

MAINE STATE LEGISLATURE

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L.D. 1316

(Filing No. S-105)

STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 489, L.D. 1316, Bill, "AN ACT to Encourage a Viable Agriculture for Maine."

Amend the bill by inserting after the enacting clause the following:

'Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(1-A) is enacted to read:

(1-A) Agriculture Maine Expenses 7 MRSA §313
Agricultural Only
Viability
Advisory
Committee'

Further amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 2. 7 MRSA Pt. 1-A is enacted to read:

PART 1-A

AGRICULTURAL AND RURAL RESOURCES DEVELOPMENT

CHAPTER 51

THE MAINE AGRICULTURAL VIABILITY ACT OF 1985

§311. Short title

This chapter shall be known as the "Maine Agricultural Viability Act of 1985."

§312. Legislative findings

The Legislature finds that:

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1 1. Importance of agriculture. Agriculture is
2 important to the overall economy of the State and
3 that regional variations in the State's agricultural
4 economy exist because of differences in climate,
5 soil, availability and cost of productive land, ac-
6 cess to service, supply and market infrastructure,
7 size of local markets and distances to other markets.
8 These regional variations result in different produc-
9 tion and marketing opportunities and constraints;

10 2. Changing conditions. Opportunities and con-
11 straints change in response to new scientific and
12 technical developments, changing consumer demands and
13 changes in the relative costs of agricultural inputs.
14 A healthy agricultural economy depends on a timely
15 response by farmers to these changing opportunities
16 and constraints; and

17 3. Response by farmers. Timely farmer response
18 is encouraged by an awareness of changing market con-
19 ditions, access to accurate information on new tech-
20 nologies appropriate to each region, adequate financ-
21 ing for innovative change and appropriate supply and
22 marketing infrastructures.

23 §313. Maine Agricultural Viability Advisory Commit-
24 tee

25 1. Membership. The Maine Agricultural Viability
26 Advisory Committee, as established by Title 5, sec-
27 tion 12004, subsection 10, shall consist of the fol-
28 lowing 7 members:

- 29 A. One representative of the Maine Farm Bureau;
- 30 B. One representative of the Maine State Grange;
- 31 C. One representative of the National Farm Orga-
- 32 nization;
- 33 D. One representative of the Maine Small Farm

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1 Association;

2 E. One representative of the Maine Organic Far-
3 mers and Gardeners Association;

4 F. One representative of the Maine Association
5 of Conservation Districts; and

6 G. The Chairman of the Soil and Water Conserva-
7 tion Commission or his designee, who shall serve
8 during his tenure in that office.

9 2. Selection of representatives; terms. The
10 representatives of each of the organizations set out
11 in subsection 1, paragraphs A to F, shall be chosen
12 by that organization from among its members in a man-
13 ner determined by that organization. Each represen-
14 tative shall serve for terms of 3 years, except that,
15 of those first chosen, the representatives pursuant
16 to subsection 1, paragraphs A and B, shall serve
17 terms of one year; the representatives chosen pursu-
18 ant to subsection 1, paragraphs C and D, shall serve
19 terms of 2 years; and the representatives chosen pur-
20 suant to subsection 1, paragraphs E and F, shall
21 serve terms of 3 years. If any representative ceases
22 to be a member of the organization which he repre-
23 sents, he shall cease to be a member of the advisory
24 committee. Any vacancy on the advisory committee
25 shall be filled in the same manner as the original
26 selection for the remainder of the unexpired term.

27 3. Chairman. The advisory committee shall annu-
28 ally select one of its members to serve as chairman
29 of the advisory committee.

30 4. Compensation. Advisory committee members
31 shall be compensated in accordance with Title 5,
32 chapter 379.

33 5. Responsibilities. The responsibilities of
34 the committee shall be to:

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1 A. Advise the commissioner in developing rules
2 as required in section 314, subsections 2 and 3;

3 B. Review information gathered by local agencies
4 and the analysis performed by the department pur-
5 suant to section 314, subsection 2;

6 C. Advise the commissioner in proposing redirec-
7 tion of existing programs pursuant to section
8 315; and

9 D. Advise the commissioner in implementing any
10 other provision of this Act.

11 6. Meetings. Either the chairman or the commis-
12 sioner may call a meeting of the committee. The com-
13 mittee shall meet at least quarterly.

