SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 34

JILL IPPOLITI, LEGISLATIVE ANALYST
MELISSA WRIGHT, COMMITTEE CLERK

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WENDY PIEH, BREMEN, CHAIR
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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

To: Joint Standing Committee on Agriculture, Conservation and Forestry, 124th Legislature

From: John M. Nutting, Senate Chair
Wendy Pieh, House Chair
Joint Standing Committee on Agriculture, Conservation and Forestry, 123rd Legislature

Date: December 2, 2008

Re: Agricultural Creative Economy Sector (ACES) Study Review – Summary of Actions

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The purpose of this memorandum is to summarize the 123rd Maine Legislature's Joint Standing Committee on Agriculture, Conservation and Forestry (ACF) recommendations and actions relating to the agricultural creative economy sector. The Department of Agriculture, Food and Rural Resources (DAFRR) prepared a report, "The Agricultural Creative Economy: Needs, Opportunities, and Market Analysis," (also known as the ACES report) in response to Resolve 2007, chapter 13 and presented the report to the 123rd Maine Legislature in January of 2008. A few months later, during the Second Regular Session of the 123rd Legislature, the ACF Committee passed LD 2245, "An Act to Promote the Agricultural Economy," (Public Law 2007, chapter 660) to implement some of the ACES report's recommendations. A complete copy of the report can be found at www.maine.gov/agriculture/mpd/information/agcreative.pdf.

BACKGROUND:

Public Law 2007, chapter 660 directed the ACF Committee to do the following:

- Discuss recommendations included in the ACES report which were not addressed in Public Law 2007, chapter 660;
- Evaluate the merits of the recommendations and the resources needed for implementing each; and
- Develop any legislation necessary to implement the report's recommendations relating to the development, assistance and labor recruitment and training for agricultural businesses and the promotion and marketing of agricultural products.

The ACF Committee held three meetings during the interim to conduct its work: September 17th, October 15th and November 19th. More information about the 123rd Legislature's ACF Committee deliberations, including agendas for all three meetings and meeting summaries for the first two meetings, can be found at: http://www.maine.gov/legis/opla/agcreativeeconomystudy.htm.

Staff from the Office of Policy and Legal Analysis (OPLA) also created a resource notebook with a compilation of materials including, but not limited to, relevant statutes, memos from OPLA staff, and the list of 10 proposed initiatives in the ACES report and corresponding funding sources. Contact OPLA staff if you would like to look through the resource notebook.

Senator John Nutting, Representative Wendy Pieh, Senator Roger Sherman, Representative Timothy Carter, Representative Donald Marean, Representative Jeffery Gifford, Representative Peter Edgecomb, and Representative Dean Cray were present at the final meeting. Those present were in favor of the following measures.

ACTIONS:

Agricultural Education:

- Send a letter to the Harold Alfond Foundation in support of the Good Will-Hinckley school's grant application for the development of an agricultural science program (Attachment A).

- Send a letter to the University of Maine System (UMS) Chancellor and Board of Trustees and related memoranda to the Joint Standing Committees on Education and Cultural Affairs and Appropriations and Financial Affairs expressing support for the University of Maine's Department of Food Science and Human Nutrition and requesting that funding and staffing at the Department remain at its current level (Attachment B).

- Send a letter to the Dean of the University of Maine's College of Natural Sciences, Agriculture and Forestry regarding plans for future discussions about the feasibility of a two-year agricultural science program (Attachment C).

- Draft legislation directing the Maine School of Science and Mathematics to study the feasibility of expanding their curriculum to include agricultural science and report back to the ACF Committee during the Second Regular Session of the 124th Maine Legislature (Attachment D).

- Draft legislation requiring that agricultural studies be taught in all elementary and secondary schools. The legislation also directs the Maine Agriculture in the Classroom Council and the Department of Education to develop a plan for the inclusion of agricultural studies in the system of learning results established in Title 20-A and to report back to the Joint Standing Committees on Agriculture, Conservation and Forestry and Education and Cultural Affairs (Attachment E).

Labor:

- Draft a letter in support of the grant application of the Business Visitation Program (BVP) for the Maine dairy industry task force, also known as the Maine Farm BIZ. The BVP is a survey conducted of businesses in a selected area or industry sector with the purpose of helping industries identify and resolve business concerns. The task force of the BVP for dairy farmers includes: the Northeast States Association for Agricultural Stewardship (NSAAS); Maine Department of Labor (MDOL), DAFRR, Maine Dairy Industry Association (MDIA), and the Maine Farm Bureau. The Maine Farm BIZ, with the help of the MDOL's BVP, is launching a three-year project that will provide strategic guidance and recommendations to the agricultural sector (Attachment F).

