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STATE OF MAINE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

TO: Senator Margaret Rotundo, Senate Chair  
Representative Melanie Sachs, House Chair, and  
Members of the Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Henry Ingwersen, Senate Chair  
Representative William Pluecker, House Chair, and  
Members of the Joint Standing Committee on Agriculture, Conservation and Forestry

DATE: January 31, 2023

RE: Supplemental Budget

The Agriculture, Conservation and Forestry (ACF) Committee is pleased to submit the following report for the proposed 2022-2023 supplemental budget initiatives related to Agriculture, Conservation and Forestry (see attached report back document). The ACF Committee voted unanimously in favor all initiatives with exception of the first initiative, Ref. #15, relating to one-time funding associated with animal seizures; a majority of committee members voted in favor of this initiative, with 6 in favor and 4 opposed.

The ACF Committee also voted unanimously in favor of Part K amended as follows:

**Sec. K-1. 7 MRSA §3906-B, sub-§2 is amended to read:**

*2. Animal Welfare Fund. The commissioner shall deposit all license fees received pursuant to chapters 721, 723, 725 and 735 in a separate account established by the Treasurer of State and known as the Animal Welfare Fund. The commissioner shall deposit 80% of the feed registration fees collected under section 714, subsection 1 and ~~all any~~ revenue ~~in excess of \$100,000~~ from the surcharge collected as provided under section 714, subsection 4 in the Animal Welfare Fund. This account does not lapse, but continues from year to year. The commissioner shall pay from the Animal Welfare Fund the expense of furnishing license blanks, stickers and tags, travel expenses and salaries for necessary personnel, payments to animal shelters and expenses incurred in the administration of this Part.*

In addition, the ACF Committee recommends the following proposed changes to the supplemental budget.

### **1. New Language Part regarding Quality Assurance Feed, Seed and Fertilizer Database**

This new language will allow the Department of Agriculture, Conservation and Forestry (ACF), Bureau of Food and Rural Resources to carry forward funds for the development and implementation of a new database for the feed, seed and fertilizer program.

The ACF Committee voted unanimously in favor of this additional initiative, which was proposed by the Department of ACF. Pursuant to P.L. 2021, chapter 635, in SFY 2023, the department received a General Fund appropriation of \$550,000 to replace the Quality, Assurance Feed, Seed and Fertilizer database. These funds will expire on June 30, 2023. This new language part will allow these funds to carry into SFY 2024 as needed. The following is draft language as proposed by the department:

*Carrying provision; Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law to the contrary, at the end of fiscal year 2022-23, the State Controller shall carry forward any unexpended balance remaining of the \$550,000 appropriated in Public Law 2021, chapter 635, in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture program, General Fund account, All Other line category to the next fiscal year to be used for replacement and hosting of the feed, seed and fertilizer database.*

### **2. One-time Dairy Stabilization Subsidy**

This new initiative directs the administrator of the Maine Milk Pool to distribute to qualifying in-state milk producers a one-time payment if the milk producer produced milk in calendar year 2022 and reported such production to the Maine Milk Pool administrator for calendar year 2022. The one-time payment will be based on a milk producer's total milk production in calendar year 2022 up to a production cap of 5 million pounds per milk producer.

The ACF Committee recommends the addition of this initiative in Part A to allocate the transfer.

#### ***Maine Milk Commission 0188***

*Initiative: Provides a one-time allocation to allow distribution of pandemic volatility payments to Maine dairy farmers who meet specific milk production criteria.*

	<b>2022-23</b>
<i>Other Special Revenue Funds</i>	<i>\$1,009,046</i>
<i>Total</i>	<i>\$1,009,046</i>

The following is corresponding unallocated language for this initiative:

*Notwithstanding any provision of law to the contrary on or before June 1, 2023, the State Controller shall transfer \$1,009,046 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Maine Milk Commission, Maine Milk Pool, Other Special Revenue Funds account to provide one-time pandemic volatility payments to Maine milk producers who produced milk and reported production information to the Maine Milk Commission in the calendar year starting January 1, 2022, and ending December 31, 2022. In calculating the payment, the administrator of the Maine Milk Pool shall attempt to achieve, insofar as practical, a proportional distribution of the entire transferred amount to farmers by basing the payments on a per hundredweight production basis and limiting payments to a production limit of 5 million pounds per farm. The administrator of the Maine Milk Pool may use existing distribution methods within the Maine Milk Pool program to expedite the distribution of payments.*

- c:     Members, Joint Standing Committee on Appropriations and Financial Affairs  
       Members, Joint Standing Committee on Agriculture, Conservation and Forestry

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Bureau of Agriculture 0393**

Initiative: Provides one-time funding for extraordinary costs associated with animal seizures.

