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MAR 27 PM 4:14

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STATE OF MAINE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

To: Richard W. Rosen, Senate Chair
Patrick S. Flood, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

From: Roger L. Sherman, Senate Chair *RLS*
Peter E. Edgecomb, House Chair *PEE*
Joint Standing Committee on Agriculture, Conservation and Forestry

Re: LR 2847- Second Supplemental Budget Bill

Date: March 27, 2012

The Joint Standing Committee on Agriculture, Conservation and Forestry met on March 26th to discuss items in the second supplemental budget that pertain to programs under the jurisdiction of ACF. Commissioner Whitcomb, Department of Agriculture, Food, and Rural Resources, and Deputy Commissioner Jack Nicholas, Department of Conservation, were with us for this discussion. We considered items impacting Other Special Revenue Funds as well as the General Fund.

In this memo we comment on items where there was disagreement or where we would like to bring a concern to your attention. Our votes on items are recorded below and on the attached information sheets provided by each commissioner. There were 8 or 9 members present and voting on most items. Senator Thibodeau, Rep. O'Brien and Rep. Kent were absent for all votes.

Page #	Description of initiative and ACF comments
A- 8	Eliminates one Intermittent Entomologist Position within the Division of Plant Industry and reallocates savings to fund part of an existing Entomologist II position. ACF voted 8-0 to accept this initiative after considerable discussion with Commissioner Whitcomb. The intermittent position is needed to assist the department's apiarist but has not been filled in years when no qualified applicants applied. The number of people keeping bees for honey production is growing rapidly. Trucking hives to pollinate crops continues to be an integral part of agricultural operations including wild blueberry production. ACF accepted this position loss only after reassurance from the Commissioner that the department has

	<p>the ability to hire seasonal labor to assist the apiarist during critical periods. ACF understands the need to reallocate funds arises from an anticipated changes in federal funds available.</p> <p>Missing from vote: Sen. Sherman, Sen. Thibodeau, Rep. Kent, Rep. O'Brien and Rep. Timberlake</p>
Page L-159 Sec. YY-2	<p>ACF voted 9-0 to reject the proposal in Sec. YY-2 to lapse \$300,000 of unencumbered balance in the Maine Farms for the Future account in the Department of Agriculture, Food, and Rural Resources to the General Fund. This money should stay with the department to support Maine agriculture.</p> <p>Present and voting to reject YY-2: Sen. Schneider, Rep. Gifford, Rep. McCabe, Rep. Foster, Rep. Edgecomb, Rep. Timberlake, Rep. Cray, Rep. Black and Rep. Dill</p>
Page A-16 and A-35	<p>ACF voted 6-3 in favor of accepting the transfer of 1 Senior Planner from the Land for Maine's Future Program within the State Planning Office and 2 Senior Planners from the State Planning Office to the Land for Maine's Future Program within the Department of Conservation.</p> <p>Sen. Schneider, Rep. McCabe and Rep. Dill do not oppose LMF being transferred to the Department but oppose the associated loss of 1.5 positions, including the LMF Director's position.</p> <p>Present and voting in favor: Rep. Gifford, Rep. Foster, Rep. Edgecomb, Rep. Timberlake, Rep. Cray and Rep. Black</p> <p>Correction: Jack Nichols advised ACF that a separate program account has been established for LMF and transfers in the Supplemental Budget should be to the LMF program rather than to Natural Areas. Attached is a sheet from DOC detailing other transfers from SPO to the correct program account in DOC.</p>

Joint Standing Committee on Agriculture Conservation & Forestry

Department of Agriculture, Food & Rural Resources

Commissioner Walter Whitcomb

March 26, 2012

Page A-6 Certified Seed Fund

9-0 accept

The first initiative continues one intermittent Agricultural Worker II position and reduces All Other to fund the position. This position was previously authorized by Financial Order 005933 F0

The second initiative provides funding to increase the hours of one Office Associate II position from 64 hours to 80 hours biweekly and reduces All Other to fund the increased hours and reallocates the cost of the position to 50% Certified Seed Fund program, Other Special Revenue Funds and 50% Division of Quality Assurance and Regulation program, Federal Expenditures Fund. This position will now be shared between the two divisions.

