

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

Lease of land in West Boothbay Harbor. Resolved: That the Commissioner of Marine Resources, in the name of the State, may enter a new lease no later than July 1, 1985, consistent with the state's obligations to the Federal Government with respect to the facilities, for all or portions of a certain lot or parcel of land and the buildings thereon, situated in West Boothbay Harbor in the County of Lincoln and the State of Maine: Being the parcel known as the Biological Laboratory and described in the deed of the United States to the State of Maine, dated September 26, 1978, and recorded in the Lincoln County Registry of Deeds at Book 973, Page 43. The new lease may be for a term not to exceed 50 years, including any renewals or replacements thereof, and shall be to the Bigelow Laboratory for Ocean Sciences. The commissioner may from time to time enter into amendments of the lease, excluding any extensions of the lease, as he deems in the furtherance of the public interest.

If Bigelow Laboratory enters into this lease, it shall submit from time to time, as requested by the department, a report on its uses of the land and buildings, the research undertaken, the expenditures for maintenance and improvement and the plans for new uses and improvements of the facilities.

Effective July 25, 1984.

CHAPTER 51

H.P. 1541 - L.D. 2028

RESOLVE, Establishing a Food Policy for Maine.

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

Whereas, it is in the best interest of the State to ensure the availability of an adequate supply of wholesome and nutritious food to its citizens; and

Whereas, the State is currently dependent on imported food to supply over 70% of its food needs; and

Whereas, the encouragement of increased production of food in Maine would be beneficial in decreas-

ing our reliance on out-of-state food sources, while enhancing rural economic development and contributing positively to Maine's rural quality of life; and

Whereas, the State supports a broad range of programs which affect the production and distribution of food; and

Whereas, a food policy for Maine would provide the framework to ensure that state programs are conducted so as to optimize their effectiveness and ensure their consistency with state policy objectives; and

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 necessary for the preservation of the public peace, health and safety; now, therefore, be it

General policy. Resolved: That it is in the best interest of the State to support a food supply system that:

1. Contributes positively to the nutritional, economic and social well-being of its citizenry and its rural communities;

2. Enhances the availability, affordability and quality of food for its citizens;

3. Is economically efficient and environmentally appropriate; and

4. Is sustained by a structure that promotes a fair return to all participants, provides entrepreneurial freedom and allows access to opportunity to participate in the food supply system; and be it further

Rural communities. Resolved: That the State shall:

1. Encourage and develop an agricultural and food industry that will contribute to appropriate economic growth and community vitality in the State and particularly in its rural communities; and

2. Encourage production, processing and marketing systems that are accessible and affordable to the state's dispersed rural population; and be it further

Consumers. Resolved: That the State shall:

1. Ensure that all Maine citizens have the opportunity to avail themselves of a nutritious and balanced diet;

2. Encourage local and regional food production to the extent that it can efficiently supply nutritious and affordable food in order to enhance the availability and choice of food to its citizens;

3. Provide for an adequate understanding of proper nutrition by its citizens and ensure access to information about the nutritional content of foods in order to promote food choices that are healthful and that reduce the risk of disease caused by improper diet;

4. Encourage the growth and development of consumer food cooperatives in order to provide a range of choices for an affordable food supply; and

5. Ensure an adequate system of food quality and safety control in order to protect citizens from poor quality, unwholesome or contaminated food; and be it further

Production. Resolved: That the State shall:

1. Encourage the production of commodities that are suited to the state's natural and human resources, that can be produced competitively in the State, that exhibit marketing potential due to expanding consumption trends or competitive displacement of imported supplies, and that offer the best rate of return to the producer;

2. Encourage cost-effective production practices, including the use of appropriate technology, conservation of energy resources, recycling of waste products, increased use of integrated pest management and the use of crop varieties and livestock breeds that produce a quality product, offer disease resistance and produce high yields under this state's conditions;

3. Encourage the awareness and use of production and processing practices that minimize exposure to health risks and accidental injury;

4. Ensure the adoption of production practices that conserve soil and water resources and protect the environment. To the extent that soil and water conservation practices needed for the long-term main-

tenance of the soil resource are not cost-effective for producers in the short-run, support state and federal financial assistance for these measures;

5. Encourage the substitution of Maine produced production inputs, including seed, feed, fertilizer, equipment and services for imported inputs to the extent that this substitution is cost competitive, provides greater stability in production costs and contributes to the viability of the state's agricultural sector;

6. Encourage the diversification of Maine agriculture, to the extent that it contributes positively to Maine's agricultural economy, provides stability in farm income, promotes better soil management and more efficient use of local resources and provides Maine consumers with a greater variety of locally produced food;

