

**Interstate Pest Control Compact and Pest Control Insurance Fund
Mid-Year Meeting of the Governing Board
Sunday, February 22, 2004
Renaissance Hotel, Washington, DC
8:00 a.m. to 9:00 a.m.
[DRAFT]**

Attendees:

Member States Present (18):

Arkansas	– Darryl Little
California	– A.G. Kawamura
	– Chuck Ahlem (CDFA staff)
	– Sharlene Garcia (CDFA staff)
Delaware	– Michael Scuse (IPCC Executive Committee)
Florida	– Leslie Palmer (FDACS staff)
Georgia	– Tommy Irvin
New Jersey	– Charles Kuperus (IPCC Vice Chairmain and Executive Committee)
New Mexico	– Miley Gonzalez
	– Tom Bagwell (NMDA staff)
New York	– Nathan Rudgers
	– Tim Pezsolesi (NYSDAM staff)
North Carolina	– Bill Dickerson (NCDA staff and NPB President)
North Dakota	– Joanne Beckman (NDDA staff)
Puerto Rico	– Nelson Bayron (PRDA staff)
South Carolina	– Larry Boyleston (SCDA staff)
Texas	– Susan Combs
	– Lisa Elledge (TDA staff)
Utah	– Cary Peterson
Vermont	– Louise Calderwood (VAAFV staff)
Washington	– Lee Faulconer (WADA staff)
West Virginia	– Gus Douglass (IPCC Executive Committee)
Wyoming	– John Etchepare
	– Roy Reichenbach (WYDA staff)

Non-members present:

Nebraska – Dennis Blank

Call to Order

Chairman Charles Sharpe (SC) was unable to attend the meeting so Vice Chairman Charles Kuperus (NJ) called the meeting to order at 8:40 a.m.

Roll Call of Member States

IPCC Executive Director, Bob Balaam, took role call, declaring 18 member states present.

Approval of Meeting Minutes

Vice Chairman Kuperus called for an approval of the September 20, 2003 meeting minutes. It was moved by Susan Combs (TX) to accept the minutes and seconded. Motion passed with a majority vote.

Report of the Chairman

Due to the absence of the Chairman no report was given.

Report of the Treasurer

Treasurer Carlton Courter (VA) was unable to attend, so Bob Balaam gave the treasurer's report in his place. Financial reports were reviewed and a motion to accept the report was made by Susan Combs (TX) and it was seconded. Motion passed with a majority vote.

Replacement Officer Election

Bob Balaam recommended a member be nominated to fill the place of Bill Lyons (CA) who served as Secretary. Susan Combs (TX) moved that A.G. Kawamura (CA) be elected to Secretary and the Executive Committee. It was seconded and motion passed with a majority vote.

Report of the Executive Director

Bob Balaam gave a report highlighting issues affecting the Compact since its last meeting as follows:

- There are currently 34 member states, no new members have joined since the last meeting.
- Indiana currently has enabling legislative and is expected to join in July, 2004.
- Kansas joined in 1996, but their enabling legislation was repealed. They are trying to re-pass enabling legislation.
- Oklahoma has already joined the Compact by paying their fee, but is not seeking enabling legislation.
- Kentucky and Missouri have expressed interest in joining the compact.
- Nebraska has the funding to join the Compact but has not yet passed enabling legislation. They are working to find another way to join. Dennis Blank from the Nebraska Department of Agriculture was called upon to address the members of the Governing Board present. He requested that Nebraska be permitted to join the Compact by contract. Nebraska has funding available at the present time, but due to other priorities, may not be able to pass enabling legislation at this time. Tommy Irvin (GA) moved to approve the request. It was seconded and motion passed with a majority vote.

After discussion concerning the legislation and funding requirements for Compact membership, Tommy Irvin (GA) moved to accept all states who have the funding, letting them join with the intent of creating enabling legislation. It was seconded and motion passed with a majority vote.

After subsequent discussion, a motion to clarify the main motion was made by Tommy Irvin, Georgia, excluding contract members without enabling legislation from the voting process, until

their state passed enabling legislation. This motion was withdrawn but it was the request of the members present to look into the disparity.

A draft of the IPCC 2003 Annual report was distributed for review.