- Send letters to the Maine Farm Bureau, the Maine Organic Farmers and Gardeners Association (MOFGA), the Maine Potato Board and others encouraging these organizations to provide links on their websites to MDOL's website to help farmers, particularly start-ups, access labor-related information. The DAFRR's ACES report noted that sourcing and accessing trained or trainable labor is a major problem for farmers (Attachment G).

Streamline Regulation:

- Draft legislation directing the DAFRR to review regulatory processes and rules governing shared use kitchens, small food producers and processors, and meat and poultry licensing and inspection and to report back to the ACF Committee with recommended changes. In addition, the legislation directs the DAFRR to implement the Shared Use Kitchen Coalition's recommendation to develop a regulatory flow chart that can be posted on its website and to examine the feasibility of developing a one-stop, streamlined regulatory process and website portal (Attachment H).

Tax Policy:

- Draft legislation directing the DAFRR to review the Maine Bureau of Revenue Services' rules and bulletins on sales tax exemptions for products used in agricultural production and make recommendations for changes. The legislation directs the Bureau to provide a draft of the rules with DAFRR's proposed changes, a response that identifies any required statutory changes, and an estimate of the impact on revenues to the Joint Standing Committees on Taxation and Agriculture, Conservation and Forestry. The legislation also gives the Joint Standing Committee on Taxation authority to submit a bill during the Second Regular Session of the 124th Legislature (Attachment I).

Although the work of 123rd Maine Legislature's ACF Committee is now complete, the newly formed ACF Committee of the 124th Legislature comprised of both former members and new, will be carrying this work forward. We thank you for your consideration of our efforts and wish you will in the coming session.

cc: Members of the Agriculture, Conservation and Forestry Committee, 1234th Legislature
Members of the Agriculture, Conservation and Forestry Committee, 123rd Legislature
Seth H. Bradstreet, III, Commissioner, Dept. of Agriculture, Food and Rural Resources

Attachment A

Correspondence supporting the grant application of Good Will-Hinckley

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 34

JILL IPPOLITI, LEGISLATIVE ANALYST
MELISSA WRIGHT, COMMITTEE CLERK

HOUSE

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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

December 2, 2008

Gregory Powell, Chairman
Harold Alfond Foundation
2 Monument Square
Portland, ME 04101

Re: Good Will-Hinckley Grant Application

Dear Mr. Powell:

On behalf of the Joint Standing Committee on Agriculture, Conservation and Forestry (ACF), we are writing this letter to express our unanimous support of Good Will-Hinckley's grant application submitted to your organization, the Harold Alfond Foundation. We learned of the school's grant application through Dr. James Morse, Superintendent of the Messalonskee School District. We view this opportunity as a win-win situation for the school and its students as well as for the State of Maine.

Although the Maine Legislature is not currently in session, the ACF Committee has been meeting regularly during the interim with the charge of developing recommendations relating to the agricultural creative economy. The importance of agricultural education has emerged as a recurring theme of Committee deliberations. ACF Committee members have discussed at length the need to grow the next generation of Maine farmers and agribusiness entrepreneurs not only through apprenticeship programs, but also through primary, secondary and post-secondary school systems. The State of Maine needs to strengthen agricultural education at the high-school level and get children in lower grades interested in agriculture.

Good Will-Hinckley School is a private school that fills a special need in the central Maine area. The ACF Committee was excited to learn that Good Will-Hinckley is applying for grant money to further develop an agricultural science program.

Currently, the school provides a hands-on opportunity for students to learn about horticulture and market gardening and to gain the basic skills required to run a small business through their farm stand. It is our understanding that Good Will-Hinckley plans to use the grant money, if awarded, to hire staff, purchase equipment, and renovate an existing building on the school campus into a state-of-the-art instructional facility – all in support of an agricultural science program. The Good Will-Hinckley school provides an ideal setting for an agricultural education facility with its hundreds of acres of open farmland, including several acres of certified organic dairy farmland, apple orchards and potential vineyards.

Again, the ACF Committee wholeheartedly supports the mission of Good Will-Hinckley and the development of an agricultural science program.

Please feel free to contact us if you have any questions. We thank you for your consideration.

