

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1511

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H.P. 966

House of Representatives, April 5, 2023

**An Act to Update the Laws Governing the University of Maine  
System's Board of Agriculture and to Rename the Maine  
Agricultural Experiment Station**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative DILL of Old Town.  
Cosponsored by Senator BLACK of Franklin and  
Representatives: HEPLER of Woolwich, LANDRY of Farmington, PLUECKER of Warren.

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

2 **Sec. 1. 7 MRSA c. 5, headnote** is amended to read:

3 **CHAPTER 5**

4 **BOARD OF AGRICULTURE AND MAINE AGRICULTURAL AND FOREST**  
5 **EXPERIMENT STATION**

6 **Sec. 2. 7 MRSA §121**, as repealed and replaced by PL 1997, c. 711, §3, is amended  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

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

9 **1. Establishment.** The department of the University of Maine System known and  
10 designated as the Maine Agricultural and Forest Experiment Station, referred to in this  
11 section as "the "station," established at the University of Maine at Orono in connection with  
12 the university and under the direction of the university, the director and the Board of  
13 Agriculture, for the purpose of carrying into effect an Act of the Congress of the United  
14 States, approved March 2, 1887, to establish agricultural experiment stations in connection  
15 with the colleges established in the several states under an Act approved July 2, 1862, and  
16 of the Acts supplementary thereto, must be maintained in accordance with the purposes for  
17 which it was originally established.

18 **2. Director.** The President of the University of Maine at Orono, ~~in consultation~~ with  
19 advice from the Board of Agriculture, shall appoint for a term of 5 years the Director of the  
20 Maine Agricultural and Forest Experiment Station, referred to in this section as "the  
21 "director." After the term has expired, the director is eligible for reappointment. The  
22 director may be removed by the President of the University of Maine at Orono, ~~in~~  
23 ~~consultation~~ with advice from the Board of Agriculture, for cause. ~~The director shall work~~  
24 ~~with the Board of Agriculture to oversee the work of the university faculty at the station.~~  
25 The director of the station is the executive and administrative officer of the station and shall  
26 exercise supervision, direction and control over the station in accordance with the programs  
27 and policies of the University of Maine System and those established by the Board of  
28 Agriculture.

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

31 **§122. Orchardling and crops**

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

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

3           **§123. Animal husbandry**

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

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

13           **§124. Expenditure of appropriation**

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

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

21           **§125. Board of Agriculture**

22           **1. Establishment; duties.** The Board of Agriculture, referred to in this section as "the  
23 "board," as established in Title 5, section 12004-G, subsection 4-A, is created within the  
24 University of Maine System. The board shall advise the Chancellor of the University of  
25 Maine System and the President of the University of Maine at Orono on matters concerning  
26 the direction, operation and management of agricultural research conducted by the Maine  
27 Agricultural and Forest Experiment Station and university farm-based programs, including  
28 those of the University of Maine Cooperative Extension Service. The board's duties are  
29 limited to advising the chancellor and the president on research and programs relating to  
30 agriculture and aquaculture. The board does not advise the Director of the Maine  
31 Agricultural and Forest Experiment Station or have a role in the operation of research and  
32 programs within the Maine Agricultural and Forest Experiment Station that relate to  
33 forestry, wildlife, or fisheries ~~and aquaculture~~. The board shall assist the chancellor and  
34 the president in articulating the mission of the Maine Agricultural and Forest Experiment  
35 Station and the University of Maine Cooperative Extension Service as it pertains to  
36 agriculture and the State's rural economy. The director, with ~~the agreement of advice from~~  
37 the board, shall develop a budget for the station. ~~The board and the director shall seek~~  
38 ~~agreement on all issues. In the event that agreement can not be reached, final authority rests~~  
39 ~~with the director.~~ The board may not interfere with funding and grants for commodity  
40 research programs brought to the University of Maine System directly or through the efforts  
41 of commodity groups. The board shall respect the expertise of the various commodity  
42 groups and shall maintain the integrity of the research being recommended and reviewed  
43 by specific commodity groups. The board shall assist in the coordination of activities with  
44 commodity groups interested in or supporting agricultural research. The board shall invite

1 appropriate individuals and conduct a public, facilitated discussion at least annually to  
2 better understand the needs and trends in agriculture in the State that would benefit from  
3 new or additional research. The board shall consult with the following agricultural  
4 commodity advisory committees on agricultural research and extension priorities:

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

7 **2. Membership.** The board consists of the following ~~20~~ 21 members:

- 8 A. A designee of the President of the University of Maine at Orono;
- 9 B. A designee of the Chancellor of the University of Maine System;
- 10 C. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's
- 11 designee;
- 12 D. The president of a statewide farm bureau or the president's designee;
- 13 E. The president of a statewide agricultural council or the president's designee;
- 14 F. Eight members representing the agricultural industry, one person designated by each
- 15 of the following:

- 16 (1) The Maine Potato Board;
- 17 (2) The Wild Blueberry Commission of Maine;
- 18 (3) A statewide pomological society;
- 19 (4) A statewide vegetable and small fruit growers association;
- 20 (5) A statewide dairy industry association;
- 21 (6) A statewide landscape and nursery association;
- 22 (7) A statewide florist and growers association; and
- 23 (8) A statewide organic farmers and gardeners association;

24 G. Two members of the joint standing committee of the Legislature having jurisdiction  
25 over agricultural matters, one appointed by the President of the Senate and one  
26 appointed by the Speaker of the House;

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

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

33 J. The Director of the University of Maine Cooperative Extension Service or the  
34 director's designee; ~~and~~

35 K. One member representing the aquaculture industry designated by a statewide  
36 aquaculture industry association; and

37 L. The Director of the Maine Agricultural and Forest Experiment Station or the  
38 director's designee.

