment of PFAS-contaminated wastes. It is also worth noting that state funds spent on chemical contamination may one day be recoverable in litigation.

Another addition I will mention before going through the initiatives is that, due to the pending retirement of the Director of our Bureau of Resource Information and Land Use Planning, we are requesting a series of actions to essentially remove the requirement the Bureau Director also be the State Geologist by decoupling these functions and making each a full-time position. We have several reasons for needing this change, including that it would be very difficult to refill the Bureau Director role with this requirement at this time as the scope and breadth of the Bureau’s programs has changed over time, and also due to the fact that both of these roles really do represent a full-time workload.

The third addition, is intended to address the needs of the Maine Forest Service to update its aerial fleet. More details on the need for this initiative are provided on an accompanying informational document that is also provided alongside this testimony.

And now, starting on Page 13, within the Animal Welfare Fund program, the **first** initiative establishes one District Humane Agent in the Other Special Revenue Funds account. This position will provide coverage statewide and assist with inspecting facilities in Southern Maine. The **second** initiative establishes one limited period Public Service Manager I position ending in June 2023. This position will help streamline critical field activities and responsibilities among active field agents. In August of 2018, the Committee to Review Maine Animal Cruelty Investigations recommended adding additional staff to this program.

On **page 14**, in the Bureau of Agriculture, there is one initiative for a General Fund request of \$13,000 in each year for PFAS testing that is being **deleted** from LD221. **Part Q** transfers \$15 million to the Department of Agriculture, Conservation and Forestry to support the necessary work of abating, cleaning up or

mitigating the threats or hazards posed or potentially posed by per- and polyfluoroalkyl substances (PFAS) contamination impacting agricultural producers in the state and the food supply, to provide support to impacted farms, to support critical PFAS research necessary for farm viability, and to otherwise allow for the Department to strategically and effectively respond to PFAS concerns and issues as they arise. The Department is requesting an allocation for these funds on **page 16**.

Continuing with the Bureau of Agriculture on **pages 15 and 16**, there are six new initiatives.

The first initiative establishes one Inspection Process Analyst Coordinator for the Maine Meat and Poultry Inspection program. This position will administer day-to-day operations in the Maine Meat and Poultry Inspection program, which has experienced increasing demand with the new Cooperative Interstate Shipment program, and address a weakness identified by the USDA-Food Safety Inspection Service during an onsite audit in 2018.

The second initiative establishes one Toxicologist that will manage the Bureau of Agriculture, Food and Rural Resource's overall efforts to implement recommendations from the Governor's PFAS Task Force. The final classification will be determined by the Bureau of Human Resources.

The third initiative establishes one limited-period Agriculture Compliance Officer position to work directly with farmers impacted by PFAS. This position will provide on-farm support to farmers to understand and navigate their options if impacted by PFAS. This position will help coordinate, oversee, and collect on-site sampling and help craft management strategies to potentially reduce contamination and retain farm viability.

The fourth initiative establishes 2 seasonal part-time Entomology Technician positions to work on the Cooperative Agriculture Pest Survey (CAPS), mosquito surveillance, and apiary inspections and education.

The fifth initiative increases funding to account for increased insurance rates through the Division of Risk Management. This initiative also appears on **pages 17, 18, 22 and 27**. The final initiative establishes the allocation for funds referenced in **Part Q**.

On **page 17** are new initiatives for the Division of Forest Protection. The first initiative is the increase in insurance costs. The second initiative establishes allotment to upgrade and repair aircraft for the Forest Protection Division. **Part QQQ** of the language document transfers \$6.7 million to the Department of Agriculture, Conservation, and Forestry's Division of Forest Protection Aerial Fire Suppression Fund.

On **page 18** is one new initiative for Forest Resource Management for an increase in insurance costs.

Page 19 proposes the deletion of a position reallocation initiative from LD 221. The wording is corrected, and the initiative repropounded on **page 20**.