Sincerely,

Senator John M. Nutting
Senate Chair

Representative Wendy Pieh
House Chair

CC: Members of the Joint Standing Committee on Agriculture, Conservation and Forestry
Dr. Neil Colan, Chief Executive Officer, Good Will-Hinckley
Dr. James C. Morse, Sr., Superintendent, Messalonskee School District

Attachment B

Correspondence Supporting the
University of Maine's Department of Food Science and Human Nutrition

December 3, 2008 - Memorandum to Joint Standing Committee on Education and Cultural Affairs, 124th Legislature

December 3, 2008 - Memorandum Joint Standing Committee on Appropriations and Financial Affairs, 124th Legislature

December 2, 2008 - Letter to Chairman Wishcamper and Chancellor Pattenaude, University of Maine System

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 34

JILL IPPOLITI, LEGISLATIVE ANALYST
MELISSA WRIGHT, COMMITTEE CLERK

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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

To: Joint Standing Committee on Education and Cultural Affairs, 124th Legislature

From: John M. Nutting, Senate Chair
Wendy Pieh, House Chair
Joint Standing Committee on Agriculture, Conservation and Forestry, 123rd Legislature

Date: December 3, 2008

Re: Agricultural Creative Economy Sector (ACES) report and the budget of the University of Maine's Department of Food Science and Human Nutrition

On behalf of the Joint Standing Committee on Agriculture, Conservation and Forestry (ACF), we are writing to ask for your support for the University of Maine's Department of Food Science and Human Nutrition. This small research and development-oriented Department plays critical role in Maine's agricultural economy. In the attached letter, we have asked the Chair of the University of Maine System's (UMS) Board of Trustees and the UMS Chancellor to avoid spending control measures that may have a negative effect on the Department. We hope you will do the same and also include support for the Department in your budget recommendation to the Joint Standing Committee on Appropriations and Financial Affairs.

Public Law 2007, chapter 660 charged the ACF Committee with reviewing the Department of Agriculture, Food and Rural Resources' (DAFRR) report on the agricultural creative economy sector (referred to as the ACES report) during the interim. It authorized the Committee to submit any legislation necessary to implement the report's recommendations to First Regular Session of the 124th Legislature. The ACES report identifies 10 initiatives to improve the agricultural creative economy including one related to the University of Maine's Department of Food Science and Human Nutrition. A complete copy of the report can be found at: www.maine.gov/agriculture/mpd/information/agcreative.pdf.

While the ACF Committee did not submit legislation for the implementation of the initiative in the report, we did have significant discussion about the need for additional resources and to preserve existing resources at the Department. Hopefully, future Legislatures will be able to provide the resources to the University of Maine System recommended in the ACES report. At this time, our goal is to keep the Department of Food Science and Human Nutrition funded at its current level.

Your assistance is appreciated and we thank you for your consideration of our request.

Attachment.
cc: Member, Joint Standing Committee on Education and Cultural Affairs, 124th Legislature

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 34

JILL IPPOLITI, LEGISLATIVE ANALYST
MELISSA WRIGHT, COMMITTEE CLERK

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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

To: Joint Standing Committee on Appropriations and Financial Affairs, 124th Legislature

From: John M. Nutting, Senate Chair JMN
Wendy Pieh, House Chair WP
Joint Standing Committee on Agriculture, Conservation and Forestry, 123rd Legislature

Date: December 3, 2008

Re: Agricultural Creative Economy Sector (ACES) report and the budget of the University of Maine's Department of Food Science and Human Nutrition

On behalf of the Joint Standing Committee on Agriculture, Conservation and Forestry (ACF), we are writing to ask that you minimize the impact of spending cuts on the University of Maine's Department of Food Science and Human Nutrition. This small research and development-oriented Department plays acritical role in Maine's agricultural economy. In the attached letter, we have asked the Chair of the University of Maine System's (UMS) Board of Trustees and the UMS Chancellor to avoid spending control measures that may have a negative effect on the Department. We want to bring this letter to your attention and ask for your support in maintaining the current staffing and resource levels within the Department

Public Law 2007, chapter 660 charged the ACF Committee with reviewing the Department of Agriculture, Food and Rural Resources' (DAFRR) report on the agricultural creative economy sector (referred to as the ACES report) during the interim. It authorized the ACF Committee to submit any legislation necessary to implement the report's recommendations to First Regular Session of the 124th Legislature. The ACES report identifies 10 initiatives to improve the agricultural creative economy including one related to the University of Maine's Department of Food Science and Human Nutrition. A complete copy of the report can be found at: www.maine.gov/agriculture/mpd/information/agcreative.pdf.

While the ACF Committee did not submit legislation for the implementation of the initiative in the report, we did have significant discussion about the need for additional resources and to preserve existing resources at the Department. Hopefully, future Legislatures will be able to provide the resources to the University of Maine System recommended in the ACES report. At this time, our goal is to keep the Department of Food Science and Human Nutrition funded at its current level.

Your assistance is appreciated and we thank you for your consideration of our request.

