

# MAINE STATE LEGISLATURE

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DATE: 5-12-97

(Filing No. H-444)

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
118TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1169, L.D. 1646, Bill, "An Act to Increase the Effectiveness of the Maine Blueberry Commission"

Amend the bill in section 2 by striking out all of subsection 13-A and inserting in its place the following:

<u>'13-A. Wild</u>	<u>Expenses</u>	<u>36 MRSA</u>
<u>Blueberry Commission</u>	<u>Only</u>	<u>\$4312-C'</u>
<u>of Maine</u>		

Further amend the bill in section 5 in subsection 1-A in the 2nd and 3rd lines (page 1, lines 48 and 49 in L.D.) by striking out the following: "growing or selling" and inserting in its place the following: 'growing ex-selling'

Further amend the bill in section 9 in subsection 5 in the 2nd and 3rd lines (page 2, lines 40 and 41 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Maine Wild Blueberry Commission of Maine'

Further amend the bill in section 14 in that part designated "\$4305." in the indented paragraph in the 3rd line from the end (page 4, line 1 in L.D.) by striking out the following: "July 1st" and inserting in its place the following: 'June 30th'

Further amend the bill in section 18 in that part designated "\$4311-A." in subsection 1-A in the 4th line (page 5, line 27 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

COMMITTEE AMENDMENT

2 Further amend the bill in section 18 in that part designated  
3 "~~§4311-A.~~" in subsection 2 in the first and 2nd lines (page 5,  
4 lines 38 and 39 in L.D.) by striking out the following: "Maine  
5 Wild Blueberry Commission" and inserting in its place the  
6 following: 'Maine Wild Blueberry Commission of Maine'

8 Further amend the bill in section 18 in that part designated  
9 "~~§4311-A.~~" in subsection 3 in the 5th line (page 5, line 49 in  
10 L.D.) by inserting after the following: "processing" the  
11 following: ', product development'

12 Further amend the bill in section 18 in that part designated  
13 "~~§4311-A.~~" in subsection 3 in the 6th and 7th lines (page 5, line  
14 50 and page 6, line 1 in L.D.) by striking out the following:  
15 "Maine Wild Blueberry Commission" and inserting in its place the  
16 following: 'Maine Wild Blueberry Commission of Maine'

17 Further amend the bill in section 19 in the indented  
18 paragraph in the 3rd line (page 6, line 24 in L.D.) by striking  
19 out the following: "Maine Wild Blueberry Commission" and  
20 inserting in its place the following: 'Maine Wild Blueberry  
21 Commission of Maine'

22 Further amend the bill in section 19 in the indented  
23 paragraph by striking out all of the last 4 lines (page 6, lines  
24 30 to 33 in L.D.) and inserting in their place the following:  
25 'marketing use of wild blueberries.'

26 Further amend the bill in section 21 in that part designated  
27 "~~§4312-C.~~" by striking out all of the first line (page 6, line 40  
28 in L.D.) and inserting in its place the following:

29 '§4312-C. Wild Blueberry Commission of Maine'

30 Further amend the bill in section 21 in that part designated  
31 "~~§4312-C.~~" in subsection 1 in the 2nd line (page 6, line 43 in  
32 L.D.) by striking out the following: "Maine Wild Blueberry  
33 Commission" and inserting in its place the following: 'Wild  
34 Blueberry Commission of Maine'

35 Further amend the bill in section 21 in that part designated  
36 "~~§4312-C.~~" in subsection 1 in paragraph C in subparagraph (2) in  
37 the last line (page 6, line 21 in L.D.) by striking out the  
38 following: "and"

39 Further amend the bill in section 21 in that part designated  
40 "~~§4312-C.~~" in subsection 1 in paragraph C in subparagraph (3) in  
41 the last line (page 6, line 25 in L.D.) by striking out the  
42 following: "1673." and inserting in its place the following:  
43 '1673; and'

2 Further amend the bill in section 21 in that part designated  
3 "§4312-C." in subsection 1 in paragraph C by inserting at the end  
4 the following:

6 '(4) All meetings and records of the commission are  
7 subject to the provisions of Title 1, chapter 13,  
8 subchapter I, except that by majority vote of those  
9 members present, records and meetings of the commission  
10 may be closed to the public when public disclosure of  
11 the subject matter of the records or meetings would  
12 adversely affect the competitive position of the wild  
13 blueberry industry of the State or segments of that  
14 industry. The Commissioner of Agriculture, Food and  
15 Rural Resources and those members of the Legislature  
16 appointed to serve on the joint standing committee of  
17 the Legislature having jurisdiction over agricultural,  
18 conservation and forestry matters have access to all  
19 material designated confidential by the commission.'

20  
21 Further amend the bill in section 21 in that part designated  
22 "§4312-C." in subsection 3 by striking out all of the last  
23 sentence (page 7 lines 33 to 35 in L.D.) and inserting in its  
24 place the following: 'For the purposes of this section, "grower"  
25 means a person, firm, partnership, association or corporation  
26 engaged in the growing of wild blueberries and processing less  
27 than 1,000,000 pounds of wild blueberries in a calendar year.  
28 Five members must be processor representatives who process  
29 1,000,000 pounds or more of wild blueberries in a calendar year.'

