

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

W
R. G. S.

L.D. 1646

DATE: 5-12-97

(Filing No. H-444)

AGRICULTURE, CONSERVATION AND FORESTRY

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

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 ~~or-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'

H. 974

COMMITTEE AMENDMENT "A" to H.P. 1169, L.D. 1646

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

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

34 Further amend the bill in section 23 in that part designated
35 "§4315." in subsection 1 in the 5th and 6th lines (page 9, line
36 14 and 15 in L.D.) by striking out the following: "Maine Wild
37 Blueberry Commission" and inserting in its place the following:
38 'Maine Wild Blueberry Commission of Maine'

39 Further amend the bill in section 23 in that part designated
40 "§4315." in subsection 1 in the 10th and 11th lines (page 9,
41 lines 19 and 20 in L.D.) by striking out the following: "Maine
42 Wild Blueberry Commission" and inserting in its place the
43 following: 'Maine Wild Blueberry Commission of Maine'

44 Further amend the bill in section 23 in that part designated
45 "§4315." in subsection 1 in the 7th and 8th lines from the end
46 of the section.

COMMITTEE AMENDMENT

R. 015

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

6 Further amend the bill in section 23 in that part designated
"~~§4315.~~" 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:
8 "Maine Wild Blueberry Commission" and inserting in its place the
following: 'Maine Wild Blueberry Commission of Maine'

10 Further amend the bill in section 24 in that part designated
12 "~~§4316.~~" in subsection 4 in the first line (page 10, line 32 in
L.D.) by striking out the following: "Maine Wild Blueberry
14 Commission" and inserting in its place the following: 'Maine
Wild Blueberry Commission of Maine'

16 Further amend the bill in section 25 in subsection 1 in the
18 2nd line from the end (page 11, line 7 in L.D.) by striking out
the following: "Maine Wild Blueberry Commission" and inserting
20 in its place the following: 'Wild Blueberry Commission of Maine'

22 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
24 out the following: "Maine Wild Blueberry Commission" and
inserting in its place the following: 'Wild Blueberry Commission
26 of Maine'

28 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
30 striking out the following: "Maine Wild Blueberry Commission"
and inserting in its place the following: 'Wild Blueberry
32 Commission of Maine'

34 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
36 striking out the following: "Maine Wild Blueberry Commission"
and inserting in its place the following: 'Wild Blueberry
38 Commission of Maine'

40 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
42 following: "Maine Wild Blueberry Commission" and inserting in
its place the following: 'Wild Blueberry Commission of Maine'

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

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

COMMITTEE AMENDMENT

R. d. S.

2 Further amend the bill in section 25 in subsection 8 in the
3 2nd line (page 11, line 49 in L.D.) by striking out the
4 following: "Maine Wild Blueberry Commission" and inserting in
5 its place the following: 'Wild Blueberry Commission of Maine'

6
7 Further amend the bill in section 25 in subsection 9 in the
8 3rd line (page 12, line 6 in L.D.) by striking out the
9 following: "Maine Wild Blueberry Commission" and inserting in
10 its place the following: 'Wild Blueberry Commission of Maine'

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

15
16 Further amend the bill in section 27 in the 3rd and 4th
17 lines (page 12, lines 22 and 23 in L.D.) by striking out the
18 following: "Maine Wild Blueberry Commission" and inserting in
19 its place the following: 'Wild Blueberry Commission of Maine'

20
21 Further amend the bill by inserting at the end before the
22 emergency clause the following:

23
24 **Sec. 28. Allocation.** The following funds are allocated from
25 Other Special Revenue to carry out the purposes of this Act.

	1997-98	1998-99
28		
29		
30	WILD BLUEBERRY COMMISSION	
31	OF MAINE	
32		
33	Blueberry Commission	
34		
35	Positions	(-1,000)
36	Personal Services	(\$76,159)
37	All Other	96,159
38		100,744
39		
40	TOTAL	\$20,000

41
42 Allocates funds to reflect
43 the commission's new status
44 as a public instrumentality
45 of the state and to reflect a
46 change in the name of the
47 commission.'

48
49 Further amend the bill by inserting at the end before the
50 summary the following:

COMMITTEE AMENDMENT

R. of S.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44

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.

COMMITTEE AMENDMENT