

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1998

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Legislative Document

No. 2004

H.P. 1440

House of Representatives, January 14, 1998

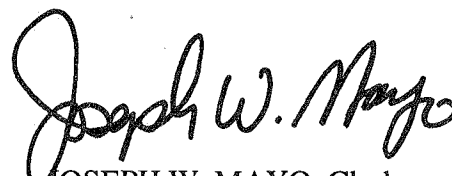
**An Act to Ensure Long-term Funding of the Maine Agricultural  
Experiment Station Research Farms Connected with Land Grant Colleges.**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative GREEN of Monmouth.  
Cosponsored by Senator TREAT of Kennebec and  
Representatives: BUNKER of Kossuth Township, DEXTER of Kingfield, FULLER of  
Manchester, McKEE of Wayne, SPEAR of Nobleboro, WATSON of Farmingdale, Senators:  
KILKELLY of Lincoln, NUTTING of Androscoggin.

2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
6           **Whereas**, this legislation requires that, for the fiscal year  
beginning July 1, 1997, funding for each of the research farms  
must equal or exceed funding received in fiscal year 1995; and

8  
10          **Whereas**, in order to implement this requirement before the  
end of the 1997-98 fiscal year, this legislation must take effect  
immediately; and

12  
14          **Whereas**, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
16 necessary for the preservation of the public peace, health and  
safety; now, therefore,

18  
20          **Be it enacted by the People of the State of Maine as follows:**

22                 **Sec. 1.** 5 MRSA §12004-G, sub-§4-A is enacted to read:

24                 **4-A.**         Board of         Legislative    7 MRSA  
Agriculture         Agriculture     Per Diem         \$125

26                 **Sec. 2.** 7 MRSA c. 5 is amended by repealing the chapter  
headnote and enacting the following in its place:

28   CHAPTER 5

30   BOARD OF AGRICULTURE  
32   MAINE AGRICULTURAL EXPERIMENT STATION

34  
36                 **Sec. 3.** 7 MRSA §121, as amended by PL 1985, c. 779, §25, is  
repealed and the following enacted in its place:

38                 §121. Maine Agricultural Experiment Station

40                 1. Establishment. The department of the University of  
42 Maine System known and designated as the Maine Agricultural  
Experiment Station, referred to in this section as the "station,"  
44 established at the University of Maine in connection with the  
university and under the direction of the university and the  
46 Board of Agriculture as established in Title 5, section 12004-G,  
subsection 4-A, for the purpose of carrying into effect an Act of  
48 the Congress of the United States, approved March 2, 1887, to  
establish agricultural experiment stations in connection with the  
50 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.

2. Director. The Board of Agriculture shall appoint for a term of 5 years a Director of the Agricultural Experiment Station, referred to in this section as the "director," with the approval of the President of the University of Maine. After the term has expired, the director is eligible for reappointment. The director may be removed by the President of the University of Maine, with the approval of the Board of Agriculture, for cause. The director shall work with the Board of Agriculture to oversee the work of the University of Maine faculty at the station. The director of the station is the executive and administrative officer of the station and shall exercise supervision, direction and control over the station in accordance with the programs and policies of the University of Maine and those established by the Board of Agriculture.

3. Budget. The Board of Trustees of the University of Maine shall establish annually a budget for the station and within that budget a separate line item for each of the research farms operated by the station. For the fiscal year beginning July 1, 1997, funding for each of the research farms must equal or exceed funding received in fiscal year 1995. The Board of Agriculture shall submit annually to the board of trustees proposals for additional funding for capital building projects at the research farms. Capital building projects must be funded from within university facilities management through the use of bonds or from separate state appropriations specific to a proposed project.

Sec. 4. 7 MRSA §§122 to 124 are amended to read:

§122. Orchardring and crops

The Maine Agricultural Experiment Station shall conduct scientific investigations in orcharding, corn and other farm crops and, to this end, shall maintain the ~~farm~~ farms heretofore purchased in the name of the State, and stocked and equipped for the use and benefit of said ~~the~~ station. The ~~Director of the Maine Agricultural Experiment Station shall have~~ Board of Agriculture has the general supervision, management and control of ~~said farm~~ those farms and of all investigations thereon.

§123. Animal husbandry

The Maine Agricultural Experiment Station shall conduct scientific investigations in animal husbandry, including experiments and observations on dairy cattle and other domestic animals, and such ~~these~~ investigations shall ~~be~~ are under the

control of the ~~director of said station~~ Board of Agriculture.  
The experiments in animal husbandry may be conducted at any of  
the farms owned by the State.

