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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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

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

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

'Sec. 2. 7 MRSA §121, as repealed and replaced by PL 1997, c. 711, §3, is amended to read:

§121. Maine Agricultural and Forest Experiment Station

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

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

COMMITTEE AMENDMENT

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

3 **§122. Orcharding and crops**

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

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

14 **§123. Animal husbandry**

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

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

24 **§124. Expenditure of appropriation**

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

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

32 **§125. Board of Agriculture**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 SUMMARY

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

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

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