

MAINE STATE LEGISLATURE

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MINORITY

L.D. 1511

Date: 2/14/24

(Filing No. H- 749)

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AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 966, L.D. 1511, "An Act to Update the
10 Laws Governing the University of Maine System's Board of Agriculture and to Rename
11 the Maine Agricultural Experiment Station"

12 Amend the bill by striking out everything after section 1 and inserting the following:

13 'Sec. 2. 7 MRSA §121, as repealed and replaced by PL 1997, c. 711, §3, is amended
14 to read:

15 **§121. Maine Agricultural and Forest Experiment Station**

16 1. **Establishment.** The department of the University of Maine System known and
17 designated as the Maine Agricultural and Forest Experiment Station, referred to in this
18 ~~section~~ chapter as "the "station," established at the University of Maine at Orono in
19 connection with the university and under the direction of the university, the director under
20 subsection 2 and the Board of Agriculture, referred to in this chapter as "the board," for the
21 purpose of carrying into effect an Act of the Congress of the United States, approved March
22 2, 1887, to establish agricultural experiment stations in connection with the colleges
23 established in the several states under an Act approved July 2, 1862, and of the Acts
24 supplementary thereto, must be maintained in accordance with the purposes for which it
25 was originally established.

26 2. **Director.** The President of the University of Maine at Orono, in consultation with
27 the ~~Board of Agriculture~~ board, shall appoint for a term of 5 years the Director of the Maine
28 Agricultural and Forest Experiment Station, referred to in this ~~section~~ chapter as "the
29 "director." After the term has expired, the director is eligible for reappointment. The
30 director may be removed by the President of the University of Maine at Orono, in
31 consultation with the ~~Board of Agriculture~~ board, for cause. The director shall work with
32 the ~~Board of Agriculture~~ board to oversee the work of the university faculty at the station.
33 The director ~~of the station~~ is the executive and administrative officer of the station and shall
34 exercise supervision, direction and control over the station in accordance with the programs
35 and policies of the University of Maine System and those established by the ~~Board of~~
36 ~~Agriculture~~ board.

COMMITTEE AMENDMENT

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Sec. 3. 7 MRSA §122, as amended by PL 2005, c. 512, §2, is further amended to read:

§122. Orcharding and crops

The ~~Maine Agricultural Experiment Station~~ station shall conduct scientific investigations in orcharding, corn and other farm crops and, to this end, shall maintain the farms purchased in the name of the State, and stocked and equipped for the use and benefit of the station. The ~~Director of the Maine Agricultural Experiment Station~~ director, with the agreement of the ~~Board of Agriculture~~ board, has the general supervision, management and control of those farms and of all investigations ~~thereon~~ on those farms. The board and the director shall seek agreement on all issues. In the event that agreement ~~can not~~ cannot be reached, final authority rests with the director.

Sec. 4. 7 MRSA §123, as amended by PL 1997, c. 711, §4, is further amended to read:

§123. Animal husbandry

The ~~Maine Agricultural Experiment Station~~ station shall conduct scientific investigations in animal husbandry, including experiments and observations on dairy cattle and other domestic animals, and these investigations are under the control of the director ~~of the station~~ with the agreement of the ~~Board of Agriculture~~ board. The experiments in animal husbandry may be conducted at any of the farms owned by the State. The board and the director shall seek agreement on all issues. In the event that agreement ~~can not~~ cannot be reached, final authority rests with the director.

Sec. 5. 7 MRSA §124, as amended by PL 1997, c. 711, §4, is further amended to read:

§124. Expenditure of appropriation

Sums that are appropriated in favor of the ~~Maine Agricultural Experiment Station~~ station must be expended by the director ~~of the station~~ with the agreement of the ~~Board of Agriculture~~ board in executing sections 121, 122 and 123. The board and the director shall seek agreement on all issues. In the event that agreement ~~can not~~ cannot be reached, final authority rests with the director.

Sec. 6. 7 MRSA §125, as amended by PL 2009, c. 393, §1 and PL 2011, c. 657, Pt. W, §6, is further amended to read:

§125. Board of Agriculture

1. Establishment; duties. The Board of Agriculture, referred to in this ~~section~~ chapter as "the board," as established in Title 5, section 12004-G, subsection 4-A, is created within the University of Maine System. The board shall advise the Chancellor of the University of Maine System and the President of the University of Maine at Orono on matters concerning the operation and management of agricultural research conducted by the ~~Maine Agricultural Experiment Station~~ station and university farm-based programs, including those of the University of Maine Cooperative Extension ~~Service~~. The board's duties are limited to advising the chancellor and the president on research and programs relating to agriculture and aquaculture. The board does not advise the ~~Director of the Maine Agricultural Experiment Station~~ director or have a role in the operation of research and programs within the ~~Maine Agricultural Experiment Station~~ station that relate to forestry,