Attachment.
cc: Member, Joint Standing Committee on Appropriations and Financial Affairs, 124th Legislature

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 8

JILL IPPOLITI, LEGISLATIVE ANALYST
JEREMY LESTAGE, COMMITTEE CLERK

HOUSE

WENDY PIEH, BREMEN, CHAIR
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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

December 2, 2008

Lyndel J. Wishcamper
Chair, Board of Trustees
University of Maine System
16 Central Street
Bangor, Maine 04401

Dr. Richard L. Pattenaude, Chancellor
University of Maine System
16 Central Street
Bangor, ME 04401

Re: University of Maine's Department of Food Science and Human Nutrition

Dear Chairman Wishcamper and Chancellor Pattenaude:

On behalf of the Joint Standing Committee on Agriculture, Conservation and Forestry (ACF), we are writing this letter to express our support for the work of the University of Maine's Department of Food Science and Human Nutrition. The Department's research and development activities are critical to the growth of Maine's agriculture creative economy, and we are concerned that during these tough financial times the Department may lose funding and positions. With this in mind, we ask that you consider keeping the Department funded and staffed at its current level.

Although the Maine Legislature is not currently in session, the Committee has been meeting during the interim to develop legislation related to a report on the agricultural creative economy sector, which can be found at: www.maine.gov/agriculture/mpd/information/agcreative.pdf. During the meetings, we heard testimony about how valuable the Department's state-of the art facilities, including its small-scale food processing plant and test kitchen, and staff assistance are to Maine's agricultural creative economy sector. The report actually recommends additional resources for the Department, including funding for a food scientist and expanded "on-farm"

research. Although we generally support these ideas, we recognize that the Board of Trustees is currently imposing cost-control measures and not expanding programs. Therefore, we have not included these recommendations from the report in our package of legislation.

However, we do have considerable concerns about losing Department staff and other resources that we want to express in this letter. In particular, we are concerned that a position may be lost with the upcoming retirement of Dr. Alfred Bushway, a professor within the Department, who has more than 25 years of experience working with the Maine food industry. The loss of his individual talents and knowledge base is going to be difficult enough for the Department without losing the position as well. Therefore, we ask that you specifically exempt the Department from any restrictions the University System may impose on replacing departing employees.

In summary, we believe keeping the funding and staffing of the Department at its current level is an investment strategy that will benefit students, the University and the State of Maine. Hopefully, future Legislatures will be able to provide the resources to the University of Maine System needed to implement the report's recommendations for additional funding. At this time, our goal is to keep the Department staffed at its current level with sufficient resources to continue the quality research and development work needed in the agricultural creative economy sector.

Thank you for your attention to our request.

Sincerely,

Senator John M. Nutting
Chair

Representative Wendy Pieh
Chair

copies:
Members, Joint Standing Committee on Appropriations and Financial Affairs
Members, Joint Standing Committee on Education and Cultural Affairs

Attachment C

Correspondence relating to a two-year college level agricultural education program

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 8

JILL IPPOLITI, LEGISLATIVE ANALYST
JEREMY LESTAGE, COMMITTEE CLERK

HOUSE

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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

December 3, 2008

Edward Ashworth, Dean
College of Natural Sciences, Forestry, and Agriculture
The University of Maine
5782 Winslow Hall, Room 106
Orono, ME 04469-5782

Re: Agricultural Education

Dear Dean Ashworth:

On behalf of the Joint Standing Committee on Agriculture, Conservation and Forestry (ACF), we are writing to brief you on some discussions we had about agricultural education and the loss of the two-year program that was formerly part of the University of Maine's curriculum. We hope to have the opportunity to work with the University and others to discuss our post-secondary agricultural education system.

Although the Maine Legislature was not in session, the Committee met during the interim to develop legislation related to a report on the agricultural creative economy sector, which can be found at: www.maine.gov/agriculture/mpd/information/agcreative.pdf. During the meetings, we discussed agricultural education and proposed legislation related to primary and secondary education. We stopped short of proposing legislation related to post-secondary agricultural education because we want to have a better understanding of the former two-year program as well as engage the Community College System in a discussion of the subject.

As we put together our schedule for the ACF Committee during the 124th Legislature, we hope to plan some time for a discussion of the feasibility of a two-year college level agriculture education program and hope you will be able to participate. In the meantime, you can find summaries of our meetings on our website at: www.maine.gov/legis/opla/agcreativeeconomystudy.htm.

