

# MAINE STATE LEGISLATURE

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L.D. 2212

Date: 3/27/24

(Filing No. H- 876)

**AGRICULTURE, CONSERVATION AND FORESTRY**

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

COMMITTEE AMENDMENT "A" to H.P. 1419, L.D. 2212, "An Act to Strengthen Maine's Agriculture, Food System and Forest Products Infrastructure Investment"

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 7 MRSA §320-C, sub-§2**, as enacted by PL 2021, c. 483, Pt. KK, §2, is repealed and the following enacted in its place:

**2. Membership.** The board consists of the commissioner or the commissioner's designee, the Commissioner of Economic and Community Development or the commissioner's designee and 15 members pursuant to this subsection.

M. The commissioner and the Commissioner of Economic and Community Development shall jointly appoint 8 members of the board as follows:

- (1) One member of a statewide industry group representing conventional nondairy farming;
- (2) One member of a statewide industry group representing organic nondairy farming;
- (3) One member of a statewide industry group representing the forest products industry;
- (4) Two members from relevant financial institutions with experience in the agricultural and forest products industries;
- (5) Two members representing the supply chain in processing, manufacturing or distribution; and
- (6) One member actively engaged in providing marketing assistance, market development or business and financial planning.

N. The President of the Senate shall appoint 3 members of the board as follows:

- (1) One member of a statewide industry group representing dairy producers;

**COMMITTEE AMENDMENT**

ROS

- 1                   (2) One manufacturer of forest products; and
- 2                   (3) One member representing historically underserved racial populations in
- 3                   nondairy farming.
- 4                   O. The Speaker of the House shall appoint 4 members of the board as follows:
- 5                   (1) One member who is a member of a federally recognized Indian nation, tribe or
- 6                   band in this State;
- 7                   (2) One manufacturer of value-added agricultural products or representative of the
- 8                   value-added agricultural products industry;
- 9                   (3) One member from a statewide group representing the logging and trucking
- 10                  industry; and
- 11                  (4) One member representing historically underserved racial populations in
- 12                  nondairy farming.

13 Board membership must reflect a diversity of skills and experience relevant to investment  
14 in agricultural, food and forest products processing and manufacturing industries and  
15 represent the racial diversity of the food system in the State with specific representation by  
16 Indian tribes, communities of color and other underserved communities and populations.

17                   **Sec. 2. 7 MRSA §320-C, sub-§7** is enacted to read:

18                   **7. Board member conflicts of interest.** If a member of the board holds a position in  
19 a producer or business that causes a conflict of interest with regard to a vote the board is  
20 holding, the member may not participate in that vote. For purposes of this subsection,  
21 "conflict of interest" means a member of the board or an immediate family member of a  
22 member of the board has or acquires a direct substantial personal financial interest, distinct  
23 from that of the general public, in an enterprise that would be financially benefited by a  
24 proposed fund allocation.

25                   **Sec. 3. 7 MRSA §320-C, sub-§8** is enacted to read:

26                   **8. Uses of disbursements limited.** A producer that receives a disbursement from the  
27 fund:

28                   A. Must have a processing or manufacturing facility that is located in the State or must  
29 be seeking to establish a new processing or manufacturing facility that is located in the  
30 State; and

31                   B. Shall use the disbursement to support the operations of a facility under paragraph  
32 A, including, but not limited to, obtaining equipment and investing in supply chain  
33 infrastructure to grow, harvest, process or manufacture agricultural, food or forest  
34 products used in commercial products. For purposes of this paragraph, the producer  
35 shall obtain, to the extent practicable, agricultural, food or forest products from a farm  
36 or a forest or waters in the State or from offshore waters to be collected in the State.

37                   **Sec. 4. Appropriations and allocations.** The following appropriations and  
38 allocations are made.

39 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**  
40 **Bureau of Agriculture 0393**

# COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 1419, L.D. 2212

1 Initiative: Provides funding for one Public Service Manager II position and associated  
 2 costs.

3	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
4	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
5	Personal Services	\$0	\$134,810
6	All Other	\$0	\$3,500
7			
8	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$138,310</b>

9 **DACF Administration 0401**

10 Initiative: Provides funding for the technology management costs associated with one  
 11 Public Service Manager II position.

12	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
13	All Other	\$0	\$3,292
14			
15	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$3,292</b>

17	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
18	All Other	\$0	\$647

20	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$647</b>
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21 **Maine Agriculture, Food and Forest Products Investment Fund Z384**

22 Initiative: Provides one-time funding to support public-private partnerships that facilitate  
 23 strategic investments in the State's agricultural, food and forest products processing and  
 24 manufacturing industries. These funds are nonlapsing.

25	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
26	All Other	\$0	\$10,000,000
27			
28	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$10,000,000</b>

30	<b>AGRICULTURE, CONSERVATION AND</b>		
31	<b>FORESTRY, DEPARTMENT OF</b>		
32	<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>

34	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$10,141,602</b>
35	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$647</b>
36			
37	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$10,142,249</b>

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

**COMMITTEE AMENDMENT**

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**SUMMARY**

This amendment replaces the bill. It amends the laws governing the Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board to require the President of the Senate to appoint 3 members to the board instead of 5 members as proposed in the bill and to require the Speaker of the House to appoint 4 members to the board instead of 5 members as proposed in the bill. The amendment defines "conflict of interest" as it relates to the board. The amendment requires a producer that receives a disbursement from the Maine Agriculture, Food and Forest Products Investment Fund to have a processing or manufacturing facility that is located in the State or to be seeking to establish a new processing or manufacturing facility that is located in the State. The amendment also requires a producer that receives a disbursement from the fund to use the disbursement to support the operations of the producer's processing or manufacturing facility including, but not limited to, obtaining equipment and investing in supply chain infrastructure to grow, harvest, process or manufacture agricultural, food or forest products used in commercial products. Finally, the amendment requires a producer to obtain, to the extent practicable, agricultural, food or forest products from a farm or a forest or waters in the State or from offshore waters to be collected in the State.

**FISCAL NOTE REQUIRED**

(See attached)



# 131st MAINE LEGISLATURE

LD 2212

LR 2943(02)

## An Act to Strengthen Maine's Agriculture, Food System and Forest Products Infrastructure Investment

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-876)  
 Committee: Agriculture, Conservation and Forestry  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$10,141,602	\$148,343	\$155,420
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$10,141,602	\$148,343	\$155,420
Other Special Revenue Funds	\$0	\$647	\$647	\$647

#### Fiscal Detail and Notes

This bill includes a one-time General Fund appropriation of \$10,000,000 to the Maine Agriculture, Food and Forest Products Investment Fund within the Department of Agriculture, Conservation and Forestry (DACF) in fiscal year 2024-25 to support public-private partnerships that facilitate strategic investments in the State's agricultural, food and forest products processing and manufacturing industries. The bill also includes ongoing General Fund appropriations of \$141,602 to DACF beginning in fiscal year 2024-25 for one Public Service Manager II position and associated costs. The bill also includes ongoing Other Special Revenue Funds allocations of \$647 to DACF starting in fiscal year 2024-25 for the technology management costs associated with the position.