

# 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)

Handwritten: *Potatoes*

L.D. 1002

DATE: 5.27.05

(Filing No. S-276)

AGRICULTURE, CONSERVATION AND FORESTRY

Reported by:

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE  
SENATE  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 342, L.D. 1002, Bill, "An Act To Transfer Responsibility of Potato Marketing Matters to the Maine Potato Board"

Amend the bill by striking out the title and substituting the following:

'An Act To Transfer Responsibility from the Potato Marketing Improvement Committee to the Maine Potato Board'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 5 MRSA §12004-H, sub-§10, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. 2. 7 MRSA §972, as amended by PL 2001, c. 125, §1, is repealed.

Sec. 3. 7 MRSA §972-A is enacted to read:

§972-A. Advisory role of Maine Potato Board

The Maine Potato Board, established in Title 36, section 4603 and referred to in this article as "the board," shall advise the commissioner on the development and implementation of programs and activities that improve the economic viability of the potato industry. The board shall also advise the commissioner

COMMITTEE AMENDMENT

R. of S.

2 concerning the funding and expenditures of the Potato Marketing  
3 Improvement Fund created pursuant to Title 10, section 1023-N.  
4 The board shall make recommendations to the commissioner on  
5 authorized uses of the fund and activities relating to the fund  
6 other than activities relating to the processing of loan  
7 applications or the servicing and administration of loans.

8 **Sec. 4. 7 MRSA §974-A, sub-§1, ¶D,** as enacted by PL 1987, c.  
9 319, §4, is amended to read:

10 D. Other terms and conditions prescribed by rule by the  
11 commissioner upon consultation with the ~~Potato-Marketing~~  
12 ~~Improvement-Committee board.~~

13 **Sec. 5. 7 MRSA §975-A,** as amended by PL 1997, c. 388, §3, is  
14 further amended to read:

15 **§975-A. Interest on Potato Marketing Improvement**  
16 **Fund balance**

17 All or any portion of the interest earned or accruing on the  
18 cash balance of the Potato Marketing Improvement Fund may be used  
19 for grants to partially or fully fund research projects to study  
20 and assess technical problems experienced with new and  
21 retrofitted storage facilities and to develop means of dealing  
22 with such problems, or to examine, monitor and develop new  
23 technologies for the production, storage and handling of potatoes  
24 or to fund programs and activities that improve the economic  
25 viability of the potato industry.

26 **Sec. 6. 7 MRSA §976,** as enacted by PL 1989, c. 502, Pt. B,  
27 §6, is amended to read:

28 **§976. Aroostook County office**

29 The department shall maintain or arrange for the maintenance  
30 of an office in Aroostook County located in a town most  
31 convenient to the largest number of potential users of the Potato  
32 Marketing Improvement Fund and sufficiently close to any local  
33 office of the ~~Maine-Potato-Board~~ board as to foster a close  
34 working relationship and provide a convenience to farmers who  
35 wish to visit both agencies. This office shall must be staffed  
36 by ~~--a-~~ one or more business development specialist specialists  
37 whose responsibilities shall---be are as defined by the  
38 department. The business development specialist specialists  
39 shall be available in the Aroostook County office on a regular  
40 basis.

41 Should the performance of the functions of the business  
42 development specialist specialists be contracted for, this

R. of S

2 contract shall must be made by the agency managing the fund and shall must be awarded through competitive bidding.

4 Sec. 7. 10 MRSA §1023-N, first ¶, as enacted by PL 2001, c. 125, §6, is amended to read:

6  
8 There is created a fund known as the Potato Marketing Improvement Fund, referred to in this section as the "fund." The fund must be deposited with and maintained by the authority to be used solely for investment in the Maine potato industry. The fund must be administered by the Commissioner of Agriculture, Food and Rural Resources in accordance with Title 7, chapter 103, subchapter X 10. All money received by the authority from any source for the development and implementation of ~~an~~ improved storage, packing and marketing program and programs and activities that improve the economic viability of the potato industry must be credited to the fund. Any money credited to the fund from the issuance of bonds on behalf of the State for agricultural development may be used only for the purposes of state loans as prescribed by Title 7, section 974-A to provide assistance to potato farmers for the design, construction, improvement, support and operation of storage, packing and marketing facilities; for programs and activities that improve the economic viability of the potato industry; and to pay the administrative costs of processing loan applications and servicing and administering the fund and loans and grants made therein, to the extent that the costs exceed the fee for administrative costs established by Title 7, section 974-A, subsection 2. Repayment of these loans and interest on the loans must be credited to the fund to be available for making additional state loans for the same purposes, except that any interest earned on the cash balance of the fund may be used for the grants authorized by Title 7, section 975-A. In order to provide additional amounts for loans, the Commissioner of Agriculture, Food and Rural Resources, at the commissioner's discretion, may take such actions and enter into such agreements as may be necessary to sell or assign up to \$2,000,000 in the aggregate principal amount of loans and undivided interests in a pool of loans and assign or pledge any mortgage or other security to the authority, under the terms and conditions the commissioner considers advisable. The assignment and related transactions may not result in indebtedness of the State. The proceeds of the sale or assignment must be credited to the fund and used for the purposes authorized in this section.'

46 SUMMARY

48 This amendment changes the title and replaces the bill. It  
50 repeals the provisions relating to the Potato Marketing

R.O.S.

COMMITTEE AMENDMENT "A" to S.P. 342, L.D. 1002

2  
4  
6  
8  
10

Improvement Committee and designates the Maine Potato Board to serve in an advisory capacity to the Commissioner of Agriculture, Food and Rural Resources on matters relating to uses of the Potato Marketing Improvement Fund. It expands use of the fund to include programs and activities that improve the economic viability of the potato industry.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



Approved: 05/17/05 *MAC*

# 122nd MAINE LEGISLATURE

LD 1002

LR 0730(02)

**An Act To Transfer Responsibility of Potato Marketing Matters to the Maine Potato Board**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Agriculture, Conservation and Forestry**

**Fiscal Note Required: Yes**

---

## Fiscal Note

Minor savings - General Fund

Minor cost increase - Other Special Revenue Funds