14 §314. Procedure for identifying regional opportuni-
15 ties

16 In response to legislative findings, the commis-
17 sioner may review and identify the agricultural op-
18 portunities and constraints in each region of the
19 State and, to the maximum extent possible, administer
20 the department's programs to address those opportuni-
21 ties and constraints. The commissioner shall:

22 1. Public participation. Ensure that the agri-
23 cultural community and public in general have the op-
24 portunity to participate in the assessment of region-
25 al opportunities and constraints and in any redirec-
26 tion of programs resulting from the assessment;

27 2. Local lead agencies. Designate local lead
28 agencies to coordinate public input and assist in
29 this regional assessment and shall, by rule, estab-
30 lish criteria for that designation, provided that
31 preference shall be given to local soil and water
32 conservation districts as lead agencies which meet
33 those criteria.

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- 1 A. The department shall provide the local lead
2 agencies with current information about agricul-
3 tural production, processing and marketing within
4 the State, the demand for state agricultural
5 products and the State's market position relative
6 to its competitors.
- 7 B. Local lead agencies shall hold hearings and
8 public meetings and shall collect and assess in-
9 formation on agricultural resources, problems and
10 needs in their local areas, including at a mini-
11 mum:
- 12 (1) The land base currently used or suit-
13 able for agricultural production, its nature
14 and extent, use and ownership;
- 15 (2) The market, supply and service
16 infrastructure serving the area;
- 17 (3) The availability and cost of production
18 inputs in the area;
- 19 (4) The local demand for agricultural goods
20 produced in the area; and
- 21 (5) The needs of the agricultural sector in
22 the area perceived to be critical to main-
23 taining or enhancing its economic strength.
- 24 C. The department shall compile and analyze in-
25 formation received pursuant to paragraph B and
26 shall, after consultation with local lead agen-
27 cies, propose redirection of existing programs
28 and implementation of new programs as appropri-
29 ate; and
- 30 3. Funds. Establish by rule provisions for the
31 expenditure of funds authorized for the purposes of
32 this chapter.
- 33 §315. Regional opportunities addressed

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1 Within one year following completion of all re-
2 gional assessments, the commissioner shall initiate
3 implementation of appropriate state programs to re-
4 spond to regional needs.

5 §316. Participation of other agencies

6 1. Other state agencies. The State Planning Of-
7 ice, the State Soil and Water Conservation Commis-
8 sion, the Finance Authority of Maine and the Univer-
9 sity of Maine shall cooperate with and assist the
10 commissioner in his efforts to assess regional agri-
11 cultural opportunities and constraints pursuant to
12 this chapter.

13 2. Federal agencies. The commissioner shall
14 consult with appropriate federal agencies, including
15 the Farmers Home Administration, the Soil Conserva-
16 tion Service and the Agricultural Stabilization and
17 Conservation Service, in carrying out this chapter.'

18 Further amend the bill by renumbering section 2
19 to be section 3.

20 STATEMENT OF FACT

21 This amendment establishes a process whereby the
22 agricultural development programs of the Department
23 of Agriculture, Food and Rural Resources will be
24 redirected to better address the differing agricul-
25 tural needs and opportunities in various regions of
26 the State and thereby to assist the agricultural com-
27 munity in responding appropriately to changing oppor-
28 tunities. It recognizes that agriculture is an im-
29 portant component of the State's rural economy and
30 that the production and marketing opportunities for
31 agriculture vary by region in accordance with differ-
32 ences in climate, soil, availability and cost of pro-
33 ductive land and other production inputs, access to
34 service, supply and marketing infrastructures and

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1 proximity to markets.

2 It provides for the redirection of state agricul-
3 tural programs to reflect regional differences in ag-
4 ricultural needs and opportunities, guided by input
5 from the local communities to be affected by the re-
6 direction. It provides for the identification of lo-
7 cal lead agencies, giving preference to the 16 Soil
8 and Water Conservation Districts, to collect local
9 data, hold hearings and conduct meetings to consider
10 the constraints and potential for agriculture in the
11 various regions and to advise the department in its
12 redirection.

13 It establishes the Maine Agricultural Viability
14 Advisory Committee to review the information gathered
15 and advise the commissioner in redirecting programs
16 and services of the department.

17 Funding for this amendment has been included in
18 the department's Part II Budget request for the next
19 biennium to cover the costs of local agencies in col-
20 lecting and assessing local data and conducting hear-
21 ings and for the department's administrative and
22 staff costs.

23 3731052085

Reported by Senator Black for the Committee on Agriculture.
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(5/22/85) (Filing No.S-105)