Sincerely,

Senator John M. Nutting
Chair

Representative Wendy Pieh
Chair

Attachment D

Resolve, To Study the Feasibility of Expanding the Curriculum of the Maine School of Science and Mathematics

Committee:
LA: KND
File Name: G:\STUDIES-2008\ACES\Legislation\MSSM Feasibility Resolve.doc
LR(item)#:
Date: December 2, 2008

Resolve, To Study the Feasibility of Expanding the Curriculum of the Maine School of Science and Mathematics

Sec. 1. Feasibility Study. Resolved: That the Maine School of Science and Mathematics board of trustees as established in Title 5, section 12004-C, subsection 6 shall conduct a study of the feasibility of including agricultural studies in the Maine School of Science and Mathematics curriculum; and be it further

Sec. 2. Findings and recommendations. Resolved: That the Maine School of Science and Mathematics board of trustees present the study findings and recommendations to the Joint Standing Committees on Education and Cultural Affairs and Agriculture, Conservation and Forestry no later than January 15, 2010. The Joint Standing Committee on Education and Cultural Affairs may submit a bill relating to the subject matter of the report to the Second Regular Session of the 124th Maine Legislature.

Summary

The bill directs the Maine School of Science and Mathematics board of trustees to conduct a study of the feasibility of including agricultural studies in the Maine School of Science and Mathematics curriculum. The bill also directs the Maine School of Science and Mathematics board of trustees to present study findings and recommendations to the Joint Standing Committees on Education and Cultural Affairs and Agriculture, Conservation and Forestry no later than January 15, 2010. Finally, the bill gives the Joint Standing Committee on Education and Cultural Affairs the authority to submit a bill relating to the subject matter of the report to the Second Regular Session of the 124th Maine Legislature.

Attachment E

An Act to Require the Teaching of Agricultural Studies in Maine's Schools

Committee:
LA: KND
File Name: G:\STUDIES-2008\ACES\Legislation\Ag Studies Learning Results.doc
LR(item)#:
Date: December 2, 2008

An Act To Require the Teaching of Agricultural Studies in Maine's Schools

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

Sec. 1. 7 MRSA §4706, subsection as amended by PL 2007, c. 456, §2, is further amended to read:

2. Purpose. The purpose of the council is to promote an understanding of the food and fiber system in the State and the nation through the infusion of agricultural concepts into primary, secondary and postsecondary curricula. The council shall help prepare for the inclusion of agricultural concepts into the required course in agricultural studies as specified in Title 20-A, section 4706, subsection 3. For the purposes of this section and Title 20-A, section 4706, subsection 3, "agricultural concepts" includes, but is not limited to:

A. The importance of agriculture in the State and in the nation's history and development;

B. The connections between geography, climate and agriculture;

C. The relationship between technology and agricultural success and development;

D. The economics of agriculture;

E. The global aspects of agriculture; and

F. The relationship of the food and fiber system to public policy issues.

Sec. 2. 20-A MRSA §4706, as amended by PL 2001, c. 403, §1, is further amended to read:

§4706. Instruction in American history, Maine studies, Maine Native American history and agricultural concepts

American history, ~~and~~ Maine studies and agricultural studies must be taught as specified in the system of learning results established in section 6209.

1. American history. American history and civil government, including the Constitution of the United States, the Declaration of Independence, the importance of voting and the privileges and responsibilities of citizenship, must be taught in and required for graduation from all elementary and secondary schools, both public and private.

2. Maine studies. Maine history, including the Constitution of Maine, Maine geography and environment and the natural, industrial and economic resources of Maine and Maine's cultural and ethnic heritage, must be taught. A required component of Maine studies is Maine Native American studies, which must be included in the review of content standards and performance

indicators of the learning results conducted in accordance with section 6209, subsection 4. The Maine Native American studies must address the following topics:

A. Maine tribal governments and political systems and their relationship with local, state, national and international governments;

B. Maine Native American cultural systems and the experience of Maine tribal people throughout history;

C. Maine Native American territories; and

D. Maine Native American economic systems.

3. Agricultural studies. Agricultural concepts as described in Title 7, section 242, subsection 2 must be taught and included in the review of content standards and performance indicators of the learning results conducted in accordance with section 6209, subsection 4.

Sec. 3. Plan for the inclusion of agricultural studies to the system of learning results. The Maine Agriculture in the Classroom Council, as established in Title 7, section 242, and the Department of Education shall develop a plan for instruction of agricultural studies to be included in the system of learning results established in Title 20-A, section 6209.

Sec. 4. Report. The Maine Agriculture in the Classroom Council and the Department of Education must present the plan to the Joint Standing Committees on Education and Cultural Affairs and Agriculture, Conservation and Forestry no later than January 15, 2010. The plan of the Maine Agriculture in the Classroom Council and the Department of Education must include provisions for assistance to the Department of Education in helping school administrative units implement instruction in agricultural studies. The plan must also include criteria to identify school administrative units having difficulty meeting the instructional requirements of agricultural concepts and the provision for assistance to these school administrative units. The plan for assistance must be established by July 30, 2012 and implemented during the 2012-2013 school year.

