

### §320. Program administration

**1. Duties.** The department shall ensure that the following duties are performed:

- A. Promoting the program to farms in the State; [PL 1999, c. 763, §1 (NEW).]
- B. Organizing and overseeing the panel; [PL 1999, c. 763, §1 (NEW).]
- C. Developing criteria to select participants for the program and recipients of investment support; [PL 1999, c. 763, §1 (NEW).]
- D. Compiling a list of outside service providers; [PL 1999, c. 763, §1 (NEW).]
- E. Administering the disbursement of investment support; and [PL 2007, c. 660, §5 (AMD).]
- F. Executing and enforcing farmland protection agreements. [PL 2007, c. 660, §5 (AMD).]
- G. [PL 2007, c. 660, §5 (RP).]

[PL 2007, c. 660, §5 (AMD).]

**2. Outside service providers.** The department shall develop, maintain and periodically update a list of outside service providers who may provide services pursuant to section 318 by widely circulating an application to qualifying entities. The application must request information including qualifications of the entity in any area that may be of use in developing a farm viability business plan. "Qualifying entities" means individuals, private organizations, public organizations and agencies of the State, marketing consultants, accounting firms, business support organizations, farm support organizations and other organizations that the department determines may provide valuable services pursuant to section 318. A selected farm may use an outside service provider identified on the list of service providers or another outside service provider that has been approved by the department.

[PL 1999, c. 763, §1 (NEW).]

**3. Administration by other than department.** The department may contract the administration of this program to a suitable organization selected through a competitive process developed by the department. The contracting organization is responsible for performing all duties set forth in subsection 1, except that it is solely the department's responsibility to perform the duty set forth in subsection 1, paragraph F. Whether the program is administered by the department or an organization under contract with the department, a minimum of 40% of the total annual state funding for the program must be reserved for grants awarded under section 319. Funds appropriated to the program may not lapse but must be carried forward.

[PL 2007, c. 660, §6 (AMD).]

**4. Funding.**

[PL 2007, c. 660, §7 (RP).]

**5. Rulemaking.** The commissioner shall adopt rules to carry out the purposes of this chapter. All rules adopted pursuant to this chapter are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

[PL 1999, c. 763, §1 (NEW).]

**6. Reporting.** The commissioner shall submit an annual report on or before March 1st of each year to the joint standing committee of the Legislature having jurisdiction over agricultural matters. The report must include a summary of grants made under section 319 during the previous fiscal year. The report must address the effectiveness of the program. Effectiveness measures may include, but are not limited to, evaluation of the number of companies retained, expanded or created; the increase in the number of jobs created or retained; any increased business revenues and new capital raised; improved wages paid to employees; and any new capital investment and increase in profitability.

[PL 2013, c. 256, §1 (AMD).]

### SECTION HISTORY

PL 1999, c. 763, §1 (NEW). PL 2007, c. 660, §§5-8 (AMD). PL 2013, c. 256, §1 (AMD).

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