Ref. #: 15                      One Time                      Committee Vote: IN 6-4                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
All Other	\$650,000	\$0	\$0
GENERAL FUND TOTAL	\$650,000	\$0	\$0

**Justification:**

The Department has experienced an unusually large animal seizure with the animals still in the Department's custody while legal proceedings are in progress. The Department is unable to absorb the costs associated with continuing to care for these animals within existing resources.

**Division of Forest Protection Z232**

Initiative: Provides funding for the approved reclassification of 4 Ranger Pilot positions from range 25 to range 26, retroactive to July 9, 2019.

Ref. #: 24                      One Time                      Committee Vote: IN 10-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
Personal Services	\$115,889	\$0	\$0
GENERAL FUND TOTAL	\$115,889	\$0	\$0

**Justification:**

This initiative provides funding for the approved reclassification of 4 Ranger Pilots from range 25 to range 26. This change aligns the position classification more closely with the job duties.

**Division of Forest Protection Z232**

Initiative: Provides funding for the approved reclassification of one Ranger Pilot Supervisor position from range 27 to range 28, retroactive to June 16, 2020.

Ref. #: 25                      One Time                      Committee Vote: IN 10-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
Personal Services	\$22,039	\$0	\$0
GENERAL FUND TOTAL	\$22,039	\$0	\$0

**Justification:**

This initiative provides funding for the approved reclassification of one Ranger Pilot Supervisor from range 27 to range 28. This change aligns the position classification more closely with the job duties.

**Division of Forest Protection Z232**

Initiative: Provides funding for the approved reclassification of one Office Associate II position to a Forest Service Mobilization Coordinator position, retroactive to June 26, 2019.

Ref. #: 26                      One Time                      Committee Vote: IN 11-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
Personal Services	\$22,220	\$0	\$0
GENERAL FUND TOTAL	\$22,220	\$0	\$0

**Justification:**

This initiative funds a reclassification to align work functions with the appropriate classification.

**Division of Forest Protection Z232**

Initiative: Provides funding for the approved reclassification of one Forest Fire Prevention Specialist position from a range 22 to range 24, retroactive to March 13, 2020.

Ref. #: 27                      One Time                      Committee Vote: IN 11-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
Personal Services	\$37,277	\$0	\$0
GENERAL FUND TOTAL	\$37,277	\$0	\$0

**Justification:**

This reclassification was approved by the Bureau of Human Resources on October 13, 2022. This change aligns the position classification more closely with the job duties.

**Division of Forest Protection Z232**

Initiative: Provides funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims, and actuarially recommended reserves.

Ref. #: 28                      One Time                      Committee Vote: IN 11-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
All Other	\$85,657	\$0	\$0

GENERAL FUND TOTAL	\$85,657	\$0	\$0
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**Justification:**

The Division of Risk Management within DAFS provides high quality insurance, loss control and claims services to all state agencies, the State's higher education institutions and some quasi-state agencies at the lowest possible cost. The rates are applicable to various insurance lines provided by the State's self-insurance program and have been calculated in accordance with Title 5, section 1733. This initiative covers the increase for aviation insurance for our aircraft.

**Division of Forest Protection Z232**

Initiative: Provides one-time funding to replace firefighting gear that is known to have perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Ref. #: 29                      One Time                      Committee Vote: IN 11-0                      AFA Vote: \_\_\_\_\_

	2022-23	2023-24	2024-25
GENERAL FUND			
All Other	\$115,000	\$0	\$0
GENERAL FUND TOTAL	\$115,000	\$0	\$0

**Justification:**

This initiative would allow the Division of Forest Protection to replace current gear and brush coats with new firefighting gear that is PFAS free. This would replace one set of gear for 75 call-when-needed-firefighters for \$500 per set, and replace 2 sets each for \$500 per set for 67 Forest Rangers, as well as replacing 30 brush coats for \$350 each.

**Forest Resource Management Z233**

Initiative: Provides funding for the approved reclassification of 13 Forester I positions to Forester II positions, retroactive to April 17, 2020.

Ref. #: 31                      One Time                      Committee Vote: IN 11-0                      AFA Vote: \_\_\_\_\_

	2022-23	2023-24	2024-25
GENERAL FUND			
Personal Services	\$138,812	\$0	\$0
GENERAL FUND TOTAL	\$138,812	\$0	\$0

**Justification:**

This initiative aligns work functions with the appropriate classification.

**Harness Racing Commission 0320**

Initiative: Adjusts funding to bring allocations in line with projected available resources for fiscal year 2022-23.