30  
31 Further amend the bill in section 23 in that part designated  
32 "§4315." in subsection 1 in the 5th line (page 9, line 14 in  
33 L.D.) by striking out the following: "Maine Wild Blueberry  
34 Commission" and inserting in its place the following: 'Maine  
35 Wild Blueberry Commission of Maine'

36  
37 Further amend the bill in section 23 in that part designated  
38 "§4315." in subsection 1 in the 5th and 6th lines (page 9, line  
39 14 and 15 in L.D.) by striking out the following: "Maine Wild  
40 Blueberry Commission" and inserting in its place the following:  
41 'Maine Wild Blueberry Commission of Maine'

42  
43 Further amend the bill in section 23 in that part designated  
44 "§4315." in subsection 1 in the 10th and 11th lines (page 9,  
45 lines 19 and 20 in L.D.) by striking out the following: "Maine  
46 Wild Blueberry Commission" and inserting in its place the  
47 following: 'Maine Wild Blueberry Commission of Maine'

48  
49 Further amend the bill in section 23 in that part designated  
50 "§4315." in subsection 1 in the 7th and 8th lines from the end

(page 9, lines 27 and 28 in L.D.) by striking out the following:  
"Maine Wild Blueberry Commission" and inserting in its place the following: 'Maine Wild Blueberry Commission of Maine'

Further amend the bill in section 23 in that part designated "~~S4315.~~" in subsection 1 in the 3rd and 4th lines from the end (page 9, lines 31 and 32 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Maine Wild Blueberry Commission of Maine'

Further amend the bill in section 24 in that part designated "~~S4316.~~" in subsection 4 in the first line (page 10, line 32 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Maine Wild Blueberry Commission of Maine'

Further amend the bill in section 25 in subsection 1 in the 2nd line from the end (page 11, line 7 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 25 in subsection 2 in the 2nd and 3rd lines (page 11, lines 11 and 12 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 25 in subsection 3 in the first and 2nd lines (page 11, lines 15 and 16 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 25 in subsection 4 in the first and 2nd lines (page 11, lines 27 and 28 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 25 in subsection 5 in the last line (page 11, line 37 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 25 by striking out all of subsection 7 and inserting in its place the following:

'7. Terms of commission members. Members of the Maine Blueberry Commission on June 30, 1997 serve as members of the Wild Blueberry Commission of Maine in its capacity as an independent agency until their terms expire.'

Further amend the bill in section 25 in subsection 8 in the 2nd line (page 11, line 49 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 25 in subsection 9 in the 3rd line (page 12, line 6 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 27 in the first line (page 12, line 20 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill in section 27 in the 3rd and 4th lines (page 12, lines 22 and 23 in L.D.) by striking out the following: "Maine Wild Blueberry Commission" and inserting in its place the following: 'Wild Blueberry Commission of Maine'

Further amend the bill by inserting at the end before the emergency clause the following:

**Sec. 28. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1997-98	1998-99
<b>WILD BLUEBERRY COMMISSION OF MAINE</b>		
<b>Blueberry Commission</b>		
Positions	(-1.000)	(-1.000)
Personal Services	(\$76,159)	(\$80,744)
All Other	96,159	100,744
<b>TOTAL</b>	<b>\$20,000</b>	<b>\$20,000</b>

Allocates funds to reflect the commission's new status as a public instrumentality of the state and to reflect a change in the name of the commission.'

Further amend the bill by inserting at the end before the summary the following:

R. of S.

**FISCAL NOTE**

**1997-98**

**1998-99**

**APPROPRIATIONS/ALLOCATIONS**

Other Funds

\$20,000

\$20,000

**REVENUES**

General Fund

(\$20,000)

(\$20,000)

Other Funds

20,000

20,000

Dedicating additional interest earnings to the Maine Blueberry Commission, to be renamed the Wild Blueberry Commission of Maine, will reduce General Fund revenue collected from interest income by \$20,000 annually beginning in fiscal year 1997-98. The commission will experience equal increases in dedicated revenue generated by interest income.

Establishing the Maine Blueberry Commission as a public instrumentality will require adjustments to the commission's allocations. This bill shifts personal service allocations of \$76,159 and \$80,744 to the all other line category fiscal years 1997-98 and 1998-99, respectively, and eliminates a position count. The \$20,000 of additional dedicated revenue each fiscal year is also allocated in this bill.

The Maine Blueberry Commission will incur some minor additional costs to change its name to the Wild Blueberry Commission of Maine. These costs can be absorbed within the commission's existing budgeted resources.

**SUMMARY**

This amendment changes the proposed name of the commission from the "Maine Wild Blueberry Commission" to the "Wild Blueberry Commission of Maine." It clarifies that a grower who processes less than 1,000,000 pounds of wild blueberries in a year may serve on the commission as a grower representative. It makes technical corrections and adds a fiscal note to the bill.