

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
BRUCE S. BRYANT, DISTRICT 14
ROGER L. SHERMAN, DISTRICT 34



HOUSE

WENDY PIEH, BREMEN, CHAIR
NANCY E. SMITH, MONMOUTH
BENJAMIN M. PRATT, EDDINGTON
LEILA J. PERCY, PHIPPSBURG
PETER S. KENT, WOOLWICH
JEFF M. McCABE, SKOWHEGAN
ANDREW ROESING O'BRIEN, LINCOLNVILLE
PETER EDGECOMB, CARIBOU
DEAN A. GRAY, PALMYRA
JEFFERY A. GIFFORD, LINCOLN

JILL IPPOLITI, LEGISLATIVE ANALYST
DARLENE SIMONEAU, COMMITTEE CLERK

STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

March 31, 2010

The Honorable Elizabeth H. Mitchell
President of the Senate
The Honorable Hannah M. Pingree
Speaker of the House of Representatives
124th Legislature
State House
Augusta, ME 04333

Dear Madam President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Agriculture, Conservation and Forestry from the review and evaluation of the Department of Agriculture, Food and Rural Resources under the State Government Evaluation Act. In its review, the Committee found that the Department is operating within its statutory authority.

Sincerely,

Handwritten signature of Senator John M. Nutting.

Senator John M. Nutting
Senate Chair

Handwritten signature of Representative Wendy Pieh.

Representative Wendy Pieh
House Chair

cc: Seth H. Bradstreet III, Commissioner, DAFRR
Ned Porter, Deputy Director, DAFRR
Patrick Norton, Director, Office of Policy and Legal Analysis

**JOINT STANDING COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

**Review of the Department of Agriculture, Food and Rural Resources under
the Government Evaluation Act
March 30, 2010**

The Government Evaluation Act

The Government Evaluation Act (“Act”) provides for a system of periodic review of the efficacy and performance of state government agencies. (3 MRSA § 951 et seq.) The keystone to the Act is the agency program evaluation report, which consists of a number of components required by the statute. Essentially, the report is an agency self-assessment, which the committee of jurisdiction uses as a starting point for its evaluation of the agency’s effectiveness, efficiency and performance.

Review Process

In 2009, the Joint Standing Committee on Agriculture Conservation and Forestry notified the Maine Department of Agriculture, Food and Rural Resources of its intent to review the agency during the Second Session of the 124th Legislature. The commission submitted its program evaluation report as required under 3 MRSA §956 in November 2009.

On January 27, 2010, Deputy Commissioner Ned Porter presented the department’s Program Evaluation Report to the committee. The GEA report submitted in November did not contain information on proposed structural changes in the department. The committee had briefly discussed the elimination of a director’s position in the context of budget deliberations. On February 24, 2010, Mr. Porter returned with Commissioner Bradstreet to answer questions regarding the impact of budget cuts on the department and the proposed reorganization of 4 divisions into 3. The Commissioner explained that the restructuring taking place within the department would place responsibilities for animal agriculture and plant industry under a single division head, establishing a Division of Animal and Plant Health, which would closely align with the structure of USDA’s Animal and Plant Health Inspection Service.

The Office of Agricultural, Natural and rural Resources was eliminated in 2007, leaving 4 major policy-influencing positions, a director for each of the following: the Division of Plant Industry, the Division of Animal Health and Industry, the Division of Market and Production Development and the Division of Quality Assurance and Regulation. PL 2009, c. 462, Sec. K-2 eliminated the Director of the Division of Market and Production Development, leaving 3 division director positions. The Commissioner proposed that the 3 divisions be restructured and the names be changed to reflect the responsibilities of each.

Findings and Recommendation

The Joint Standing Committee on Agriculture, Conservation and Forestry finds the report presented by the Department of Agriculture, Food, and Rural Resources addresses the essential elements for self assessment under the Government Evaluation Act. The committee supports the restructuring of the Department of Agriculture, Food, and Rural Resources and introduced legislation, as authorized under Title 3, section 955, subsection 4, to codify the changes. The 3 divisions are the Division of Quality Assurance and Regulation, the Division of Agriculture Resources Development and the Division of Animal and Plant Health. The legislation introduced also changes the dates for subsequent reviews under the Government Evaluation Act, recommending that the department be reviewed again in 2017.