On **page 20**, in the Geology and Resource Information Bureau, the first initiative establishes

one Public Service Manager II position. This position will be the full-time State Geologist, as referenced in 12 MRSA, section 543, separate from the Director of the Bureau of Resource Information and Land Use Planning. The second initiative transfers and reallocates one Planner II position to 100% General Fund. Language Part YYY on **page 62** eliminates the requirement for the Bureau Director to also serve as the Director of the Survey.

The next program, on **page 21**, is the Harness Racing Commission. This initiative increases the Other Special Revenue Funds allocation to align with revenue changes in the May 2021 Revenue Forecasting Committee report.

Within the Land Management and Planning program, on **page 22**, the first initiative provides funding to increase the weeks of one Park Ranger position from 26 weeks to 52 weeks in order to keep up with increasing recreational demands in the western region on Public Lands. The second initiative reflects the increased insurance costs.

The Milk Commission program initiative, on **page 23**, is an increase to allocation to align with revenue changes in the May 2021 Revenue Forecasting Committee report.

On **page 24**, there are two initiatives in the Off-Road Recreational Vehicle program. The first initiative provides allocation in the Capital Expenditures line category of the Other Special Revenue Funds account to construct new and renovate existing recreational boating facilities. The second initiative increases the hours of one Office Assistant II position from 40 hours to 80 hours biweekly to keep up with the contracting process, licensing for landowner relations, and other administrative tasks.

There are six new initiatives in the Office of the Commissioner on **pages 25 and 26**, which the Department is requesting be renamed to DACF Administration to more aptly describe the central services provided by this program. Expenses for department-wide technology, finance, human resources and legal services provided by the Attorney General's Office are paid from the accounts and represent 75% of the costs in this program. The first three and the sixth initiatives provide the All Other funding to support positions discussed elsewhere.

The fourth initiative continues one limited period Public Service Coordinator I position to work with the Bureau of Agriculture and the Maine Climate Council's Natural and Working Lands Group, and provide other support to the Department related to climate action plan implementation. The fifth initiative continues one limited period Volunteer Services Coordinator position to work on the Maine Prosperity Corps VISTA project to support the development of Maine's roadmap for ending hunger by 2030. These two positions are funded by Other Special Revenue Funds.

The final program in the change package for the Department of Agriculture, Conservation and Forestry is the Parks – General Operations program on **page 27**. There are five initiatives in this program. The first three initiatives reorganize 6 seasonal park positions to 3 full-time park positions. The fourth initiative establishes one Planning and Research Associate II position to

manage grants and monitor Land and Water Conservation Fund sites for compliance. The final initiative provides increased funding for the insurance increase.

Language Document

There are 3 additional parts in language that were not part of your report-back to the AFA committee on March 23rd.

We will begin on **page 16**, Part Q and deletes the language associated with the voluntary employee incentive program which was included in chapter 29. The new **Part Q** transfers \$15 million into a new Other Special Revenue Funds account within the Department of Agriculture. This funding will support the necessary work of abating, cleaning up or mitigating the threats or hazards posed or potentially posed by per- and polyfluoroalkyl substances (PFAS) contamination impacting agricultural producers in the state and the food supply, to provide support to impacted farms, to support critical PFAS research necessary for farm viability, and to otherwise allow for the Department to strategically and effectively respond to PFAS concerns and issues as they arise. An initiative to establish allocation in this account is included on **page 16** of the change package.

Part QQQ, on **page 52** of the language document, transfers \$6.7 million to the Department of Agriculture, Conservation, and Forestry, Division of Forest Protection Aerial Fire Suppression Fund. These funds will be used to modernize the Department's fleet by purchasing two used but modern Bell 407 helicopters and modify them for fire use; dismantle the two Hueys that have not been overhauled for parts, storing the engines, transmissions and rotor systems for later use; modify the three overhauled Hueys; purchase two used but modern Cessna 206s to replace the C-180 and C-185. The C-180 will be returned to the US Forest Service and the C-185 will be sold.

Finally, **Part YYY** is on **page 62** of the language document. This Part allows for the Director of the Bureau of Resource Information and Land Use Planning and the Director of the Maine Geological Survey to be two separate positions.

This concludes my testimony for today. Thank you, and I am happy to address any questions you may have.