

MAINE STATE LEGISLATURE

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1440, L.D. 2004, Bill, "An Act to Ensure Long-term Funding of the Maine Agricultural Experiment Station Research Farms Connected with Land Grant Colleges"

Amend the bill by striking out all of the emergency preamble (page 1, lines 1 to 17 in L.D.)

Further amend the bill in section 2 in the 4th line (page 1, line 31 in L.D.) by inserting after the following: "AGRICULTURE" the following: 'AND'

Further amend the bill by striking out all of section 3 (page 1, lines 35 to 50 and page 2, lines 1 to 30 in L.D.) and inserting in its place the following:

Sec. 3. 7 MRSA §121, as amended by PL 1985, c. 779, §25, is repealed and the following enacted in its place:

§121. Maine Agricultural Experiment Station

1. Establishment. The department of the University of Maine System known and designated as the Maine Agricultural 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.

COMMITTEE AMENDMENT

2 2. Director. The President of the University of Maine at
3 Orono, in consultation with the Board of Agriculture, shall
4 appoint for a term of 5 years the Director of the Maine
5 Agricultural Experiment Station, referred to in this section as
6 the "director." After the term has expired, the director is
7 eligible for reappointment. The director may be removed by the
8 President of the University of Maine at Orono, in consultation
9 with the Board of Agriculture, for cause. The director shall
10 work with the Board of Agriculture to oversee the work of the
11 university faculty at the station. The director of the station
12 is the executive and administrative officer of the station and
13 shall exercise supervision, direction and control over the
14 station in accordance with the programs and policies of the
15 University of Maine System and those established by the Board of
16 Agriculture.'

17 Further amend the bill in section 4 in that part designated
18 "§122." by striking out all of the last sentence (page 2, lines
19 40 to 43 in L.D.) and inserting in its place the following: 'The
20 Director of the Maine Agricultural Experiment Station shall have,
21 with the agreement of the Board of Agriculture, has the general
22 supervision, management and control of said farm those farms and
23 of all investigations thereon. The board and the director shall
24 seek agreement on all issues. In the event that agreement can
25 not be reached, final authority rests with the director.'

26 Further amend the bill in section 4 in that part designated
27 "§123." in the 2nd line from the end (page 3, line 1 in L.D.) by
28 striking out the following: "~~director--of--said--station~~" and
29 inserting in its place the following: 'director of said the
30 station with the agreement of the'

31 Further amend the bill in section 4 in that part designated
32 "§123." by inserting at the end the following 2 new sentences:
33 'The board and the director shall seek agreement on all issues.
34 In the event that agreement can not be reached, final authority
35 rests with the director.'

36 Further amend the bill in section 4 in that part designated
37 "§124." in the 3rd line (page 3, line 9 in L.D.) by striking out
38 the following: "~~director--of--said--station~~" and inserting in its
39 place the following: 'director of said the station with the
40 agreement of the'

41 Further amend the bill in section 4 in that part designated
42 "§124." by inserting at the end the following 2 new sentences:
43 'The board and the director shall seek agreement on all issues.
44 In the event that agreement can not be reached, final authority
45 rests with the director.'

2 Further amend the bill in section 5 in that part designated
3 "~~§125.~~" by striking out all of subsection 1 (page 3, lines 16 to
4 34 in L.D.) and inserting in its place the following:

6 '1. Establishment; duties. The Board of Agriculture,
7 referred to in this section as the "board," as established in
8 Title 5, section 12004-G, subsection 4-A, is created within the
9 University of Maine System. The board shall advise the
10 Chancellor of the University of Maine System and the President of
11 the University of Maine at Orono on matters concerning the
12 operation and management of agricultural research conducted by
13 the Maine Agricultural Experiment Station and university
14 farm-based programs, including those of the University of Maine
15 Cooperative Extension Service. The board's duties are limited to
16 advising the chancellor and the president on research and
17 programs relating to agriculture. The board does not advise the
18 Director of the Maine Agricultural Experiment Station or have a
19 role in the operation of research and programs within the Maine
20 Agricultural Experiment Station that relate to forestry,
21 wildlife, or fisheries and aquaculture. The board shall assist
22 the chancellor and the president in articulating the mission of
23 the Maine Agricultural Experiment Station as it pertains to
24 agriculture. The director, with the agreement of the board,
25 shall develop a budget for the station. The board and the
26 director shall seek agreement on all issues. In the event that
27 agreement can not be reached, final authority rests with the
28 director. The board may not interfere with funding and grants
29 for commodity research programs brought to the University of
30 Maine System directly or through the efforts of commodity
31 groups. The board shall respect the expertise of the various
32 commodity groups and shall maintain the integrity of the research
33 being recommended and reviewed by specific commodity groups. The
34 board shall assist in the coordination of activities with
35 commodity groups interested in or supporting agricultural
36 research. The board shall consult with the following
37 agricultural commodity advisory committees on agricultural
38 research and extension priorities:

40 A. The University of Maine System Wild Blueberry Advisory
41 Committee; and

42 B. The Potato Marketing Improvement Committee.'
43

44 Further amend the bill in section 5 in that part designated
45 "~~§125.~~" in subsection 2 by striking out all of the first
46 paragraph (page 3, lines 36 to 38 in L.D.) and inserting in its
47 place the following:
48