Sec. 5. School to implement agricultural studies subject to availability of funds. Following review of the recommendations of the Maine Agriculture in the Classroom Council and the Department of Education, school administrative units may not be required to take any action that necessitates additional expenditures from local revenues unless the Department of Education pays for 90% of the additional costs. Implementation of instruction in agricultural studies is at the discretion of the school administrative unit if additional local expenditures are required for implementation and the department has not paid its share of the additional local costs.

A school administrative unit that determines that it is unable to implement instruction in agricultural studies within existing state and local resources shall present its findings and supporting evidence to the Department of Education. The department shall review its findings and evidence and, if necessary, assist the unit in planning for implementation.

Summary

The bill requires that agricultural studies be taught in all elementary and secondary schools. The bill also provides that the Maine Agriculture in the Classroom Council and the Department of Education develop a plan for instruction of agricultural studies to be included in the system of learning results and present the plan to the Joint Standing Committees on Education and Cultural Affairs and Agriculture, Conservation and Forestry no later than January 15, 2010. The bill requires that the plan must include assistance to the Department of Education in helping school administrative units to implement instruction in agricultural concepts. The plan for assistance must be established by July 30, 2012 and implemented during the 2012-2013 school year.

The bill also allows a school administrative unit to delay implementation of instruction of agricultural concepts if implementation cannot be achieved within existing local resources and requires the Department of Education to develop a reporting mechanism that permits a school administrative unit to report such a delay to the department at no cost to the unit.

Attachment F

Correspondence supporting the Business Visitation Program for dairy farmers

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 34

JILL IPPOLITI, LEGISLATIVE ANALYST
MELISSA WRIGHT, COMMITTEE CLERK

HOUSE

WENDY PIEH, BREMEN, CHAIR
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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

December 2, 2008

Re: Business Visitation Program for Dairy Farmers

To Whom It May Concern:

On behalf of the Joint Standing Committee on Agriculture, Conservation and Forestry (ACF), we are writing this letter to express our unanimous support for the grant application of the Business Visitation Program (BVP) for the Maine dairy industry task force, also known as the Maine Farm BIZ.

During the interim, the ACF Committee has been meeting regularly tasked with developing recommendations relating to the agricultural creative economy sector. At one such meeting, the ACF Committee received a presentation regarding the proposed BVP for the Maine dairy industry from the Maine Department of Agriculture, Food and Rural Resources (DAFRR), the Maine Department of Labor (MDOL), the Maine Dairy Industry Association (MDIA), the Maine Farm Bureau, and the Northeast States Association for Agricultural Stewardship (NSAAS). As we understand it, the BVP is a survey conducted of businesses in a selected area or industry sector with the purpose of helping industries identify and resolve business concerns. The information is then used to develop action strategies for business retention and expansion. We were impressed with the task force's efforts and collaboration and excited by the proposed education, training and business development opportunities for the agricultural sector.

Agriculture has been and continues to be the foundation of the Maine economy. However, the often rural nature of agricultural businesses renders them virtually invisible to the general public, who often see farms as no more than nostalgic and scenic places to visit. As a result, agricultural businesses often do not receive the same level of support as non-agricultural businesses.

In an effort to change that trend, the Maine Farm BIZ, with the help of the MDOL BVP, is launching a three-year project that will provide strategic guidance and recommendations to the entire agricultural sector. The geographic and product diversity inherent to agriculture make it difficult to collect information on the sector as a whole. Dairy farmers, apple growers, cheesemakers and Christmas tree farmers produce different products, but they face many of the same challenges. Because of this, the Maine Farm BIZ will be providing specific information and analysis for participating product subsectors as well as individual farmers. As mentioned earlier, the Maine Farm BIZ is currently developing a pilot BVP for the Maine Dairy industry.

Again, the ACF Committee wholeheartedly supports the mission of Maine Farm BIZ and their goal of strengthening Maine farm businesses.

Please feel free to contact us if you have any questions. We thank you for your consideration.

