

## CHAPTER 5

### BOARD OF AGRICULTURE AND MAINE AGRICULTURAL EXPERIMENT STATION

#### §121. Maine Agricultural Experiment Station

**1. Establishment.** The department of the University of Maine System known and designated as the Maine Agricultural Experiment Station, referred to in this section 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 and the Board of Agriculture, 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.

[PL 1997, c. 711, §3 (NEW).]

**2. Director.** The President of the University of Maine at Orono, in consultation with the Board of Agriculture, shall appoint for a term of 5 years the Director of the Maine Agricultural Experiment Station, referred to in this section 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, for cause. The director shall work with the Board of Agriculture 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.

[PL 1997, c. 711, §3 (NEW).]

#### SECTION HISTORY

PL 1985, c. 779, §25 (AMD). PL 1997, c. 711, §3 (RPR).

#### §122. Orchardring and crops

The Maine Agricultural Experiment Station shall conduct scientific investigations in orcharding, corn and other farm crops and, to this end, shall maintain the farms purchased in the name of the State, and stocked and equipped for the use and benefit of the station. The Director of the Maine Agricultural Experiment Station, with the agreement of the Board of Agriculture, has the general supervision, management and control of those farms and of all investigations thereon. The board and the director shall seek agreement on all issues. In the event that agreement can not be reached, final authority rests with the director. [PL 2005, c. 512, §2 (AMD).]

#### SECTION HISTORY

PL 1997, c. 711, §4 (AMD). PL 2005, c. 512, §2 (AMD).

#### §123. Animal husbandry

The Maine Agricultural Experiment Station shall conduct scientific investigations in animal husbandry, including experiments and observations on dairy cattle and other domestic animals, and these investigations are under the control of the director of the station with the agreement of the Board of Agriculture. The experiments in animal husbandry may be conducted at any of the farms owned by the State. The board and the director shall seek agreement on all issues. In the event that agreement can not be reached, final authority rests with the director. [PL 1997, c. 711, §4 (AMD).]

#### SECTION HISTORY

PL 1997, c. 711, §4 (AMD).

#### §124. Expenditure of appropriation

Sums that are appropriated in favor of the Maine Agricultural Experiment Station must be expended by the director of the station with the agreement of the Board of Agriculture in executing sections 121, 122 and 123. The board and the director shall seek agreement on all issues. In the event that agreement can not be reached, final authority rests with the director. [PL 1997, c. 711, §4 (AMD).]

#### SECTION HISTORY

PL 1997, c. 711, §4 (AMD).

#### §125. Board of Agriculture

**1. Establishment; duties.** The Board of Agriculture, referred to in this section as the "board," as established in Title 5, section 12004-G, subsection 4-A, is created within the University of Maine System. The board shall advise the Chancellor of the University of Maine System and the President of the University of Maine at Orono on matters concerning the operation and management of agricultural research conducted by the Maine Agricultural Experiment Station and university farm-based programs, including those of the University of Maine Cooperative Extension Service. The board's duties are limited to advising the chancellor and the president on research and programs relating to agriculture. The board does not advise the Director of the Maine Agricultural Experiment Station or have a role in the operation of research and programs within the Maine Agricultural Experiment Station that relate to forestry, wildlife, or fisheries and aquaculture. The board shall assist the chancellor and the president in articulating the mission of the Maine Agricultural Experiment Station as it pertains to agriculture. The director, with the agreement of the board, shall develop a budget for the station. The board and the director shall seek agreement on all issues. In the event that agreement can not be reached, final authority rests with the director. The board may not interfere with funding and grants for commodity research programs brought to the University of Maine System directly or through the efforts of commodity groups. The board shall respect the expertise of the various commodity groups and shall maintain the integrity of the research being recommended and reviewed by specific commodity groups. The board shall assist in the coordination of activities with commodity groups interested in or supporting agricultural research. The board shall consult with the following agricultural commodity advisory committees on agricultural research and extension priorities:

A. The University of Maine System Wild Blueberry Advisory Committee; and [PL 1997, c. 711, §5 (NEW).]

B. The Maine Potato Board Research and Product Development Committee. [PL 1997, c. 711, §5 (NEW).]

[PL 1997, c. 711, §5 (NEW).]

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

A. A designee of the President of the University of Maine at Orono; [PL 1997, c. 711, §5 (NEW).]

B. A designee of the Chancellor of the University of Maine System; [PL 1997, c. 711, §5 (NEW).]

C. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee; [PL 1997, c. 711, §5 (NEW); PL 2011, c. 657, Pt. W, §6 (REV).]

D. The president of a statewide farm bureau or the president's designee; [PL 2009, c. 393, §1 (AMD).]

E. The president of a statewide agricultural council or the president's designee; [PL 2009, c. 393, §1 (AMD).]

F. Eight members representing the agricultural industry, one person designated by each of the following:

- (1) The Maine Potato Board;
- (2) The Wild Blueberry Commission of Maine;
- (3) A statewide pomological society;
- (4) A statewide vegetable and small fruit growers association;
- (5) A statewide dairy industry association;
- (6) A statewide landscape and nursery association;
- (7) A statewide florist and growers association; and
- (8) A statewide organic farmers and gardeners association; [PL 1997, c. 711, §5 (NEW).]

G. Two members of the joint standing committee of the Legislature having jurisdiction over agricultural matters, one appointed by the President of the Senate and one appointed by the Speaker of the House; [PL 1997, c. 711, §5 (NEW).]

H. One farmer with livestock experience in an area other than dairy farming, chosen from a list of 3 nominees submitted by a statewide beef and sheep producers association, appointed by the Governor; [PL 1997, c. 711, §5 (NEW).]

I. Two research faculty members associated with agricultural research at the University of Maine at Orono, appointed by the Board of Trustees of the University of Maine System; [PL 2009, c. 393, §1 (AMD).]

J. The Director of the University of Maine Cooperative Extension Service; and [PL 2009, c. 393, §1 (AMD).]

K. One member representing the aquaculture industry designated by a statewide aquaculture industry association. [PL 2009, c. 393, §1 (NEW).]  
[PL 2009, c. 393, §1 (AMD); PL 2011, c. 657, Pt. W, §6 (REV).]

**3. Terms.** Each member serves a term of 5 years, except that the terms of legislative members expire the first Wednesday in December of even-numbered years. Vacancies must be filled by the appointing authority to complete the term of the preceding appointee.  
[PL 1997, c. 711, §5 (NEW).]

**4. Chair; secretary.** The board shall select annually one of its members to serve as chair. The Director of the Agricultural Experiment Station shall serve as secretary to the board but the director is not a member of the board and has no vote.  
[PL 1997, c. 711, §5 (NEW).]

**5. Compensation.** The board members are entitled to legislative per diem compensation for attendance at board meetings in accordance with Title 5, chapter 379.  
[PL 1997, c. 711, §5 (NEW).]

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

[PL 1997, c. 711, §5 (NEW).]

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

[PL 1999, c. 72, §1 (AMD).]

#### SECTION HISTORY

PL 1997, c. 711, §5 (NEW). PL 1999, c. 72, §1 (AMD). PL 2009, c. 393, §1 (AMD). PL 2011, c. 657, Pt. W, §6 (REV).

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