

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
SECOND REGULAR SESSION

L.D. 2128

(Filing No. H-1110)

COMMITTEE AMENDMENT "A" to H.P. 2067, L.D. 2128, Bill,
"AN ACT to Readjust Disbursement of the Potato Tax Fund."

Amend the bill in section 1, subsection 1-A, by striking
out all of paragraph B and inserting in its place the following:

'B. Subject to the provisions of this section, 20% of
the total moneys received in any given year under section
4565 shall be paid quarterly to the Maine Potato Council
which shall use those funds for improvements in the coordination
of efforts to improve the potato industry, promotion of
Maine potatoes and the Maine potato industry, assistance
to potato farmers in improving potato farming practices
and necessary administrative support to the Maine Potato
Council. The council shall pay from the funds dues to
the National Potato Council and any successor organization.
The balance of these tax/ ^{funds remaining shall} be used in research and programs
to improve the quality of potatoes.

The Commissioner of Agriculture shall promulgate Rules:

(1) Requiring the Maine Potato Council to submit to
the commissioner, prior to the beginning of any fiscal
year, a budget showing, for funds paid to the council
under this section, actual and estimated amounts
available and expended for that fiscal year and the
fiscal year immediately preceding; the budget shall
be a form prescribed by the commissioner and shall
be available for public inspection in his office and
in the office of the council; and

(2) Governing the expenditure of funds paid to the council under this section for travel out of State; to the extent possible, the rule shall be identical to rules governing such travel by State employees, provided that the rule shall require that the commissioner shall have the authority to approve or disapprove for conformance to the rule all the expenditures before they are made.'

Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. 3. Study authorized. The Commissioner of Agriculture shall conduct a study of current and alternate procedures for electing and appointing grower members to the Maine Potato Commission. In conducting the study, the commissioner shall consult with others as is appropriate, including but not limited to, the Maine Potato Commission, Maine Potato Council, Maine Potato Sales Association, Central Aroostook Young Farmers and Aroostook County Farm Bureau. The commissioner shall submit a description of the study, and any recommendations including drafts of proposed legislation, to the First Regular Session of the 109th Legislature.'

Statement of Fact

This amendment makes the following changes to L.D. 2128.

It
1. /~~Reduces~~, from 30% to 20% of the potato tax, the amount which shall be paid to the Maine Potato Council; language is added to clarify the intent that 20% of the "total moneys received in any given year" is to be paid to the council, which

shall be in addition to the amount now available to the commission under Title 36, section 4571, subsection 4; the council is required to pay from the funds dues to the National Potato Council, the balance of remaining funds shall be used in research and programs to improve the quality of potatoes.

2. / ^{It} Requires the Commissioner of Agriculture to promulgate rules requiring the council to:

A. Submit to the commissioner for information a budget for funds received under this Act: and

B. Comply with regulations of the commissioner governing out of state travel paid out of council funds made available under this Act.

Note: In addition to these requirements, the ^{Maine} Potato Council is subject to post ^{audit} audit by the Department of Audit under current law, Title 5, section 243, subsection 8.

^{It}
3. / ^{It} Requires the Commissioner of Agriculture to report to First Regular Session of the the/109th Legislature the results of a study on current and alternate methods of appointing and electing grower members of the Maine Potato Commission.

Reported by the Committee on Agriculture.

Reproduced and distributed under the direction of the Clerk of the House.

3/3/78

(Filing No. H-1110)