Page A-7 Division of Agricultural Resource Development

9-0 accept

The first and second initiatives are essentially housekeeping items moving positions within the department to better align with position and program responsibilities.

The third initiative establishes one Consumer Protection Inspector position in the Division of Quality Assurance and Regulation program funded 50% General Fund and 50% Federal Expenditures Fund by eliminating one Planning and Research Associate II position in the Division of Agricultural Resource Development program funded 50% General Fund and 50% Federal Expenditures Fund to partially fund this action. This new Consumer Protection Inspector will be assigned to the Red Meat program which will allow the Department to respond and support new and/or expansions of current business facilities requiring inspection to operate or expand.

Page A-8 Division of Plant Industry

8-0 accept

The only initiative reallocates the cost of one Entomologist II position from 100% Federal Expenditures Fund to 74% Federal Expenditures Fund and 26% General Fund within the same program. Eliminates one vacant intermittent Entomologist I position and uses a portion of the General Fund savings to fund the reallocation.

Page A-9 Division of Quality Assurance and Regulation

Both initiatives on this page were addressed above and can be found on page A-6 and A-7.

Page A-10 Harness Racing Commission

The first initiative was addressed above and can be found on page A-7. The remaining two initiatives are adjustments based upon changes accepted December 2011 by Revenue Forecasting Committee.

Page A-10 Office of the Commissioner

This initiative was addressed above and can be found on page A-7

Language – Page L-159 Part YY

9-0 accept YY-1

9-0 reject YY-2

Lapses carrying account funds from Agricultural Vitality and Maine Farms for the Future program totaling \$306,072. These funds were identified as a one-time reduction that would not diminish the program's effectiveness. Eligible farms will continue to be able to apply for business plan development, grants and a reduced interest rate loan from Agricultural Marketing Loan Fund.

LR 2847

Information in Lieu of Testimony

Joint Standing Committee on Appropriations and Financial Affairs
Joint Standing Committee on Agriculture, Conservation and Forestry

Department of Conservation
William Beardsley, Commissioner
3/20/2012

Page A-16 Natural Areas Program

8-0 accept transfer, 5-3 accept

The first initiative on this page provides for the transfer of land use planning functions from the State Planning Office to the Department of Conservation. The second initiative provides for the transfer of the Land for Maine's Future Program from the State Planning Office to the Department of Conservation.

*position
loss*

Language – Part II

Part II is the language portion for the transfer of the Land for Maine's Future Program from the State Planning Office to the Department of Conservation referenced in the previous initiative.

Language – Part JJ

8-0 accept

Part JJ is the language portion for the transfer of the Growth Management Act and related land use policy-matters from the State Planning Office to the Department of Conservation as referenced in the previous initiative.

Language – Part KK

8-0 accept

Part KK transfers the State Planning Office's duties and responsibilities as lead agency for the Maine Coastal Program to the Department of Conservation's Bureau of Geology and Natural Areas. It also changes the name of the Bureau to the Bureau of Geology, Natural Areas and Coastal Resources.

