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Date: (Filing No. H-)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1419, L.D. 2212, “An Act to Strengthen Maine’s Agriculture, Food System and Forest Products Infrastructure Investment”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 7 MRSA §320-C, sub-§2, as enacted by PL 2021, c. 483, Pt. KK, §2, is repealed and the following enacted in its place:

2. Membership. The board consists of the commissioner or the commissioner's designee, the Commissioner of Economic and Community Development or the commissioner's designee and 15 members pursuant to this subsection.

M. The commissioner and the Commissioner of Economic and Community Development shall jointly appoint 8 members of the board as follows:

- (1) One member of a statewide industry group representing conventional nondairy farming;
- (2) One member of a statewide industry group representing organic nondairy farming;
- (3) One member of a statewide industry group representing the forest products industry;
- (4) Two members from relevant financial institutions with experience in the agricultural and forest products industries;
- (5) Two members representing the supply chain in processing, manufacturing or distribution; and
- (6) One member actively engaged in providing marketing assistance, market development or business and financial planning.

N. The President of the Senate shall appoint 3 members of the board as follows:

- (1) One member of a statewide industry group representing dairy producers;

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- 1 (2) One manufacturer of forest products; and
- 2 (3) One member representing historically underserved racial populations in
- 3 nondairy farming.
- 4 O. The Speaker of the House shall appoint 4 members of the board as follows:
- 5 (1) One member who is a member of a federally recognized Indian nation, tribe or
- 6 band in this State;
- 7 (2) One manufacturer of value-added agricultural products or representative of the
- 8 value-added agricultural products industry;
- 9 (3) One member from a statewide group representing the logging and trucking
- 10 industry; and
- 11 (4) One member representing historically underserved racial populations in
- 12 nondairy farming.

13 Board membership must reflect a diversity of skills and experience relevant to investment
14 in agricultural, food and forest products processing and manufacturing industries and
15 represent the racial diversity of the food system in the State with specific representation by
16 Indian tribes, communities of color and other underserved communities and populations.

17 **Sec. 2. 7 MRSA §320-C, sub-§7** is enacted to read:

18 **7. Board member conflicts of interest.** If a member of the board holds a position in
19 a producer or business that causes a conflict of interest with regard to a vote the board is
20 holding, the member may not participate in that vote. For purposes of this subsection,
21 "conflict of interest" means a member of the board or an immediate family member of a
22 member of the board has or acquires a direct substantial personal financial interest, distinct
23 from that of the general public, in an enterprise that would be financially benefited by a
24 proposed fund allocation.

25 **Sec. 3. 7 MRSA §320-C, sub-§8** is enacted to read:

26 **8. Uses of disbursements limited.** A producer that receives a disbursement from the
27 fund:

28 A. Must have a processing or manufacturing facility that is located in the State or must
29 be seeking to establish a new processing or manufacturing facility that is located in the
30 State; and

31 B. Shall use the disbursement to support the operations of a facility under paragraph
32 A, including, but not limited to, obtaining equipment and investing in supply chain
33 infrastructure to grow, harvest, process or manufacture agricultural, food or forest
34 products used in commercial products. For purposes of this paragraph, the producer
35 shall obtain, to the extent practicable, agricultural, food or forest products from a farm
36 or a forest or waters in the State or from offshore waters to be collected in the State.

37 **Sec. 4. Appropriations and allocations.** The following appropriations and
38 allocations are made.

39 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
40 **Bureau of Agriculture 0393**

1 Initiative: Provides funding for one Public Service Manager II position and associated
 2 costs.

3	GENERAL FUND	2023-24	2024-25
4	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
5	Personal Services	\$0	\$134,810
6	All Other	\$0	\$3,500
7			
8	GENERAL FUND TOTAL	\$0	\$138,310

9 **DACF Administration 0401**

10 Initiative: Provides funding for the technology management costs associated with one
 11 Public Service Manager II position.

12	GENERAL FUND	2023-24	2024-25
13	All Other	\$0	\$3,292
14			
15	GENERAL FUND TOTAL	\$0	\$3,292

17	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
18	All Other	\$0	\$647

19			
20	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$647

21 **Maine Agriculture, Food and Forest Products Investment Fund Z384**

22 Initiative: Provides one-time funding to support public-private partnerships that facilitate
 23 strategic investments in the State's agricultural, food and forest products processing and
 24 manufacturing industries. These funds are nonlapsing.

25	GENERAL FUND	2023-24	2024-25
26	All Other	\$0	\$10,000,000
27			
28	GENERAL FUND TOTAL	\$0	\$10,000,000

30	AGRICULTURE, CONSERVATION AND		
31	FORESTRY, DEPARTMENT OF		
32	DEPARTMENT TOTALS	2023-24	2024-25

33			
34	GENERAL FUND	\$0	\$10,141,602
35	OTHER SPECIAL REVENUE FUNDS	\$0	\$647

36			
37	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,142,249

38
 39 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 40 number to read consecutively.

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SUMMARY

This amendment replaces the bill. It amends the laws governing the Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board to require the President of the Senate to appoint 3 members to the board instead of 5 members as proposed in the bill and to require the Speaker of the House to appoint 4 members to the board instead of 5 members as proposed in the bill. The amendment defines "conflict of interest" as it relates to the board. The amendment requires a producer that receives a disbursement from the Maine Agriculture, Food and Forest Products Investment Fund to have a processing or manufacturing facility that is located in the State or to be seeking to establish a new processing or manufacturing facility that is located in the State. The amendment also requires a producer that receives a disbursement from the fund to use the disbursement to support the operations of the producer's processing or manufacturing facility including, but not limited to, obtaining equipment and investing in supply chain infrastructure to grow, harvest, process or manufacture agricultural, food or forest products used in commercial products. Finally, the amendment requires a producer to obtain, to the extent practicable, agricultural, food or forest products from a farm or a forest or waters in the State or from offshore waters to be collected in the State.

FISCAL NOTE REQUIRED

(See attached)