

131st MAINE LEGISLATURE

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Legislative Document

No. 1511

H.P. 966

House of Representatives, April 5, 2023

An Act to Update the Laws Governing the University of Maine System's Board of Agriculture and to Rename the Maine Agricultural Experiment Station

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative DILL of Old Town. Cosponsored by Senator BLACK of Franklin and Representatives: HEPLER of Woolwich, LANDRY of Farmington, PLUECKER of Warren.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 7 MRSA c. 5, headnote is amended to read:
3	CHAPTER 5
4 5	BOARD OF AGRICULTURE AND MAINE AGRICULTURAL <u>AND FOREST</u> EXPERIMENT STATION
6 7	Sec. 2. 7 MRSA §121, as repealed and replaced by PL 1997, c. 711, §3, is amended to read:
8	§121. Maine Agricultural and Forest Experiment Station
9 10 11 12 13 14 15 16 17	1. Establishment. The department of the University of Maine System known and designated as the Maine Agricultural <u>and Forest</u> Experiment Station, referred to in this section as "the "station," established at the University of Maine at Orono in connection with the university and under the direction of the university, the director and the Board of Agriculture, for the purpose of carrying into effect an Act of the Congress of the United States, approved March 2, 1887, to establish agricultural experiment stations in connection with the colleges established in the several states under an Act approved July 2, 1862, and of the Acts supplementary thereto, must be maintained in accordance with the purposes for which it was originally established.
18 19 20 21 22 23 24 25 26 27 28	2. Director. The President of the University of Maine at Orono, in consultation with advice from the Board of Agriculture, shall appoint for a term of 5 years the Director of the Maine Agricultural and Forest Experiment Station, referred to in this section as "the "director." After the term has expired, the director is eligible for reappointment. The director may be removed by the President of the University of Maine at Orono, in consultation with advice from the Board of Agriculture, for cause. The director shall work with the Board of Agriculture to oversee the work of the university faculty at the station. The director of the station is the executive and administrative officer of the station and shall exercise supervision, direction and control over the station in accordance with the programs and policies of the University of Maine System and those established by the Board of Agriculture.
29 30	Sec. 3. 7 MRSA §122, as amended by PL 2005, c. 512, §2, is further amended to read:
31	§122. Orcharding and crops
32 33 34 35 36	The Maine Agricultural <u>and Forest</u> Experiment Station shall conduct scientific investigations in orcharding, corn and other farm crops and, to this end, shall maintain the farms purchased in the name of the State, and stocked and equipped for the use and benefit of the station. The Director of the Maine Agricultural <u>and Forest</u> Experiment Station, with the agreement of <u>advice from</u> the Board of Agriculture, has the general supervision,

- management and control of those farms and of all investigations thereon on those farms.
 The board and the director shall seek agreement on all issues. In the event that agreement
- 39 can not be reached, final authority rests with the director.

Sec. 4. 7 MRSA §123, as amended by PL 1997, c. 711, §4, is further amended to read:

§123. Animal husbandry

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11 12 The Maine Agricultural <u>and Forest</u> Experiment Station shall conduct scientific investigations in animal husbandry, including experiments and observations on dairy cattle and other domestic animals, and these investigations are under the control of the director of the station with the agreement of <u>advice from</u> the Board of Agriculture. The experiments in animal husbandry may be conducted at any of the farms owned by the State. The board and the director shall seek agreement on all issues. In the event that agreement can not be reached, final authority rests with the director.

Sec. 5. 7 MRSA §124, as amended by PL 1997, c. 711, §4, is further amended to read:

13 §124. Expenditure of appropriation

Sums that are appropriated in favor of the Maine Agricultural <u>and Forest</u> Experiment Station must be expended by the director of the station with the agreement of <u>advice from</u> the Board of Agriculture in executing sections 121, 122 and 123. The board and the director shall seek agreement on all issues. In the event that agreement can not be reached, final authority rests with the director.

Sec. 6. 7 MRSA §125, as amended by PL 2009, c. 393, §1 and PL 2011, c. 657, Pt.
 W, §6, is further amended to read:

21 §125. Board of Agriculture

22 1. Establishment; duties. The Board of Agriculture, referred to in this section as "the 23 "board," as established in Title 5, section 12004-G, subsection 4-A, is created within the 24 University of Maine System. The board shall advise the Chancellor of the University of 25 Maine System and the President of the University of Maine at Orono on matters concerning 26 the direction, operation and management of agricultural research conducted by the Maine 27 Agricultural and Forest Experiment Station and university farm-based programs, including 28 those of the University of Maine Cooperative Extension Service. The board's duties are limited to advising the chancellor and the president on research and programs relating to 29 agriculture and aquaculture. The board does not advise the Director of the Maine 30 31 Agricultural and Forest Experiment Station or have a role in the operation of research and 32 programs within the Maine Agricultural and Forest Experiment Station that relate to forestry, wildlife, or fisheries and aquaculture. The board shall assist the chancellor and 33 34 the president in articulating the mission of the Maine Agricultural and Forest Experiment Station and the University of Maine Cooperative Extension Service as it pertains to 35 36 agriculture and the State's rural economy. The director, with the agreement of advice from the board, shall develop a budget for the station. The board and the director shall seek 37 agreement on all issues. In the event that agreement can not be reached, final authority rests 38 39 with the director. The board may not interfere with funding and grants for commodity research programs brought to the University of Maine System directly or through the efforts 40 41 of commodity groups. The board shall respect the expertise of the various commodity groups and shall maintain the integrity of the research being recommended and reviewed 42 by specific commodity groups. The board shall assist in the coordination of activities with 43 44 commodity groups interested in or supporting agricultural research. The board shall invite

