

MAINE AGRICULTURAL BARGAINING BOARD

GOVERNMENT EVALUATION ACT REPORT

November 2025



MAINE DEPARTMENT OF
**AGRICULTURE
CONSERVATION
& FORESTRY**



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Enabling legislation

The Maine Agricultural Bargaining Board was created by the 106th Maine Legislature as part of the Maine Agricultural Marketing and Bargaining Act of 1973 (13 MRS §1953-1965). The Act was expanded in 2019 to include harvesters and haulers of forest products (PL 2019, ch 248).

The purpose of this Board is to provide standards for the qualifications of agricultural cooperative organizations for bargaining purposes, to define the mutual obligation of handlers and agricultural cooperative organizations to bargain with respect to the production, sale, and marketing of agricultural products, and to provide for the enforcement of such obligation.

Programs and priorities

The Board has the following functions:

1. Qualify associations of producers for bargaining with processors (13 MRS §1957).
2. Hear complaints of refusal to bargain by either producers or processors (13 MRS §1958(6));
3. Prepare contracts in cases of arbitration (13 MRS §1958-B(5-B));
4. Hear complaints of unfair bargaining practices by either producers or processors (13 MRS §1965(3)); and
5. Make annual reports to the Commissioner of Agriculture, Conservation and Forestry and the Legislature regarding the effectiveness of the Maine Agricultural Marketing and Bargaining Act of 1973 (13 MRS §1956(8)).

As a quasi-judicial entity, the Maine Agricultural Bargaining Board responds to petitions submitted by interested parties for determinations as required by the Maine Administrative Procedures Act. The Board does not proactively engage in voluntary bargaining between agricultural producers and processors. Bargaining between agricultural producers and processors has largely occurred without the need for appeal to the Board or the judicial system.

Financial summary

The Board does not have a separate budget. At present, administrative costs associated with the Board are absorbed as part of the budget of the Department of Agriculture,

Conservation and Forestry's Bureau of Agriculture, Food and Rural Resources. Legal support is provided by the Attorney General's Office and paid for by DACF.

Organizational structure

The Board consists of seven (7) members appointed by the Governor:

Maine Agricultural Bargaining Board Membership

SEAT	MEMBER TYPE	APPOINTEE	LOCATION
Seat 1	Member recommended by producers	Thomas Qualey Appointed 3/21/25	Benedicta
Seat 2	Member recommended by processors	Tori Jackson Appointed 5/08/25	Wayne
Seat 3	Public Member	Jay Plourde Appointed 3/21/25	Cross Lake
Seat 4	Public Member	Clark Granger Appointed 3/21/25	Woolwich
Seat 5	Public Member	Nicholas Norton Appointed 3/21/25	Presque Isle
Seat 6	Alternate recommended by producers		
Seat 7	Alternate recommended by producers	Leigh Morrow Appointed 5/08/2025	Easton

Administrative support is provided by the Department of Agriculture, Conservation and Forestry. A Department employee is assigned to serve as clerk of the Board. There are no positions assigned to the Board.

Coordination with other agencies

The Board coordinates with the Department of Agriculture, Conservation and Forestry. Historical records of the Board's activities have been archived by the Maine State Archives and by the University of Maine Bureau of Labor Education.

Constituencies

The Board serves agricultural producers and processors. During the mid-1970s through early 1990s, the Board heard requests for certification for bargaining from a variety of sources. The primary petitioner was the Maine Agricultural Bargaining Council, which sought certification to bargain with at least 10 companies involved with potato processing in Aroostook County. Most of these companies are no longer in operation. The Maine Agricultural Bargaining Council currently bargains with McCain Foods, Inc. and Pineland Farms Potato Company.

In the 1970s, the Board certified meat and poultry producers to bargain with processors in Belfast. In the 1980s, the broiler industry in Maine closed, and no further bargaining was necessary. Wild blueberry producers have attempted to form bargaining groups on several occasions; however, no petitions for certification have been received by the Board.

Activity at the Board was largely dormant in the 2000s until 2019, when the Board's jurisdiction was expanded to include the forest products industry. In 2023, the Board certified the Maine Forest Stewardship Cooperative to bargain with Go Lab, Inc.

The Board has not received any complaints of refusal to bargain or unfair bargaining practices in at least 20 years.

Alternative delivery systems

The Board's meetings are in person and open to the public. The Department ensures that proper public notice is given for such meetings.

Emerging issues

After many years of inactivity, the Board has seen renewed interest in agricultural bargaining, this time in the areas of forestry and potatoes.

Related federal law

The Agricultural Fair Practices Act of 1967 (P.L. 90-288) was enacted to protect farmers from retaliation by handlers (buyers of their products) because the farmers are members of a cooperative. The act permits farmers to file complaints with the USDA, which can then initiate court proceedings if it believes their rights under the law have been violated. The Board is not aware of any instance where this law has been applied in Maine.

Collection and use of personal information

The Board receives financial information regarding producers who have joined a bargaining collective. By law, such information is confidential until the Board has decided a case. Documents submitted in a proceeding before the Board are subject to the requirements of State law governing public records.

Required reports

By law, certified producer collectives are required to file an annual report with the Board by February 1st. In 2024 and 2025, the Board received annual reports from the two producer associations currently certified for bargaining: the Maine Agricultural Bargaining Council and the Maine Forest Stewardship Cooperative.

The Board provides an annual report to the Secretary of State, reporting on any activity of the Board for that year.

Statutory consistency

Based on a review by the Attorney General's Office, there are no legislative amendments needed to align the Agricultural Bargaining Law with federal law or court decisions.