Ref. #: 13                      One Time                      Committee Vote: IN 11-0                      AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
All Other	\$2,351,042	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,351,042</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

This initiative aligns funding with revenue as recommended in the December 1, 2022 forecast of the Revenue Forecasting Committee.

**Milk Commission 0188**

Initiative: Adjusts funding to bring allocations in line with projected available resources for fiscal year 2022-23.

Ref. #: 11                      One Time                      Committee Vote: IN 9-0                      AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
All Other	(\$1,009,046)	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$1,009,046)</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

This initiative aligns funding with revenue as recommended in the December 1, 2022 forecast of the Revenue Forecasting Committee.

**Off-Road Recreational Vehicles Program Z224**

Initiative: Adjusts funding to bring allocations in line with projected available resources for fiscal year 2022-23.

Ref. #: 20                      One Time                      Committee Vote: IN 9-0                      AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
All Other	(\$69,040)	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$69,040)</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

This initiative aligns funding with revenue as recommended in the December 1, 2022 forecast of the Revenue Forecasting Committee.

**Parks - General Operations Z221**

Initiative: Provides funding for the approved reclassification of one Park Manager II position to a Park Manager III position, retroactive to July 1, 2020.

Ref. #: 17                      One Time                      Committee Vote: IN 9-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
Personal Services	\$23,645	\$0	\$0
GENERAL FUND TOTAL	\$23,645	\$0	\$0

**Justification:**

This initiative funds a reclassification to align work functions with the appropriate classification.

**Parks - General Operations Z221**

Initiative: Provides funding for the approved reclassification of 2 Public Service Manager II positions from a range 29 to range 33, retroactive to January 25, 2021.

Ref. #: 18

One Time

Committee Vote:

IN 9-0

AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
Personal Services	\$84,561	\$0	\$0
GENERAL FUND TOTAL	\$84,561	\$0	\$0

**Justification:**

This initiative funds a reclassification to align work functions with the appropriate classification.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
GENERAL FUND	\$1,295,100	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,272,956	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$2,568,056	\$0	\$0



Sec. A-13. Appropriations and allocations. The following appropriations and allocations are made.

**FINANCE AUTHORITY OF MAINE**

**Dairy Improvement Fund Z143**

Initiative: Adjusts funding to bring allocations in line with projected available resources for fiscal year 2022-23.

Ref. #: 117                      One Time                      Committee Vote: IN 9-0                      AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$41,865	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$41,865</u>	<u>\$0</u>	<u>\$0</u>

**Justification:**

This initiative aligns funding with revenue as recommended in the December 1, 2022 forecast of the Revenue Forecasting Committee.

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**FINANCE AUTHORITY OF MAINE**

<b>DEPARTMENT TOTALS</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$41,865</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$41,865</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Bureau of Agriculture 0393**

Initiative: Reclassifications

Ref. #: One Time Committee Vote: IN 9-0 AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
Personal Services	\$7,608	\$0	\$0
All Other	\$474	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,082</b>	<b>\$0</b>	<b>\$0</b>

**Certified Seed Fund 0787**

Initiative: Reclassifications

Ref. #: One Time Committee Vote: IN 9-0 AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
Personal Services	\$7,609	\$0	\$0
All Other	\$475	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,084</b>	<b>\$0</b>	<b>\$0</b>

**Pesticides Control - Board of 0287**

Initiative: Reclassifications

Ref. #: One Time Committee Vote: IN 9-0 AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
Personal Services	\$18,509	\$0	\$0
All Other	\$1,175	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$19,684</b>	<b>\$0</b>	<b>\$0</b>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
OTHER SPECIAL REVENUE FUNDS	\$35,850	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$35,850</b>	<b>\$0</b>	<b>\$0</b>

IN as amended 9-0  
See memo

## PART K

Sec. K-1. 7 MRSA §3906-B, sub-§2 is amended to read:

~~2. **Animal Welfare Fund.** The commissioner shall deposit all license fees received pursuant to chapters 721, 723, 725 and 735 in a separate account established by the Treasurer of State and known as the Animal Welfare Fund. The commissioner shall deposit 80% of the feed registration fees collected under section 714, subsection 1 and all revenue in excess of \$100,000 from the surcharge collected under section 714, subsection 4 in the Animal Welfare Fund. This account does not lapse, but continues from year to year. The commissioner shall pay from the Animal Welfare Fund the expense of furnishing license blanks, stickers and tags, travel expenses and salaries for necessary personnel, payments to animal shelters and expenses incurred in the administration of this Part.~~

## PART K SUMMARY

This Part resolves a conflict with Title 7 section 714, subsection 4, which directs the department to put everything in excess of \$157,000 in the Companion Animal Sterilization Fund.