Three by-law changes were proposed for consideration by Bob Balaam. (underline = proposed new language; ~~strikethrough~~ = proposed deletion)

- Proposal #1 -- Requirements for Compact Membership (new bylaw #12):
As per Articles IX and XI of the Pest Control Compact, there shall be two entry requirements for all States party to the Compact:
 - (a) Enactment of state legislation providing for the joinder of the State in the Pest Control Compact using the suggested state legislation of the Pest Control Compact: Model Enabling Act.
 - (b) Payment of funds to the Pest Control Insurance Fund according to the apportionment designated in Article IX of the Pest Control Compact. States may make installment payments of their initial assessment to the Insurance Fund over a period of not to exceed six years.
- Proposal # 2 -- Financial Affairs (new section of existing bylaw #7):
 - (d) The membership fee to join the Compact shall be a one-time appropriation, unless the Fund is depleted through use. The Governing Board shall attempt to ensure that the total assets of the Fund shall not be depleted below \$500,000. If emergency programs require depletion of the Fund below \$500,000, then assessments to member states will be prorated, as needed, to bring the total Fund balance to \$1,000,000, according to the formula contained in Article IX (b) of the Pest Control Compact
- Proposal # 3 -- Executive Committee (modification to existing bylaw #4)
 - c) The Governing Board recognizes its responsibility to group party States, pursuant to Article V (e) of the Compact in order that there may be appropriate geographic distribution of membership on the Executive Committee. Geographic distribution shall be based on the geographical groupings of the four regional plant boards which are grouped by regional plant pest issues:
 1. Eastern region shall consist of the following states: Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, and West Virginia.
 2. Southern region shall consist of the following states and territories: Virginia, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, and Puerto Rico.
 3. Central region shall consist of the following states: Wisconsin, Minnesota, Michigan, Illinois, Indiana, Ohio, Kentucky, North Dakota, South Dakota, Iowa, Missouri, Kansas, and Nebraska. .
 4. Western region shall consist of the following states: Alaska, Hawaii, Washington, Oregon, California, Montana, Idaho, Wyoming, Colorado, Nevada, Utah, New Mexico, and Arizona.

~~However, it is also recognized that until the Compact is enacted by substantially more than the five States required to bring it into initial operation, such groupings may be impractical or artificial and that, in consequence the only satisfactory means of implementing the intent of Article V (e) and of the Compact as a whole may be to proceed as follows:~~

- ~~1. So long as there are five party States, each State shall constitute a separate grouping for purposes of Article V (e).~~
- ~~2. So long as there are ten or fewer party States, the general groupings shall be Western, Midwestern, New England, and Eastern Southern, but no specific listing of States shall be made to determine assignment to each group. It is the specific intent that as soon as a Southern State becomes party to the Compact, or the geographic distribution of States party to the Compact undergoes material change regions provided herein shall be altered to conform more closely with usually accepted regions for pest control activity.~~

Following discussion concerning the proposed bylaw amendments, it was recommended that each member take the proposed language back to their home states for review and then offer suggestions. Bob Balaam was given permission to modify proposal #1 and distribute it to the membership following the meeting.

New Business

Miley Gonzalez (NM) requested financial assistance in the amount of \$60,000 on behalf of the state of Texas from the Pest Control Insurance Fund for the eradication of the root weevil, *Diaprepes abbreviatus*. Currently ten acres of citrus in South Texas are infested by this weevil that is known to feed on more than 270 hosts. Chile, cotton, pecans, onions, and corn are some of the known hosts grown in New Mexico that may be impacted by this weevil. If this pest is not controlled and spreads, it could potentially cause 282 million dollars in damage on an annual basis to crops grown in New Mexico. Nationwide it could cause 1-5 billion dollars in damages per year to agricultural crops. In these years of drought and economic hardship, proactive prevention of pest problems that may cause losses to our agricultural crops is appreciated and encouraged. The New Mexico Department of Agriculture stands in support of the state of Texas and its eradication efforts. Susan Combs (TX) voiced the importance of eradicating the pest.

Bob Balaam stated that a conference call of the technical advisory committee has been scheduled for next week to consider this request and to make a recommendation to the Governing Board. Tommy Irvin, Georgia moved the Governing Board approve the request for funding, pending such a recommendation from the advisory committee. The motion was seconded and passed.

Adjourn

Vice Chairman Kuperus adjourned the meeting at 9:15 a.m.