7. Assist in the development of an efficient service and supply infrastructure that promotes use of local resources to the extent that they are competitive, that minimizes costs to producers, that maintains an appropriately diverse agriculture, that meets the needs of both small scale and large commercial farm operations and that supports the state economy; and

8. Ensure that Maine producers have access to appropriate business and management training to enhance their ability to compete and to ensure the most efficient use of labor, capital, technological and other resources required for production; and be it further

Marketing. Resolved: That the State shall:

1. Support the development of market structures that:

A. Can efficiently and consistently provide supplies of agricultural products which meet the specifications demanded by wholesalers, retailers and consumers in terms of quality, quantity and packaging;

B. Provide a fair price to the producers and reasonable prices to consumers;

C. Provide organized and coordinated marketing, including the development of producer cooperatives and collective bargaining, in order to facilitate entry of small scale producers into

wholesale markets and to strengthen the bargaining position of producers, to the extent that marketing opportunities and returns to producers as a whole are enhanced by these structures; and

D. Maximize marketing options through proper storage, appropriate agricultural and fish processing facilities, efficient and innovative methods of transportation and other means;

2. Facilitate access to marketing opportunities by ensuring that producers have access to appropriate training and assistance programs to develop marketing skills;

3. Promote informed marketing decisions by ensuring the availability of adequate and timely market information to producers and other market participants; and

4. Support an efficient transportation system in order to minimize transportation costs in the distribution of food products from producer to consumer; and be it further

Finance. Resolved: That the State shall:

1. Ensure the availability, accessibility and affordability of equity and long-term credit to agricultural and fisheries enterprises that will contribute positively to the state's agricultural and fisheries economies, that contribute to the development of commodities which meet the criteria defined by this Act and that possess the skills necessary to conduct a sound business operation;

2. To the extent that entrant farmers face particular constraints in obtaining appropriate financing due to the high capital costs of establishing a farm operation, establish incentives or subsidies that would provide reduced interest and encourage or establish special terms or other means that will allow credit-worthy new farmers to enter farming; and

3. Encourage commercial banking and credit institutions to offer financing to credit-worthy food production and processing enterprises in order to reduce the state's dependence on federal sources of credit in this area; and be it further

Farmland. Resolved: That the State shall:

1. Ensure an adequate and affordable supply of productive agricultural land to meet the needs of existing and future agricultural operations;

2. Protect agricultural lands, including lands currently used for food production and lands especially suited to food production, from conversion to development to the extent that such lands are so located and in such concentration as to form a critical mass capable of supporting the supply and market structures needed for a viable agricultural economy;

3. Protect agricultural operations from constraints on necessary agricultural practices due to encroachment of incompatible land uses into farming areas; and

4. Enhance the economic viability of agricultural operations in order to arrest the abandonment of productive agricultural land and its subsequent reversion to forested land or development; and be it further

Research and education. Resolved: That the State shall:

1. Provide the research and development capabilities needed to:

A. Keep abreast of the latest basic and applied research developed by the research community at large which has a bearing on the state's food production capabilities and potential;

B. Assess the nutritional status and needs of Maine citizens;

C. Develop new varieties of crops and breeds of livestock suited to Maine's climate and soils;

D. Ensure the future abundance of Maine's commercial fisheries;

E. Develop new production techniques and technologies which enhance the yields and quality of Maine produced food;

F. Develop new processing and storage techniques and technologies which are needed to keep Maine's food industry competitive and capable of responding to new market opportunities; and

G. Assess emerging trends in consumer preferences, marketing structures and market competition in order to maintain and enhance the marketability of Maine's commodities and to identify and respond to new marketing opportunities; and

2. Provide the educational outreach needed to implement new techniques and technologies developed to assist in the production, processing and marketing of Maine produced food; and be it further

Structure. Resolved: That the State shall:

1. Support and encourage owner-operated family and part-time farms to the extent that this provides efficiency in production, maintains entrepreneurial freedom, contributes to a healthy and competitive agricultural economy, enhances local economic growth and contributes to the social and political vitality of the State and its rural areas;

2. Ensure that the structure of the food industry provides an appropriate distribution of returns resulting in a fair price to the various participants, from producer to consumer, in order to maintain competition and stability within the system; and

3. Ensure that the structure of the food industry facilitates entry of new participants in order to foster competition, innovation and efficiency.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 22, 1984.

CHAPTER 52

H.P. 1397 - L.D. 1820

RESOLVE, to Authorize the Conveyance
of Certain Property to the Penobscot
Nation.

Penobscot Reservation; quitclaim deeds. Resolved: That the Governor may execute and deliver by quitclaim deed to the Penobscot Nation any and all interest which the State may have to any property either real or personal within the Penobscot Reservation, the property to be conveyed in consideration of \$1 paid by the Penobscot Nation.

Effective July 25, 1984.
