

§2. -- duties

The commissioner is the chief executive charged with the enforcement of all statutes delegating responsibility to the commissioner or the department and shall be vigilant in discovering violations thereof and making complaint to the proper authorities. The commissioner shall by personal observation, investigation and correspondence become acquainted with the methods and wants of practical husbandry, the means of fertilization and the adaptation of various products to the soils and climate of the State and with the progress of scientific and practical agriculture elsewhere, with a view to the more complete development of the natural resources of the State. The commissioner shall gather statistics of information concerning agriculture and publish the same annually. The commissioner shall assist the farmers of the State, in so far as is practicable, to secure farm help and to promote increased production of farm crops through the selection, the growing and the dissemination of superior strains of seeds. The commissioner shall make and preserve a full record of all rules and regulations promulgated under this Title, and all payments and expenses incurred hereunder, and all other transactions performed by the commissioner in the discharge of the commissioner's duties. The commissioner shall collect the legal and usual fees payable to the commissioner by virtue of the office and shall pay them over forthwith to the Treasurer of State. [RR 2021, c. 1, Pt. B, §49 (COR).]

The commissioner is the chief administrative officer of the department. The commissioner has the following duties in addition to those specified in this section: [RR 2021, c. 1, Pt. B, §50 (COR).]

1. Budget. Prepare a budget for the department.
[PL 1971, c. 594, §2 (NEW).]

2. Personnel. Transfer personnel within the department to insure the efficient utilization of department personnel.
[PL 1971, c. 594, §2 (NEW).]

3. Purchases. Coordinate the purchase and use of all department equipment.
[PL 1971, c. 594, §2 (NEW).]

4. Review. Review the function and operation of the divisions to insure that overlapping functions and operations are eliminated.
[PL 1971, c. 594, §2 (NEW).]

5. Report. Report and make recommendations to the Governor and Legislature with respect to methods of stimulating and encouraging the growth and modernization of agricultural enterprises in this State. The report must be submitted to the Governor and the joint standing committee of the Legislature having jurisdiction over agriculture matters no later than December 1st of each even numbered year. For purposes of obtaining information, the Department of Agriculture, Conservation and Forestry may hold public hearings throughout the State, after giving public notice of the public hearings.
[PL 1991, c. 837, Pt. A, §13 (AMD); PL 2011, c. 657, Pt. W, §5 (REV).]

6. Strategic plan to end hunger. Act as the lead among departments and agencies of State Government to implement a strategic plan to end hunger in the State by 2030. The Office of Policy Innovation and the Future, established in Title 5, section 3102, shall provide staffing services to the commissioner as necessary for purposes of this subsection. Strategies must include:

A. Building infrastructure and capacity necessary within and outside State Government to coordinate implementation of the plan to end hunger in the State; [PL 2021, c. 677, §1 (NEW).]

B. Ensuring consistent, easy and equitable access to healthy and culturally appropriate food; [PL 2021, c. 677, §1 (NEW).]

C. Promoting, supporting and enabling economic security and opportunity for all households in the State; [PL 2021, c. 677, §1 (NEW).]

D. Focusing on collective responsibility to amplify the voices of persons experiencing food insecurity; and [PL 2021, c. 677, §1 (NEW).]

E. Closing the equity gap in household food insecurity by addressing underlying structural inequities. [PL 2021, c. 677, §1 (NEW).]

The commissioner shall establish an advisory committee to guide the implementation of the strategic plan under this subsection to end hunger in the State. The advisory committee must be composed of members with expertise relevant to the strategic plan to end hunger in the State, including, but not limited to, expertise related to economic development, employment, housing, children's issues, health care, education, transportation, emergency food and the social safety net as well as expertise that derives from lived experience of poverty and food insecurity. At least 1/3 of the members, or 3 members, whichever is greater, of the advisory committee must be persons with lived experience of food insecurity or generational poverty. The advisory committee shall submit a report to the joint standing committees of the Legislature having jurisdiction over agricultural matters, health and human services matters, labor and housing matters, transportation matters and economic and community development matters no later than January 1st of each year until 2030 regarding activities and progress made toward ending hunger in the State by 2030. The joint standing committees may each submit a bill to the Legislature each year relating to the subject matter of the report. [PL 2021, c. 677, §1 (NEW).]