1 2 3	appropriate individuals and conduct a public, facilitated discussion at least annually to better understand the needs and trends in agriculture in the State that would benefit from new or additional research. The board shall consult with the following agricultural
4	commodity advisory committees on agricultural research and extension priorities:
5	A. The University of Maine System Wild Blueberry Advisory Committee; and
6	B. The Maine Potato Board Research and Product Development Committee.
7	2. Membership. The board consists of the following 20 21 members:
8	A. A designee of the President of the University of Maine at Orono;
9	B. A designee of the Chancellor of the University of Maine System;
10 11	C. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;
12	D. The president of a statewide farm bureau or the president's designee;
13	E. The president of a statewide agricultural council or the president's designee;
14 15	F. Eight members representing the agricultural industry, one person designated by each of the following:
16	(1) The Maine Potato Board;
17	(2) The Wild Blueberry Commission of Maine;
18	(3) A statewide pomological society;
19	(4) A statewide vegetable and small fruit growers association;
20	(5) A statewide dairy industry association;
21	(6) A statewide landscape and nursery association;
22	(7) A statewide florist and growers association; and
23	(8) A statewide organic farmers and gardeners association;
24 25 26	G. Two members of the joint standing committee of the Legislature having jurisdiction over agricultural matters, one appointed by the President of the Senate and one appointed by the Speaker of the House;
27 28 29	H. One farmer with livestock experience in an area other than dairy farming, chosen from a list of 3 nominees submitted by a statewide beef and sheep producers association, appointed by the Governor;
30 31 32	I. Two research faculty members associated with agricultural research at the University of Maine at Orono, appointed by the Board of Trustees of the University of Maine System;
33 34	J. The Director of the University of Maine Cooperative Extension Service <u>or the</u> <u>director's designee;</u> and
35 36	K. One member representing the aquaculture industry designated by a statewide aquaculture industry association- <u>; and</u>
37 38	L. The Director of the Maine Agricultural and Forest Experiment Station or the director's designee.

3. Terms. Each member serves a term of 5 years, except that the terms of legislative
 members expire the first Wednesday in December of even-numbered years. Vacancies
 must be filled by the appointing authority to complete the term of the preceding appointee.

- 4. Chair; secretary. The board shall select annually one of its members to serve as chair. The Director of the <u>Maine</u> Agricultural <u>and Forest</u> Experiment Station shall serve <u>serves</u> as secretary to the board but the director is not a member of the board and has no vote.
- 8 5. Compensation. The board members are entitled to legislative per diem
 9 compensation for attendance at board meetings in accordance with Title 5, chapter 379.

6. Report. The Board of Agriculture shall report at least annually to the joint standing 10 committee of the Legislature having jurisdiction over agricultural matters and to the Board 11 of Trustees of the University of Maine System. The report must include an accounting of 12 13 meetings and actions of the Board of Agriculture, including agreements entered into, status 14 of demonstration projects, research findings, informational activities an outline of emerging trends in agriculture and an evaluation of the Maine Agricultural and Forest 15 Experiment Station and University of Maine Cooperative Extension Service programs, 16 with recommendations regarding changes or improvements in the programs and the budget. 17 The Board of Agriculture shall submit annually to the Board of Trustees of the University 18 19 of Maine System proposals for additional funding for program needs and capital building 20 projects at the research farms.

21 7. Long-range plan. By January 15, 2000, and every 5 years beginning in 2024, the board shall establish a long-range plan for operation of the Maine Agricultural and Forest 22 Experiment Station and the University of Maine Cooperative Extension Service programs 23 24 that includes but is not limited to plans for each of the research farms, joint appointments for experiment station and extension faculty, better utilization of research farms and 25 objectives for research for each agricultural commodity in the State. The plan developed 26 27 by the board does not include operations, research and programs relating to forestry, wildlife, aquaculture and fisheries. 28

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SUMMARY

30 This bill renames the Maine Agricultural Experiment Station the Maine Agricultural 31 and Forest Experiment Station and requires the Director of the Maine Agricultural and 32 Forest Experiment Station to perform the director's duties with advice from the University 33 of Maine System's Board of Agriculture. The bill also adds aquaculture and the State's 34 rural economy to the board's advisory duties to the Chancellor of the University of Maine 35 System and the President of the University of Maine at Orono. It amends the membership 36 of the board and requires the board to invite appropriate individuals and conduct a public, 37 facilitated discussion at least annually to better understand the needs and trends in agriculture in the State that would benefit from new or additional research. It also requires 38 39 the board to include in its annual report to the Legislature an outline of emerging trends in 40 agriculture, to submit annual proposals for additional funding for program needs to the 41 Board of Trustees of the University of Maine System and to update its long-range plan for 42 operation of the Maine Agricultural and Forest Experiment Station every 5 years.