Sincerely,

Senator John M. Nutting
Senate Chair

Representative Wendy Pieh
House Chair

CC: Members of the Joint Standing Committee on Agriculture, Conservation and Forestry
Seth H. Bradstreet, III, Commissioner, Dept. of Agriculture, Food and Rural Resources
Laura A. Fortman, Commissioner, Department of Labor
Marge L. Kilkelly, Northeast States Association for Agricultural Stewardship
Jon Olson, Maine Farm Bureau Association
Julie-Marie Bickford, Maine Dairy Industry Association
John Harker, Department of Agriculture, Food and Rural Resources

Attachment G

Correspondence relating to labor information for agricultural businesses

SENATE

JOHN M. NUTTING, DISTRICT 17, CHAIR
MARGARET ROTUNDO, DISTRICT 16
ROGER L. SHERMAN, DISTRICT 34

JILL IPPOLITI, LEGISLATIVE ANALYST
MELISSA WRIGHT, COMMITTEE CLERK

HOUSE

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PETER EDGECOMB, CARIBOU
DEAN A. CRAY, PALMYRA
JEFFERY A. GIFFORD, LINCOLN

STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

December 2, 2008

Re: Labor Information for Agricultural Businesses

To Whom It May Concern:

On behalf of the Joint Standing Committee on Agriculture, Conservation and Forestry (ACF), we are asking you to consider providing a link on your website to the Maine Department of Labor (DOL) website, in an effort to help agricultural businesses, particularly start-ups, access labor-related information.

As you may already know, the ACF Committee was charged reviewing recommendations included in the report of the Department of Agriculture, Food and Rural Resources (DAFRR) entitled "The Agricultural Creative Economy: Needs, Opportunities, and Market Analysis" (also known as the ACES report) which was presented to the 123rd Maine Legislature in January, 2008. The ACF Committee was charged with evaluating the merits of the proposed initiatives in the report and determining the resources needed for implementing each. The Committee talked about issues relating to development, assistance and labor recruitment and training for agricultural businesses, which leads us to the request before you.

The ACF Committee held three meetings during the interim to conduct its work. Over the course of our meetings, we received several presentations regarding labor issues, including the proposed Business Visitation Program for the Maine dairy industry, the apprenticeship program at Maine DOL and the Maine Organic Farmers and Gardeners Association (MOFGA), as well as an overview of programs and services at Maine DOL. The ACF Committee discussed labor issues at length. One our primary concerns, which we share with DAFRR as outlined in their ACES report, is the ability of farmers to source or access trained or trainable farm laborers. It is our hope that organizations, like yours, can help us bridge the information gap and facilitate those connections for agricultural businesses.

Please feel free to contact us if you have any questions. We thank you for your consideration of this request.

Sincerely,

Senator John M. Nutting
Senate Chair

Representative Wendy Pieh
House Chair

CC: Members of the Joint Standing Committee on Agriculture, Conservation and Forestry
Seth H. Bradstreet, III, Commissioner, Dept. of Agriculture, Food and Rural Resources
Laura A. Fortman, Commissioner, Department of Labor

Attachment H

Resolve, Directing the Maine Department of Agriculture, Food and Rural Resources to Streamline Agricultural Regulation

Sponsor: ACF Committee
LA: Elizabeth Cooper
File Name: g:\studies-2008\aces\legislation\resolve on streamlining regulation.doc
LR (item)#:
Date: December 2, 2008

Title: Resolve, Directing the Maine Department of Agriculture, Food and Rural Resources to Streamline Agricultural Regulation

Sec. 1. Review regulatory process and develop flow chart. Resolved: That the Department of Agriculture, Food and Rural Resources shall review the regulatory processes that impact agricultural businesses, including small food producers and processors, and examine the feasibility of developing a one-stop, streamlined regulatory process and website portal. The Department shall develop and post on its website, by September 15, 2009, a regulatory flow chart to guide agricultural businesses, through the federal, state and local regulation process. The flowchart shall clearly depict the regulatory role of federal, state and local government and include all relevant laws and agencies; and be it further

Sec. 2. Review rules for food processing, manufacturing and storage. Resolved: That the Department of Agriculture, Food and Rural Resources shall review and draft proposed changes to streamline the rules related to licensing small food producers, value-added food processor and shared use kitchens, including to rules related to home food manufacturing, food storage warehouses, and food processing and manufacturing. The Department shall identify and draft rule changes that will allow the sequential production of food products in shared use kitchens in order to expand the seasonal use of the facilities; and be it further

Sec. 3. Review rules, resources and processes for meat and poultry licensing and inspection. Resolved: That the Department of Agriculture, Food and Rural Resources shall review and draft proposed changes to the rules governing meat and poultry inspection and licensing in order to: support regional cooperation that will allow the interstate sales of meat and poultry; expand markets for Maine meat and poultry producers; encourage the licensing of mobile slaughter facilities; and create flexibility for small scale meat and poultry producers. The Department shall identify steps for streamlining the State's meat and poultry inspection and licensing processes and for enhancing coordination with the United States Department of Agriculture (USDA) inspection program as well as leveraging federal resources, including resources to the increase availability of Hazard Analysis and Critical Control Points (HACCP) training.

