

**Interstate Pest Control Compact and Pest Control Insurance Fund
Annual Meeting of the Governing Board
Sunday, September 26, 2004
The Radisson Hotel, St. Paul, MN
12:30 pm to 1:30 pm**

Attendees:

Member States Present (20):

Arizona	- Don Butler
Arkansas	- Darryl Little
California	- A.G. Kawamura - Sharlene Garcia (CDFA staff)
Delaware	- Michael Scuse (IPCC Executive Committee)
Florida	- Leslie Palmer (FDACS staff)
Georgia	- Tommy Irvin
Kansas	- Constantine
Maine	- Robert Spear
Michigan	- Ken Rauscher
Nebraska	- Merlyn Carlson
New Jersey	- Charles Kuperus (IPCC Vice Chairman and Executive Committee)
New York	- Nathan Rudgers
North Carolina	- Bill Dickerson (NCDA staff and NPB President)
North Dakota	- Jeff Weispfenning (NDDA staff)
South Carolina	- Larry Boyleston (SCDA staff)
Texas	- Martin Hubert (TDA staff)
Utah	- Cary Peterson
Vermont	- Louise Calderwood (VAAFM staff)
Virginia	- Carlton Courter
West Virginia	- Gus Douglass (IPCC Executive Committee)
Wyoming	- John Etchepare

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 12:45 pm.

Roll Call of Member States

IPCC Executive Director, Bob Balaam, took roll call, declaring 20 member states present.

Approval of Meeting Minutes

Vice Chairman Kuperus called for an approval of the February 22, 2004 meeting minutes. It was moved by Bob Spear (ME) to accept the minutes and was seconded by Gus Douglas (WV). 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 reviewed financial reports and Tommy Irvin (GA) asked what was being done to find new sources of revenue for the compact. After discussion a motion to accept the report was made by Michael Scuse (DE) and Tommy Irvin (GA) seconded it. 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 this year-they are as follows:

- Membership
 - There are 35 current member states
 - Three of these states are on installment payments and nine are with out enabling legislation.
- Claims/Projects
 - Texas received \$60,000 for citrus room weevil eradication
- Bylaws Amendments
 - #12 (new) Requirement for joining
 - #7d (amended) Financial affairs
 - #4c (amended) Executive committee

FY 2004-2005 Budget

Bob Balaam presented the following budget proposal for the 2004-2005 fiscal year. No increase or decrease from the 2003-2004 fiscal year was proposed; just some slight changes in budget line items that did not affect the overall total budget.

Budget Line Item		FY 2003-2004		FY 2004-2005	
		Budget (\$)	Actual (\$)	Budget (\$)	Change (\$ +/-)
Personnel					
	Executive Director Wages	15000	8734	15000	0
	Travel and Registration	4000	2502	3800	(200)
	Bond	100	0	100	0
Facilities and Administrative Costs					
	Overhead	2000	988	2000	0
	Equipment	0	0	0	0
	Supplies	0	0	0	0
	Postage	200	242	300	100
	Printing	400	452	500	100
	Bank Charges	200	192	200	0
Contractual Services					
	Audit	100	0	100	0
Special Purpose					
	Technical Advisory Committee	500	0	500	0
	Special Committee	0	0	0	0
TOTAL		22500	13110	22500	0

After review, Nathan Rudgers (NY) moved to accept the budget and Bob Spear (ME) seconded it. Motion passed with a majority vote.

Bylaws Amendments

Bob Balaam presented a proposal that included changes to two existing bylaws and one new bylaw. The changes were recommended as a result of misunderstandings that currently exist regarding requirements for joining the Compact and for geographical representation on the Executive Committee. The proposed changes had been discussed at the February 2004 meeting. Modifications were made to the draft proposals as a result of those discussions and new proposals were distributed to all member states in July for additional comment. The few comments received as part of that vetting process were incorporated into the current proposals:

- **New Bylaw #12.** Clarification of the two requirements for joining the Compact (i.e. passing enabling legislation and contributing to the Pest Control Insurance fund). A State may become a member of the Compact upon passage of legislation or upon payment of a membership fee as outlined in the Articles of the Compact. Members may make installment payments of their initial “membership fee” assessment over a six year period. However, members must pass enabling legislation within six years of their initial

membership fee payment (or passage of this bylaw proposal) or rescind all voting rights on the Governing Board. Actual language of the proposed new bylaw was as follows:

12. REQUIREMENTS FOR MEMBERSHIP IN THE COMPACT AND INSURANCE FUND

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) 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.
- (b) 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. Enabling legislation must be passed within six years of payment of funds designated in (a) above, or within six years from enactment of this bylaw. Failure to pass enabling legislation will rescind all voting rights for that State.

