

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1316

6
7 S.P. 489

In Senate, April 16, 1985

8 Submitted by the Department of Agriculture, Food and Rural Resources
9 pursuant to Joint Rule 24.

10 Referred to the Committee on Agriculture. Sent down for concurrence
and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Erwin of Oxford.

11 Cosponsored by Representative Michael of Auburn, Representative
Crouse of Caribou and Representative Tardy of Palmyra.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Encourage a Viable Agriculture
18 for Maine.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

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

23 PART 1-A

24 AGRICULTURAL AND RURAL RESOURCES DEVELOPMENT

25 CHAPTER 51

26 THE MAINE AGRICULTURE VIABILITY ACT OF 1985

27 §311. Short title

28 This chapter shall be known as the Maine Agricul-
29 ture Viability Act of 1985.

30 §312. Legislative findings

1 The Legislature finds that:

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

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

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

24 4. Role of the public sector. The public sector
25 can have a substantial role in assuring the availa-
26 bility of each of these factors in each region of the
27 State.

28 §313. Procedure for identifying regional opportuni-
29 ties

30 In response to these legislative findings, the
31 commissioner may review and identify the agricultural
32 opportunities and constraints in each region of the
33 State and, to the maximum extent possible, to admin-
34 ister the department's programs so as to address
35 them. The commissioner shall:

36 1. Public participation. Ensure that the agri-
37 cultural community and public in general have the op-
38 portunity to participate in the assessment of region-
39 al opportunities and constraints and any redirection
40 of programs resulting;

1 2. Local lead agencies. Designate local lead
2 agencies to coordinate public input and assist in
3 this regional assessment and shall, by rule, estab-
4 lish criteria for that designation, provided that
5 preference shall be given to local soil and water
6 conservation districts as lead agencies which meet
7 those criteria:

8 A. The department shall provide the local lead
9 agencies with current information about agricul-
10 tural production, processing and marketing within
11 the State, the demand for state agricultural
12 products and the State's market position relative
13 to its competitors;

14 B. Local lead agencies shall hold hearings and
15 public meetings and shall collect and assess in-
16 formation on agricultural resources, problems and
17 needs in their local areas, including at a mini-
18 mum:

19 (1) The land base currently used or suit-
20 able for agricultural production, its nature
21 and extent, use and ownership;

22 (2) The market, supply and service
23 infrastructure serving the area;

24 (3) The availability and cost of production
25 inputs in the area;

26 (4) The local demand for agricultural goods
27 produced in the area; and

28 (5) The needs of the agricultural sector in
29 the area perceived to be critical to main-
30 taining or enhancing its economic strength;
31 and

32 C. The department shall compile and analyze in-
33 formation received pursuant to paragraph B and
34 shall, after consultation with local lead agen-
35 cies, propose redirection of existing programs
36 and implementation of new programs as appropri-
37 ate; and

1 3. Funds. Establish by rule provisions for the
2 expenditure of funds authorized for the purposes of
3 this chapter.

4 §314. Regional opportunities addressed

5 Within one year following completion of all re-
6 gional assessments, the commissioner shall initiate
7 implementation of appropriate state programs to re-
8 spond to regional needs.

9 §315. Participation of other agencies

10 1. Other state agencies. The State Planning Of-
11 fice, the Soil and Water Conservation Commission, the
12 Finance Authority of Maine and the University of
13 Maine shall cooperate with and assist the commis-
14 sioner in his efforts to assess regional agricultural op-
15 portunities and constraints pursuant to this chapter.

16 2. Federal agencies. The commissioner shall
17 consult with appropriate federal agencies, including
18 the Farmers Home Administration, the Soil Conserva-
19 tion Service and the Agricultural Stabilization and
20 Conservation Service, in carrying out the provisions
21 of this chapter.

22 Sec. 2. 12 MRSA §2 is amended to read:

23 §2. Policy

24 Conservation of soil and water resources may in-
25 volve adjustments in land and water use and the de-
26 velopment, improvement and protection of these re-
27 sources under various combinations of use. It is de-
28 clared to be the policy of the Legislature to provide
29 for and encourage the optimal use of the State's ag-
30 ricultural resources, to insure the availability of
31 appropriate soil and water resources for the produc-
32 tion of food and other renewable resources, to pro-
33 vide for the conservation of the soil and soil and
34 water resources of this State, and for the control
35 and prevention of soil erosion, and thereby to pre-
36 serve natural resources and maintain the economic
37 base for the State's natural resource industries,
38 control floods, prevent impairment of dams and reser-
39 voirs, assist in maintaining the navigability of riv-

1 ers and harbors, preserve wildlife, protect the tax
2 base, protect public lands and protect and promote
3 the health, safety and general welfare of the people
4 of this State.

5

STATEMENT OF FACT

6 This bill establishes a process whereby the agri-
7 cultural development programs of the Department of
8 Agriculture, Food and Rural Resources will be
9 redirected to better address the differing agricul-
10 tural needs and opportunities in various regions of
11 the State and thereby to assist the agricultural com-
12 munity in responding appropriately to changing oppor-
13 tunities. It recognizes that agriculture is an im-
14 portant component of the State's rural economy, and
15 that the production and marketing opportunities for
16 agriculture vary by region in accordance with differ-
17 ences in climate, soil, availability and cost of pro-
18 ductive land and other production inputs, access to
19 service, supply and marketing infrastructures and
20 proximity to markets. It provides for the redirec-
21 tion of state agricultural programs to reflect re-
22 gional differences in agricultural needs and opportu-
23 nities, guided by input from the local communities to
24 be affected by the redirection. It provides for the
25 identification of local lead agencies, giving prefer-
26 ence to the 16 Soil and Water Conservation Districts,
27 to collect local data, hold hearings and conduct
28 meetings to consider the constraints and potential
29 for agriculture in the various regions and to advise
30 the department in its redirection.

31 Funding for this bill has been included in the
32 department's Part II Budget request for the next bi-
33 ennium to cover the costs of local agencies in col-
34 lecting and assessing local data and conducting hear-
35 ings and for the department's administrative and
36 staff costs.

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