Sec 4. Report. Resolved: That the Department of Agriculture, Food and Rural Resources shall present a report to the Legislature having jurisdiction over agriculture, conservation and forestry by January 15, 2010, that includes findings, recommendations and proposed rule changes related to its review of rules and regulatory processes outlined in Section 1 - Section 3 in this resolve. The Department's report shall include recommendations on the feasibility of developing a one-stop, streamlined regulatory process and website portal and steps to streamline the permitting process for shared use kitchens and the State's meat and poultry licensing and inspection processes as well as recommendations for enhancing coordination with the United States Department of Agriculture (USDA) inspection program and leveraging federal resources, including resources to the increase availability of Hazard Analysis and Critical Control Points (HACCP) training. The Department's report shall include any draft legislation and all proposed rule changes needed to implement the Department's recommendations. The Legislature having jurisdiction over agriculture, conservation and forestry may submit a bill to the Second Regular Session of the 124th Legislature relating to the report.

Summary

This resolve directs the Department of Agriculture, Food and Rural Resources to review regulatory processes impacting agricultural businesses and to examine the feasibility of developing a one-stop, streamlined regulatory process and website portal. It directs the Department to develop a regulatory flow chart and post it on its website, by September 15, 2009. The resolve also directs the Department to review and draft changes to the rules related to the licensing of shared use kitchens and the rules governing meat and poultry inspection and licensing. It requires the Department to identify steps for streamlining State's meat and poultry inspection and licensing process, and to enhance coordination with the USDA inspection program as well as leverage federal resources, including resources to the increase availability of HACCP training. The resolve requires the Department to present a report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 15, 2010, that includes findings and recommendations including any draft legislation and proposed rule changes needed to implement the recommendations. The resolve gives the Joint Standing Committee on Agriculture, Conservation and Forestry authority to submit a bill to the Second Regular Session of the 124th Legislature related to the report.

Attachment I

Resolve, To Review and Update the Sales Tax Exemptions for Products Purchased For Agricultural Use

Sponsor: ACF Committee
LA: Elizabeth Cooper
File Name: g:\studies-2008\aces\legislation\resolve on sales tax for chairs review.doc
LR (item)#: 0566(01)
Date: December 3, 2008

Title: Resolve, To Review and Update the Sales Tax Exemptions for Products Purchased For Agricultural Use

Sec. 1. Review of rules. Resolved: The Department of Agriculture, Food and Rural Resources shall review the rules and bulletins related to sales tax exemptions for purchase of agriculture products pursuant to Title 36, §1760, sub-§7-B and sub-§7-C and the refund of sales taxes related to machinery and equipment purchases for agricultural production pursuant to Title 36, §2013, and determine whether or not the appropriate products for commercial agricultural crop and animal production are included within the rules' categories for sales tax exemption. The Department of Agriculture, Food and Rural Resources shall provide recommendations to the Department of Administrative and Financial Services, Bureau of Revenue Services for changes to the rules and bulletins by September 15, 2009; and be it further

Sec. 2. Report and recommendations. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services shall review the recommendations of the Department of Agriculture, Food and Rural Resources and prepare proposed changes to the rules and bulletins based on the recommendation. The Bureau of Review Services shall also prepare a response to the Department's recommended changes that identifies any required statutory changes and provides an estimate of the impact on revenues. The Bureau of Revenue Services shall report its findings and any recommendations along with the draft rules to the joint standing committee of the Legislature having jurisdiction over taxation and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry by January 15, 2010. The joint standing committee of the Legislature having jurisdiction over taxation may submit a bill to the Second Regular Session of the 124th Legislature relating to the report.

Summary

This resolve directs the Department of Agriculture, Food and Rural Resources to review the rules and bulletins related to sales tax exemptions for purchase of agriculture products to determine whether or not the appropriate products for commercial agricultural crop and animal production are included within the rules' categories for sales tax exemption and to provide recommendations to the Bureau of Revenue Services for changes to the rules and bulletins by September 15, 2009. It directs the Bureau to review the recommendations and to prepare proposed changes to the rules and bulletins as well as a response to the recommended changes that identifies any required statutory changes and provides an estimate of the impact on revenues. It requires the Bureau to report its findings and any recommendations along with the draft rules to the Joint Standing Committee on Taxation and the Joint Standing Committee on Agriculture, Conservation and Forestry by January 15, 2010, and gives the Joint Standing Committee on Taxation authority to submit a bill to the Second Regular Session of the 124th Legislature relating to the report.