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## **An Act To Increase Transparency in Cooperative Agreements within the Department of Agriculture, Conservation and Forestry**

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

**Sec. 1. 7 MRSA §9**, as amended by PL 1973, c. 44, is further amended to read:

### **§ 9. Cooperative agreements or arrangements**

The ~~commissioner~~department may enter into cooperative agreements or ~~cooperative~~ arrangements, in accordance with this section, with a state or federal agency or with any person, firm or corporation for the purpose of controlling diseases of plants and domestic animals, advertising and increasing the sale and consumption of Maine food products or disseminating information concerning the grade, quality or condition of ~~same~~Maine food products, and supplying inspection and grading services with respect to ~~such~~Maine food products. ~~He~~The department may receive, administer and disburse any funds or contributions from ~~such a~~a state or federal agency, person, firm or corporation, either independently or in conjunction with state funds allocated to ~~said~~that purpose. Funds ~~so~~ contributed ~~shall~~in accordance with this section do not lapse at the end of any fiscal year but ~~shall be~~are carried forward to be used for the purpose originally intended.

**1. Public notice.** The department shall provide public notice of each proposed cooperative agreement or arrangement by posting on the department's publicly accessible website a detailed description of each cooperative agreement or arrangement proposed or entered into during the previous fiscal year. The description and notice must include the expected benefits to the State, the department, the regulated community and the public and must include a solicitation of public comments.

**2. Solicitation of comments; response.** The department shall solicit public comments on a proposed cooperative agreement or arrangement for which notice is provided in accordance with subsection 1, and shall provide responses to questions and comments from the public and interested parties to the best of the department's knowledge. If a person submits in writing a request that the department decline to receive future funding from a cooperative agreement or arrangement, the department shall consider the request, determine whether the benefits of the cooperative agreement or arrangement outweigh the person's concerns and inform the person in writing of the department's decision.

**3. Annual report.** No later than March 1st annually, the department shall report to the joint standing committee of the Legislature having jurisdiction over agricultural matters regarding the cooperative agreements and arrangements entered into in accordance with this section during the previous fiscal year.

**4. Public hearing.** Upon receipt of the annual report submitted in accordance with subsection 3, the joint standing committee of the Legislature having jurisdiction over agricultural matters may schedule a public hearing on any cooperative agreement or arrangement about which the committee has questions.

## **SUMMARY**

This bill amends the law governing cooperative agreements and arrangements entered into by the Department of Agriculture, Conservation and Forestry for the purpose of controlling diseases of plants and domestic animals and advertising or disseminating information concerning Maine food products. This bill requires the department to:

1. Provide public notice of each proposed cooperative agreement or arrangement;
2. Solicit public comments and provide responses regarding proposed cooperative agreements or arrangements;
3. Consider requests submitted in writing to decline to receive future funding from a cooperative agreement or arrangement; and
4. Report annually to the joint standing committee of the Legislature having jurisdiction over agricultural matters regarding the cooperative agreements and arrangements entered into during the previous fiscal year.

Under the bill, the joint standing committee of the Legislature having jurisdiction over agricultural matters may schedule a public hearing on any cooperative agreement or arrangement about which the committee has questions.