Subject: SPO proposed position transfers to DOC in FY 13

<u>From</u>	<u>To</u>	<u>Comments</u>
Land for Maine's Future		
General Fund		
Land for Maine's Future Fund 0060 One Senior Planner position	Natural Areas 0821	Change to "Land for Maine's Future " program
Planning Office 0082 One Senior Planner position	Natural Areas 0821	Change to "Land for Maine's Future " program
Federal Expenditures Fund		
Planning Office 0082 One Senior Planner position	Natural Areas (new account Natural Areas LMF)	Change to "Land for Maine's Future " program
Growth Management		
Federal Expenditures Fund		
Planning Office 0082 Three Senior Planner positions	Natural Areas 0821 (need new account)	Change to "Land Use Planning" program
Other Special Revenue Fund		
Planning Office 0082 One Public Service Manager I position	Office of the Commissioner 0222 (Decamp - Indirect cost allocation)	Change to "Land Use Planning" program with budgeted transfers from the "Office of the Commissioner" program OSRF
Coastal Management		
Federal Expenditures Fund		
Planning Office 0082 One Public Service Manager II position One Public Service Coordinator I position Two Senior Planner positions One Secretary Associate position	Maine Geological Survey 0237 (new account Coastal Program)	Okay
Other Special Revenue Fund		
Planning Office 0082 One Business Manager I position	Office of the Commissioner 0222 (Decamp - Indirect cost allocation)	Okay

Total positions = 13 positions

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STATE OF MAINE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

To: Richard W. Rosen, Senate Chair
Patrick S. Flood, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

From: Senator Schneider, Rep. McCabe and Rep. O'Brien
Joint Standing Committee on Agriculture, Conservation and Forestry

Re: LR 2847- Second Supplemental Budget Bill – Minority Report

Date: March 28, 2012

As members of the Joint Standing Committee on Agriculture, Conservation and Forestry, we would like to voice our concerns and make a recommendation regarding the transfer of the Land for Maine's Future Program to the Department of Conservation. There is no clear plan as to how this program will function after the move. It is critical that this program have a director, both during the transition phase and into the future. We strongly recommend that one of the 3 Public Service Executive I positions proposed for elimination in the Supplemental Budget (page A-37, top initiative) be retained and transferred to the Department of Conservation to serve as the Director of Land for Maine's Future. This position along with the 3 Senior Planner positions being transferred on page A-16 of the Supplemental Budget are needed to maintain the integrity and efficiency of this popular and effective program.

We would appreciate the opportunity to discuss this and other budget initiatives pertaining to ACF's jurisdiction with the Appropriations and Financial Affairs Committee. We regret that your accelerated schedule has not afforded time for a joint work session following the brief public hearing on March 20th. At the time of the public hearing, we understood there would be time for questions and discussion at a joint work session. This has not happened. The input of the policy committees has been diminished in this process. We respectfully ask that you attend to our written concerns and this recommendation.

PLANNING OFFICE 0082

	2011-12	2012-13
Initiative: Eliminates one Director State Planning Office position, 3 Public Service Executive I positions and one Secretary Associate position in the Planning Office program within the Executive Department. Additionally, transfers one Public Service Executive II position and one Economist position from the Planning Office program in the Executive Department to the new oversight agency, the Office of Policy and Management. Further transfers General Fund savings in the elimination of positions and programs to establish the new oversight agency, Office of Policy and Management.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT		-7,000
Personal Services	(21,696)	(615,801)
All Other	(5,000)	(113,641)
Total	(26,696)	(729,442)
Initiative: Transfers one Senior Planner position and transfers and reallocates the cost of one Senior Planner position from 60% General Fund, 40% Federal Expenditures Fund to 100% Federal Expenditures Fund from the Planning Office program in the Executive Department to the Governor's Energy Office program in the Executive Department.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT		-1,000
Personal Services		(44,033)
Total	0	(44,033)
FEDERAL EXPENDITURES FUND		
Positions - LEGISLATIVE COUNT		-1,000
Personal Services		(94,449)
All Other		(1,688,107)
Total	0	(1,782,556)
OTHER SPECIAL REVENUE FUNDS		
All Other		(100,000)
Total	0	(100,000)
Initiative: Eliminates one Senior Planner position and 2 Planner II positions in the Planning Office program in the State Planning Office and transfers one Public Service Coordinator I position from the Planning Office program in the Executive Department to the Community Development Block Grant Program in the Department of Economic and Community Development. Further transfers All Other funds for general operations and technical assistance to the Remediation and Waste Management program in the Maine Department of Environmental Protection and the Community Development Block Grant Program in the Department of Economic and Community Development to support recycling and waste management functions and landfill oversight respectively.		
OTHER SPECIAL REVENUE FUNDS		
Positions - LEGISLATIVE COUNT		-4,000
Personal Services		(315,254)
All Other		(361,616)
Total	0	(676,870)
Initiative: Transfers one Public Service Manager I position, 3 Senior Planner positions, and one Planning and Research Associate I position from the Planning Office program in the Executive Department to the Maine Community Services program in the Department of Education.		
GENERAL FUND		
All Other		(40,000)
Total	0	(40,000)
FEDERAL EXPENDITURES FUND		
Positions - LEGISLATIVE COUNT		-5,000
Personal Services		(331,669)
All Other		(972,843)
Total	0	(1,304,512)
OTHER SPECIAL REVENUE FUNDS		
All Other		(100,000)
Total	0	(100,000)

