

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1267

H.P. 944 House of Representatives, April 14, 1987
Submitted by the Department of Agriculture, Food and
Rural Resources pursuant to Joint Rule 24.

Reference to the Committee on Agriculture suggested and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative WHITCOMB of Waldo.

Cosponsored by Senator EMERSON of Penobscot,
Representatives TARDY of Palmyra and ALIBERTI of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Continue the Agricultural Viability
2 Program.
3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 Sec. 1. 7 MRSA Pt. 1-A, as enacted by PL 1985,
7 c. 482, §2, is repealed.

8 Sec. 2. 7 MRSA §314, as enacted by PL 1985, c.
9 482, §2, is amended to read:

10 §314. Establishing a program for identifying region-
11 al opportunities

12 In response to these legislative findings, the
13 commissioner shall establish a ~~pi~~ program to re-
14 view and identify the agricultural opportunities and

1 constraints in up-to-4 selected regions of the State
2 and, to the maximum extent possible, to administer
3 the department's programs in these selected regions
4 so as to address these opportunities and constraints.
5 In this pilot program, the commissioner shall:

6 1. Public participation. Ensure that the agri-
7 cultural community and public in general have the op-
8 portunity to participate in the assessment of region-
9 al opportunities and constraints and in any redirec-
10 tion of programs resulting from the assessment; and

11 2. Local lead agencies. By rule establish crite-
12 ria for selecting up-to-4 regions for inclusion in
13 this pilot program and designating local lead agen-
14 cies to coordinate public input and assist in this
15 regional assessment, provided that preference shall
16 be given to local soil and water conservation dis-
17 tricts as lead agencies which meet designation crite-
18 ria. Regions shall be selected so as to reflect the
19 agricultural, geographic and demographic diversity of
20 the State and the capacity of potential local lead
21 agencies to participate in this pilot program. The
22 commissioner shall provide, not later than August 1st
23 each year, notice of the availability of funding and
24 a schedule for accepting applications for selection
25 of local lead agencies to review and assess regional
26 agricultural opportunities in areas of the State in
27 which the assessments have not yet been carried out.

28 A. The department shall provide the local lead
29 agencies with current information about agricul-
30 tural production, processing and marketing within
31 the State, the demand for state agricultural
32 products and the State's market position relative
33 to its competitors.

34 B. Local lead agencies shall hold hearings and
35 public meetings and shall collect and assess in-
36 formation on agricultural resources, problems and
37 needs in their local areas, including at a mini-
38 mum:

39 (1) The land base currently used or suit-
40 able for agricultural production, its nature
41 and extent, use and ownership;

- 1 (2) The market, supply and service
2 infrastructure serving the area;
- 3 (3) The availability and cost of production
4 inputs in the area;
- 5 (4) The local demand for agricultural goods
6 produced in the area; and
- 7 (5) The needs of the agricultural sector in
8 the area perceived to be critical to main-
9 taining or enhancing its economic strength.

10 C. The department shall compile and analyze in-
11 formation received pursuant to paragraph B and
12 shall, after consultation with local lead agen-
13 cies, propose redirection of existing programs
14 and implementation of new programs as appropri-
15 ate; and

16 3. Funds. Establish by rule provisions for the
17 expenditure of funds authorized for the purposes of
18 this chapter.

19 Sec. 3. 7 MRSa §315, as enacted by PL 1985, c.
20 482, §2, is repealed and the following enacted in its
21 place:

22 §315. Implementation

23 1. State implementation. Within one year fol-
24 lowing completion of a regional assessment, the com-
25 missioner shall consider implementation of appropri-
26 ate state programs to respond to regional needs iden-
27 tified in the assessment. In determining whether and
28 when to initiate implementation of the programs, the
29 commissioner shall consider the effect of implementa-
30 tion on agriculture as a whole, on agriculture in
31 other parts of the State and on existing departmental
32 programs.

33 2. Local implementation grant program. The com-
34 missioner shall, from funds appropriated for this
35 purpose, establish a program to provide funds to lo-
36 cal lead agencies which have satisfactorily completed
37 a local area assessment as defined in section 314 to
38 carry out activities which address needs identified

1 in that local area assessment. The commissioner
2 shall, no later than August 1st each year, provide
3 notice of the availability of funds to support local
4 implementation efforts and a schedule for accepting
5 applications for these funds. Activities chosen to
6 receive state support shall be selected by the com-
7 missioner with the advice of the Agriculture
8 Viability Advisory Committee. The criteria for se-
9 lection shall be established by rule in accordance
10 with the Maine Administrative Procedure Act, Title 5,
11 chapter 375, and shall require, at a minimum, that
12 proposed activities:

13 A. Address particular local needs identified in
14 the local area assessment;

15 B. Demonstrate the potential for a significant
16 improvement to agricultural viability of the re-
17 gion in proportion to the public funds requested;
18 and

19 C. Reflect coordination with other public or
20 private agencies in order to take advantage of
21 other resources available to support the proposed
22 activities.

23 Sec. 4. Effective date. Section 1 of the Act
24 shall take effect June 30, 1991.

25 STATEMENT OF FACT

26 The Agricultural Viability Program, established
27 by the Maine Agriculture Viability Act of 1985, is a
28 "pilot" program, operating in 4 regions and scheduled
29 to end June 30, 1987.

30 Under that program, local lead agencies have been
31 established in the St. John Valley, Washington and
32 Hancock Counties, 9 towns along the Androscoggin and
33 Sandy River Valley between Farmington and Auburn and
34 in the agricultural areas of Somerset, Piscataquis
35 and Penobscot Counties. In each of these regions
36 there have been numerous meetings among farmers and
37 others to assess future opportunities for agricul-
38 ture. Each region is now preparing recommendations

1 about specific actions to enhance its agricultural
2 potential. An unexpected result of this assessment
3 process has been the extent to which each region
4 identified is interested in pursuing initiatives to
5 address special problems facing that particular re-
6 gion.

7 This bill will continue the Agricultural
8 Viability Program for 4 more years. In the 4 pilot
9 regions already established, continuation provides
10 the opportunity for state assistance to implement ac-
11 tivities of special significance to agriculture in
12 each particular region. Establishment of 2 more "re-
13 gions" in the next 4 years is also contemplated.

14 Section 2 removes the "pilot" designation and
15 provides for the inclusion of one new region each bi-
16 ennium as funds are made available. Section 3 estab-
17 lishes a grant program to assist those regions which
18 have successfully completed a local area assessment
19 to carry out activities that address local opportuni-
20 ties identified in those assessments. Section 1 pro-
21 vides that the program will terminate June 30, 1991.

22 Funds to establish a 5th "region" and to support
23 the implementation grant program are included in the
24 Governor's Part II Budget recommendations.

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