**§124. Expenditure of appropriation**

~~Such sums as shall be~~ Sums that are appropriated in favor of  
the Maine Agricultural Experiment Station shall must be expended  
by the ~~director of said station~~ Board of Agriculture in executing  
~~section~~ sections 121, 122 and 123.

**Sec. 5. 7 MRSA §125 is enacted to read:**

**§125. Board of Agriculture**

1. Establishment; duties. The Board of Agriculture, referred to in this section as the "board," is established within the University of Maine. The board shall advise the Chancellor of the University of Maine System and the President of the University of Maine on matters concerning the operation and management of the Agricultural Experiment Station and Cooperative Extension Service programs. The board shall assist the chancellor and the president in articulating the mission of and developing budgets for the Maine Agricultural Experiment Station. The board shall consult with the following agricultural commodity advisory committees on research and extension priorities:

A. The University of Maine System Wild Blueberry Advisory Commission;

B. The Potato Marketing Improvement Committee; and

C. The Maine Marketing Advisory Board.

2. Membership. The Board of Agriculture, as established in Title 5, section 12004-G, subsection 4-A, consists of the following members:

A. A designee of the President of the University of Maine;

B. A designee of the Chancellor of the University of Maine System;

C. The Commissioner of Agriculture, Food and Rural Resources;

D. The president of a statewide farm bureau;

E. The president of a statewide agricultural council;

2 F. Eight members representing the agricultural industry,  
4 one person designated by each of the following:

6 (1) The Maine Potato Board;

8 (2) The Seed Potato Board;

10 (3) The Maine Blueberry Commission;

12 (4) A statewide pomological society;

14 (5) A statewide vegetable and small fruit growers  
association;

16 (6) A statewide dairy industry association;

18 (7) A statewide landscape and nursery association; and

20 (8) A statewide florist and growers association;

22 G. Two members of the joint standing committee of the  
24 Legislature having jurisdiction over agricultural, forestry  
26 and natural resource matters, appointed jointly by the  
President of the Senate and the Speaker of the House;

28 H. One farmer with livestock experience in an area other  
30 than dairy farming, chosen from a list of 3 nominees  
submitted by a statewide beef and sheep producers  
association, appointed by the Governor; and

32 I. Two research faculty members associated with  
34 agricultural research at the University of Maine, appointed  
by the Board of Trustees of the University of Maine.

36 2. Terms. Each member serves a term of 5 years, except  
38 that the terms of legislative members expire the first Wednesday  
40 in December of even-numbered years. Vacancies must be filled by  
the appointing authority to complete the term of the preceding  
appointee.

42 3. Chair; secretary. The board shall select annually one  
44 of its members to serve as chair. The Director of the  
46 Agricultural Experiment Station, shall serve as secretary to the  
board but the director is not a member of the board and has no  
vote.

48 4. Compensation. The board members are entitled to  
50 legislative per diem compensation for attendance at board  
meetings in accordance with Title 5, chapter 379.

2           **5. Report.** The Board of Agriculture shall report at least  
3 annually to the joint standing committee of the Legislature  
4 having jurisdiction over agricultural matters and to the Board of  
5 Trustees of the University of Maine. The report must include an  
6 accounting of meetings and actions of the Board of Agriculture,  
7 including agreements entered into, status of demonstration  
8 projects, research findings, informational activities and an  
9 evaluation of the Agricultural Experiment Station and Cooperative  
10 Extension Service programs, with recommendations regarding  
11 changes or improvements in the programs and the budget.

12  
13           **6. Long-range plan.** By November 1, 1998, the board shall  
14 establish a long-range plan for operation of the Agricultural  
15 Experiment Station and the Cooperative Extension Service programs  
16 that includes but is not limited to plans for each of the  
17 research farms, joint appointments for experiment station and  
18 extension faculty, regionalization of extension facilities,  
19 better utilization of research farms and objectives for research  
20 for each agricultural commodity in the State.

21           **Emergency clause.** In view of the emergency cited in the  
22 preamble, this Act takes effect when approved.

23

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#### SUMMARY

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27           This bill requires the University of Maine at Orono Land  
28 Grant College to establish a line item for the Maine Agricultural  
29 Experiment Station research farms, to fund the research farms  
30 with funding equal to or exceeding 1995 levels. The bill creates  
31 a Board of Agriculture to manage the farms, oversee the  
32 development of long-range plans for the agricultural experiment  
33 station farms, research programs and Cooperative Extension  
34 Service programs and coordinate activities with existing  
35 agricultural commodity organizations interested in, or currently  
36 supporting, research at the research farms.