2 '2. Membership. The board consists of the following 19
3 members:'

4 Further amend the bill in section 5 in that part designated
5 "§125." in subsection 2 in paragraph A by inserting after the
6 following: "Maine" the following: 'at Orono'

8 Further amend the bill in section 5 in that part designated
9 "§125." in subsection 2 in paragraph C in the last line (page 3,
10 line 46 in L.D.) by inserting after the following: "Resources"
11 the following: 'or the commissioner's designee'

12 Further amend the bill in section 5 in that part designated
13 "§125." in subsection 2 in paragraph F by striking out all of
14 subparagraphs (1) to (8) (page 4, lines 5 to 20 in L.D.) and
15 inserting in their place the following:

18 '(1) The Maine Potato Board;

20 (2) The Wild Blueberry Commission of Maine;

22 (3) A statewide pomological society;

24 (4) A statewide vegetable and small fruit growers
25 association;

26 (5) A statewide dairy industry association;

28 (6) A statewide landscape and nursery association;

30 (7) A statewide florist and growers association; and

32 (8) A statewide organic farmers and gardeners
33 association;'

36 Further amend the bill in section 5 in that part designated
37 "§125." in subsection 2 in paragraph G in the 2nd and 3rd lines
38 (page 4, lines 23 and 24 in L.D.) by striking out the following:
39 'forestry and natural resource'

40 Further amend the bill in section 5 in that part designated
41 "§125." in subsection 2 in paragraph H in the last line (page 4,
42 line 30 in L.D.) by striking out the following: "and"

44 Further amend the bill in section 5 in that part designated
45 "§125." in subsection 2 by striking out all of paragraph I (page
46 4, lines 32 to 34 in L.D.) and inserting in its place the
47 following:

2 I. Two research faculty members associated with
3 agricultural research at the University of Maine at Orono,
4 appointed by the Board of Trustees of the University of
5 Maine System; and'

6 Further amend the bill in section 5 in that part designated
7 "§125." in subsection 2 by inserting after paragraph I the
8 following:

10 J. The Director of the University of Maine Cooperative
11 Extension Service.'

12 Further amend the bill in section 5 in that part designated
13 "§125." in subsection 3 in the 3rd line (page 4, line 44 in L.D.)
14 by striking out the following: "Station, shall" and inserting in
15 its place the following: 'Station shall'

16 Further amend the bill in section 5 in that part designated
17 "§125." in subsection 5 in the 4th line (page 5, line 5 in L.D.)
18 by inserting after the following: "Maine" the following 'System'
19 and in the 3rd line from the end (page 5, line 9 in L.D.) by
20 inserting after the following: "evaluation of the" the
21 following: 'Maine'

22 Further amend the bill in section 5 in that part designated
23 "§125." in subsection 5 by inserting at the end the following new
24 sentence: 'The Board of Agriculture shall submit annually to the
25 Board of Trustees of the University of Maine System proposals for
26 additional funding for capital building projects at the research
27 farms.'

28 Further amend the bill in section 5 in that part designated
29 "§125." in subsection 6 in the 3rd line from the end (page 5,
30 line 18 in L.D.) by striking out the following: "regionalization
31 of extension facilities."

32 Further amend the bill in section 5 in that part designated
33 "§125." in subsection 6 by inserting at the end the following new
34 sentence: 'The plan developed by the board does not include
35 operations, research and programs relating to forestry, wildlife,
36 aquaculture and fisheries.'

37 Further amend the bill by inserting at the end before the
38 emergency clause the following:

39 **'Sec. 6. Maine Agricultural Experiment Station; budget.**
40 Beginning with fiscal year 1999-2000, the Board of Trustees of
41 the University of Maine System shall strive to allocate funds for
42 the experimental farms within the Maine Agricultural Experiment
43 Station at or above the fiscal year 1995-96 funding level. For
44

fiscal years 2000-01 to 2001-02, the board of trustees shall strive to increase the funding for each experimental farm by a minimum of 5% per year above that farm's 1995-96 funding. Capital building projects must be funded from within the university facilities management budget.'

Further amend the bill by striking out all of the emergency clause (page 5, lines 22 and 23 in L.D.)

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The additional costs associated with the Board of Agriculture can be absorbed by the University of Maine System utilizing existing budgeted resources.

The Department of Agriculture, Food and Rural Resources will incur some minor additional costs to participate in the Board of Agriculture. These costs can be absorbed within the department's existing budgeted resources.'

SUMMARY

The amendment clarifies that final authority for administration of the Maine Agricultural Experiment Station rests with the Director of the Maine Agricultural Experiment Station. It removes the emergency preamble from the bill and places in unallocated law a directive to the Board of Trustees of the University of Maine System regarding funding for the experimental farms within the Maine Agricultural Experiment Station. It clarifies those programs on which the Board of Agriculture is to advise the Chancellor of the University of Maine System and the President of the University of Maine at Orono. It adds to the Board of Agriculture a member to represent a statewide organic farmers and growers association and the Director of the University of Maine Cooperative Extension Service. It removes the directive that the long-range plan developed by the Board of Agriculture include plans for regionalizing extension facilities.

This amendment also adds a fiscal note to the bill.