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wildlife, or fisheries and aquaculture. The board shall assist the chancellor and the president in articulating the mission of the ~~Maine Agricultural Experiment Station~~ station as it pertains to agriculture. The director, with the agreement of the board, shall develop a budget for the station. The board and the director shall seek agreement on all issues. In the event that agreement ~~can not~~ cannot be reached, final authority rests with the director. The board may not interfere with funding and grants for commodity research programs brought to the University of Maine System directly or through the efforts of commodity groups. The board shall respect the expertise of the various commodity groups and shall maintain the integrity of the research being recommended and reviewed by specific commodity groups. The board shall assist in the coordination of activities with commodity groups interested in or supporting agricultural research. The board shall consult with the following agricultural commodity advisory committees on agricultural research and extension priorities:

- A. The University of Maine System Wild Blueberry Advisory Committee; and
- B. The Maine Potato Board Research and Product Development Committee.

2. Membership. The board consists of the following 20 members:

- A. A designee of the President of the University of Maine at Orono;
- B. A designee of the Chancellor of the University of Maine System;
- C. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;
- D. The president of a statewide farm bureau or the president's designee;
- E. The president of a statewide agricultural council or the president's designee;
- F. Eight members representing the agricultural industry, one person designated by each of the following:
 - (1) The Maine Potato Board;
 - (2) The Wild Blueberry Commission of Maine;
 - (3) A statewide pomological society;
 - (4) A statewide vegetable and small fruit growers association;
 - (5) A statewide dairy industry association;
 - (6) A statewide landscape and nursery association;
 - (7) A statewide florist and growers association; and
 - (8) A statewide organic farmers and gardeners association;
- G. Two members of the joint standing committee of the Legislature having jurisdiction over agricultural matters, one appointed by the President of the Senate and one appointed by the Speaker of the House;
- H. One farmer with livestock experience in an area other than dairy farming, chosen from a list of 3 nominees submitted by a statewide beef and sheep producers association, appointed by the Governor;

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I. Two research faculty members associated with agricultural research at the University of Maine at Orono, appointed by the Board of Trustees of the University of Maine System;

J. The Director of the University of Maine Cooperative Extension ~~Service~~; and

K. One member representing the aquaculture industry designated by a statewide aquaculture industry association.

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

4. Chair; secretary. The board shall select annually one of its members to serve as chair. The ~~Director~~ director of the ~~Agricultural Experiment Station~~ station shall ~~serve~~ serves as secretary to the board but the director is not a member of the board and has no vote.

5. Compensation. ~~The board members~~ Members of the board are entitled to legislative per diem compensation for attendance at board meetings in accordance with Title 5, chapter 379.

6. Report. The ~~Board of Agriculture~~ board shall report at least annually to the joint standing committee of the Legislature having jurisdiction over agricultural matters and to the Board of Trustees of the University of Maine System. The report must include an accounting of meetings and actions of the ~~Board of Agriculture~~ board, including agreements entered into, status of demonstration projects, research findings, informational activities and an evaluation of the ~~Maine Agricultural Experiment Station~~ station and University of Maine Cooperative Extension ~~Service~~ programs, with recommendations regarding changes or improvements in the programs and the budget. The ~~Board of Agriculture~~ board shall submit annually to the Board of Trustees of the University of Maine System proposals for additional funding for capital building projects at the research farms.

7. Long-range plan. ~~By January 15, 2000, the~~ The board shall establish a long-range plan for operation of the ~~Agricultural Experiment Station~~ station and the University of Maine Cooperative Extension ~~Service~~ programs that includes but is not limited to plans for each of the research farms, joint appointments for experiment station and extension faculty, better utilization of research farms and objectives for research for each agricultural commodity in the State. The plan developed by the board does not include operations, research and programs relating to forestry, wildlife, ~~aquaculture~~ and fisheries.'

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

SUMMARY

This amendment, which is the minority report of the committee, retains the provisions in the bill that rename the Maine Agricultural Experiment Station the Maine Agricultural and Forest Experiment Station and add aquaculture to the University of Maine System's Board of Agriculture's advisory duties to the Chancellor of the University of Maine System and the President of the University of Maine at Orono. The amendment removes from the bill the requirement that the Director of the Maine Agricultural and Forest Experiment

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COMMITTEE AMENDMENT "A" to H.P. 966, L.D. 1511

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Station perform the director's duties with advice from the board. The amendment removes provisions from the bill that amend the membership of the board and require the board to invite appropriate individuals and conduct a public, facilitated discussion at least annually to better understand the needs and trends in agriculture in the State that would benefit from new or additional research.

The amendment also removes from the bill the requirement that the board include in its annual report to the Legislature an outline of emerging trends in agriculture, submit annual proposals for additional funding for program needs to the Board of Trustees of the University of Maine System and update its long-range plan for operation of the Maine Agricultural and Forest Experiment Station every 5 years. The amendment also makes technical changes regarding the name of the University of Maine Cooperative Extension.

COMMITTEE AMENDMENT