The commissioner does not have authority to exercise or interfere with the exercise of any discretionary statutory authority granted to the following, which authority is exclusively within the specific board, bureau, agency, commission, committee or other governmental unit: the Maine Milk Commission, the Seed Potato Board, the Harness Racing Commission, the Maine Potato Board, the Board of Veterinary Medicine and the Board of Pesticide Control. [PL 1995, c. 693, §4 (AMD).]

In addition, the commissioner shall be concerned with the quality of life of Maine farmers and rural communities. The commissioner shall promote: farm financing and rural development proposals; conservation and preservation of agricultural lands; increased and improved production of beef, poultry, sheep, dairy beef and other livestock; expanded and improved production of potatoes, fruits and other vegetables and horticultural ventures; coordinated foreign and domestic marketing of Maine agricultural products; in conjunction with the university, crop development and integrated pest management; and conservation of nonrenewable energy resources and utilization of renewable energy resources in conjunction with the Governor's Energy Office. To accomplish these objectives, the commissioner is authorized for, or on behalf of, Maine's farmers and rural community: to engage in research and educational programs; to participate directly or indirectly in programs to encourage and enable individuals to enter agricultural or other rural enterprises; to institute litigation or upon request to represent farmers or other members of the rural community in litigation where the commissioner determines that such litigation may be beneficial to agricultural industry as a whole; and to exercise all other powers of an agency of State Government. The commissioner may study such issues and, consistent with statute, take such actions either individually, for, or on behalf of, the State's farmers or rural residents, or jointly with such other persons, agencies or organizations as the commissioner determines may benefit the State's farmers and rural communities. To further accomplish these objectives, the commissioner is authorized beginning July 1, 1991, on behalf of the State's rural community, to administer food assistance programs including the receipt, distribution and administration of federal and state funds, including block grants, for food assistance. [PL 2019, c. 310, §1 (AMD).]

The commissioner may prepare and distribute printed and audio-visual materials on matters within the commissioner's statutory jurisdiction. There is established within the department a revolving fund to cover the printing and distribution costs of these materials. The commissioner shall fix the prices at which publications of the department may be sold or delivered. The department shall retain, without charge, an appropriate number of each publication for complimentary distribution. Income from the

sale of publications that were charged to the revolving fund and any other money the commissioner may receive, from whatever source, consistent with the purposes of this section, must be credited to the revolving fund to be used as a continuing carrying account to carry out the purposes of the revolving funds. [RR 2021, c. 1, Pt. B, §51 (COR).]

The commissioner shall review proposed laws and rules that affect agricultural activity for their impact on soil tillage and animal grazing practices and their impact on the storage and use of animal manures and chemical fertilizers. The commissioner shall analyze the qualitative and quantitative impacts of proposed laws and rules that affect agricultural activity and present the analysis in public testimony to the Legislature on the proposed laws and rules. [PL 1989, c. 836, §1 (NEW).]

SECTION HISTORY

PL 1971, c. 594, §2 (AMD). PL 1973, c. 95, §2 (AMD). PL 1973, c. 598, §1 (AMD). PL 1975, c. 444, §2 (AMD). PL 1975, c. 477, §2 (AMD). PL 1975, c. 584 (AMD). PL 1979, c. 731, §§5-7,19 (AMD). PL 1981, c. 372 (AMD). PL 1983, c. 10, §1 (AMD). PL 1983, c. 308, §§2,14 (AMD). PL 1989, c. 501, §DD18 (AMD). PL 1989, c. 701, §§1,6 (AMD). PL 1989, c. 836, §1 (AMD). PL 1989, c. 878, §B7 (AMD). PL 1991, c. 9, §16 (AMD). PL 1991, c. 837, §A13 (AMD). PL 1995, c. 693, §4 (AMD). PL 2011, c. 655, Pt. MM, §5 (AMD). PL 2011, c. 655, Pt. MM, §26 (AFF). PL 2011, c. 657, Pt. W, §5 (REV). PL 2017, c. 94, §1 (AMD). PL 2019, c. 310, §1 (AMD). RR 2021, c. 1, Pt. B, §§49-51 (COR). PL 2021, c. 677, §1 (AMD).

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