

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
105TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S. P. 716, L. D. 1989, Bill,  
"AN ACT Implementing the Reorganization of the Department of  
Agriculture."

Amend said Bill in section 1 by striking out in the last 2 lines  
(last line in L. D.) the following: "~~and the-Maine-Potato-Marketing  
Commission Milk Tax Committee.~~" and inserting in place thereof  
the following: '~~and-the-Maine-Potato-Marketing-Commission,~~ Milk  
Tax Committee and the Harness Racing Commission.'

Further amend said Bill in the last line of section 2  
(next to last line in L. D.) by inserting after the underlined  
words "the Seed Potato Board" the underlined punctuation and  
words ', the Harness Racing Commission'

Further amend said Bill by inserting after section 8 the following:

'Sec. 9. R. S., T. 7, §§2151 - 2152, repealed and replaced.

Sections 2151 and 2152 of Title 7 of the Revised Statutes are  
repealed and the following enacted in place thereof:

§2151. Creation and membership

A Seed Potato Board, as heretofore established in the Department  
of Agriculture, shall consist of the commissioner and 6 additional  
members appointed by him. Of the 6 appointed members, 5 shall be  
chosen from representatives of the potato industry in Aroostook  
County and one from elsewhere in the State of Maine.

§2152. Terms; vacancies; salaries

Each appointed member shall serve for a term of 3 years or until  
his successor has been appointed and qualified.

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Upon the expiration of the term of office of any appointed member of the board, said member's successor shall be appointed by the commissioner, or in case of a vacancy for any reason, the commissioner shall appoint a member to fill the unexpired term.

The members of the Seed Potato Board shall receive no salary, but all their expenses incurred in attending meetings shall be paid out of the State Treasury, on certificate of the commissioner, upon the audit and warrant of the State Controller.'

Further amend said Bill in section 12 by striking out in the 5th line (same in L. D.) the underlined words "The committee may employ" and inserting in place thereof the/words <sup>underlined</sup> 'The commissioner may employ'

Further amend said Bill by renumbering sections 9 to 12 to be sections 10 to 13.

Further amend said Bill by inserting after section 12 the following:

'Sec. 14. R. S., T. 8, §262, amended. Section 262 of Title 8 of the Revised Statutes is amended by adding after the first sentence the following new sentence:

The Commissioner of Agriculture or his designee shall ex officio be secretary of the commission but shall not be a voting member thereof.

Sec. 15. R. S., T. 8, §264, repealed and replaced. Section 264 of Title 8 of the Revised Statutes is repealed and the following enacted in place thereof:

§264. Assistants

The Commissioner of Agriculture, subject to the Personnel Law,

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is authorized to employ such personnel as he may deem necessary to provide adequate policing and to carry out the purposes of this chapter. The Commissioner of Agriculture may fix the compensation of said employees on a per diembasis, subject to the Personnel Law.

Sec. 16. R. S., T. 8, §280, amended, The first sentence of the last paragraph of section 280 of Title 8 of the Revised Statutes, as enacted by chapter 462 of the public laws of 1969, is amended to read as follows:

The ~~Harness-Racing-Commission~~ Commissioner of Agriculture is authorized to employ a State Veterinarian.'

Further amend said Bill in section 14 by striking out in the 4th line (same in L. D.) the underlined words "The committee may" and inserting in place thereof the underlined words 'The commissioner may'

Further amend said Bill by renumbering sections 13 to 16 to be sections 17 to 20.

Further amend said Bill by inserting at the end the following:

'Sec. 21. Effective date. This Act shall become effective on July 1, 1972.'

#### Statement of Fact

The committee amendment transfers into the Department of Agriculture the Harness Racing Commission. The amendment in regard to the Seed Potato Board changes the method of appointment of the members of the Seed Potato Board from appointment by the Governor to appointment by the Commissioner of Agriculture. The amendments to sections 12 and 14 are to correct errors in the original bill.

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Reported by the Committee on STATE GOVERNMENT.

Reproduced and distributed pursuant to Senate Rule No. 11A.

(Filing No. S-346)