Balaam presented the proposal and offered it for discussion. The representative from the Kansas asked if enabling legislation has to mirror the model. The answer was "yes". John Etchepare (WY) moved to approve the new bylaw, and it was seconded by Michael Scuse (DE). The motion passed with a majority vote.

- **Amended Bylaw #7d.** Clarification that the membership fee is a one-time appropriation unless the Fund is depleted through use. Clarification that the Pest Control Insurance Fund should not be depleted below \$500,000, unless required by an emergency program, to ensure that there are ample funds available that would not require member states to reappropriate dollars into the insurance fund. If reappropriation is necessary, assessments to member states will be prorated as needed to bring the total fund balance to \$1,000,000. Actual language of the proposed amended bylaw was as follows:

- (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. States may make installment payments of their

reassessment to the Insurance Fund over a period of not to exceed six years.

Balaam presented the proposal and offered it for discussion. Tommy Irvin (GA) commented that he thought allowing the fund assets to go to a level of \$500,000 was too low. Following discussion, Irvin moved to accept the proposal with a change to increase the Fund minimum threshold from \$500,000 to \$750,000. The motion was seconded and passed with a majority vote. The approved amended bylaw #7d is as follows:

(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 \$750,000. If emergency programs require depletion of the Fund below \$750,000, 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. States may make installment payments of their reassessment to the Insurance Fund over a period of not to exceed six years.

- **Amended Bylaw #4c.** Restructuring of the Executive Committee membership based on the geographical groupings of the Regional Plant Boards, which are grouped by regional plant pest issues, rather than the current regional groupings of NASDA. Actual language of the proposed amended bylaw was as follows:

- (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: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia.
 2. Southern region shall consist of the following states and territories: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, Puerto Rico, South Carolina, Tennessee, Texas, and Virginia.
 3. Central region shall consist of the following states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.
 4. Western region shall consist of the following states: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

The proposed amendment would only affect WV and DE. It would also change the composition of the Compact's current Board of Directors. Following discussion of the proposed amendment Gus Douglas (WV) asked that WV remain in the Southern region. Bob Spear (ME) moved that Compact grouping remain in alignment with NASDA. Carlton Courter (VA) seconded and motion passed with a majority vote. The approved amended bylaw #4c is as follows:

- (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 NASDA associations :
1. **Northeastern** region shall consist of the following states: Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.
 2. **Southern** region shall consist of the following states and territories: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, Puerto Rico, South Carolina, Tennessee, Texas, Virginia, Virgin Islands, and West Virginia.
 3. **Midwestern** region shall consist of the following states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.
 4. **Western** region shall consist of the following states and territories: Alaska, American Samoa, Arizona, California, Colorado, Guam, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

Election of Officers and Executive Committee (2004-2005)

Tommy Irvin (GA) nominated **Charles Kuperus** (NJ) to serve as **Chairman** for one year. Bob Spear (ME) seconded.

Bob Spear (ME) nominated **A.G. Kawamura** (CA) to serve as **Vice Chairman**, Tommy Irvin (GA) seconded.

A.G. Kawamura (CA) nominated **Roger Johnson** (ND) to serve as **Secretary**, it was seconded.

Michael Scuse (DE) nominated **Carlton Courter** (VA) to remain as **Treasurer**, A.G. Kawamura (CA) seconded.

Bob Spear (ME) moved to accept the nominees. A.G. Kawamura (CA) seconded. Motion passed with a majority vote.

The Officers of the Interstate Pest Control Insurance Fund for FY 2004-2005 are as follows:

Chairman	Charles Kuperus, New Jersey
Vice Chairman	A.G. Kawamura, California
Secretary	Roger Johnson, North Dakota
Treasurer	Carlton Courter, Virginia

In compliance with the bylaws, Chairman Charles Kuperus also serves as chairman of the Executive Committee. Bob Spear (ME), moved the regional representatives from 2003-2004 remain the same for 2004-2005; A.G. Kawamura (CA) seconded. The motion passed with a majority vote. The elected executive committee for FY 2004-2005 is as follows:

Chairman	Charles Kuperus, New Jersey
Midwestern Region	Fred Dailey, Ohio
Northeastern Region	Michael Scuse, Delaware
Southern Region	Gus Douglass, West Virginia
Western Region	A.G. Kawamura, California

New Business

Some discussion followed regarding funding level for this Insurance Fund. It was recommended that states solicit funding from the foundations in their own States before the 2005 Mid-Year meeting. Due to time constraints, Nathan Rudgers (NY) moved to table the discussion to the Mid-Year meeting, but make the discussion a high priority for that meeting. The representative from North Dakota seconded and motion passed with a majority vote.

Adjourn

Chairman Kuperus adjourned the meeting at 1:30 p.m.

Assistance with minutes provided by Sharlene Garcia, Policy Analyst, CDFR.