NATURAL AREAS PROGRAM 0821

	2011-12	2012-13
Initiative: Transfers one Public Service Manager I position from the Planning Office program in the Executive Department to the Office of the Commissioner program, Department of Conservation and 3 Senior Planner positions from the Planning Office program in the Executive Department to the Natural Areas Program in the Department of Conservation. Also transfers related All Other to the Natural Areas Program.		
GENERAL FUND		
All Other		183,516
Total	0	183,516
FEDERAL EXPENDITURES FUND		
Positions - LEGISLATIVE COUNT		3,000
Personal Services		228,315
All Other		291,901
Total	0	520,216
Initiative: Transfers one Senior Planner position from the Land for Maine's Future Fund program and 2 Senior Planner positions from the Planning Office program in the Executive Department to the Natural Areas Program in the Department of Conservation. Also transfers related All Other to the Natural Areas Program.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT		2,000
Personal Services		145,755
All Other		13,462
Total	0	159,217
FEDERAL EXPENDITURES FUND		
Positions - LEGISLATIVE COUNT		1,000
Personal Services		71,185
All Other		5,000
Total	0	76,185
OTHER SPECIAL REVENUE FUNDS		
All Other		49,707
Total	0	49,707
	2011-12	2012-13
Summary - GENERAL FUND		
Positions - LEGISLATIVE COUNT		2,000
Personal Services		145,755
All Other		196,978
Total	0	342,733
Summary - FEDERAL EXPENDITURES FUND		
Positions - LEGISLATIVE COUNT		4,000
Personal Services		299,500
All Other		296,901
Total	0	596,401
Summary - OTHER SPECIAL REVENUE FUNDS		
All Other		49,707
Total	0	49,707

Subject: SPO proposed position transfers to DOC in FY 13

<u>From</u>	<u>To</u>	<u>Comments</u>
Land for Maine's Future		
General Fund		
Land for Maine's Future Fund 0060	Natural Areas 0821	Change to "Land for Maine's Future " program
One Senior Planner position		
Planning Office 0082	Natural Areas 0821	Change to "Land for Maine's Future " program
One Senior Planner position		
Federal Expenditures Fund		
Planning Office 0082	Natural Areas (new account Natural Areas LMF)	Change to "Land for Maine's Future " program
One Senior Planner position		
Growth Management		
Federal Expenditures Fund		
Planning Office 0082	Natural Areas 0821 (need new account)	Change to "Land Use Planning" program
Three Senior Planner positions		
Other Special Revenue Fund		
Planning Office 0082	Office of the Commissioner 0222 (Decamp - Indirect cost allocation)	Change to "Land Use Planning" program with budgeted transfers from the "Office of the Commissioner" program OSRF
One Public Service Manager I position		
Coastal Management		
Federal Expenditures Fund		
Planning Office 0082	Maine Geological Survey 0237 (new account Coastal Program)	Okay
One Public Service Manager II position		
One Public Service Coordinator I position		
Two Senior Planner positions		
One Secretary Associate position		
Other Special Revenue Fund		
Planning Office 0082	Office of the Commissioner 0222 (Decamp - Indirect cost allocation)	Okay
One Business Manager I position		

Total positions = 13 positions