

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 127

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H.P. 109

House of Representatives, January 17, 2019

### **An Act To Amend the Laws Governing Maine Potato Board Districts**

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MARTIN of Sinclair.  
Cosponsored by President JACKSON of Aroostook and  
Representatives: MARTIN of Eagle Lake, McCREA of Fort Fairfield, STEWART of Presque  
Isle, Senator: DAVIS of Piscataquis.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 36 MRSA §4602, sub-§3, ¶¶A to C**, as repealed and replaced by PL  
3 2001, c. 164, §2, are amended to read:

4 A. District ~~One~~ 1: Connor, Cyr Plantation, Eagle Lake, Fort Kent, Fort Kent Mills,  
5 Frenchville, Grand Isle, Hamlin, Keegan, Lille, Madawaska, New Canada Plantation,  
6 New Sweden, Perham, Sinclair, Soldier Pond, St. Agatha, St. David, St. Francis, St.  
7 John, Stockholm, TR 17, ~~Upper Frenchville,~~ Van Buren, Wallagrass, Westmanland,  
8 Woodland and Winterville;

9 B. District 2: Ashland, Caribou, ~~Castle Hill,~~ Caswell Plantation, ~~Connor, Connor~~  
10 ~~Township,~~ Chapman, Crouseville, Easton, Fort Fairfield, Garfield Plantation,  
11 Limestone, ~~Perham~~ Mapleton, Nashville Plantation, Portage Lake, Presque Isle,  
12 Wade; and Washburn, Westmanland and Woodland; and

13 C. District 3: Ashland, Blaine, ~~Bridgewater,~~ Castle Hill, ~~Chapman, E Plantation,~~  
14 ~~Easton, Garfield Plantation, Mapleton, Mars Hill, Masardis, Nashville, Presque Isle,~~  
15 ~~Robbinston and Westfield;~~ All municipalities and townships in the State not included  
16 in Districts 1 and 2.

17 **Sec. 2. 36 MRSA §4602, sub-§3, ¶D**, as repealed and replaced by PL 2001, c.  
18 164, §2 and amended by PL 2017, c. 403, Pt. A, §3 and affected by §4, is repealed.

19 **Sec. 3. 36 MRSA §4602, sub-§3, ¶E**, as repealed and replaced by PL 2001, c.  
20 164, §2, is repealed.

21 **Sec. 4. 36 MRSA §4603, sub-§2, ¶¶A to C**, as amended by PL 2001, c. 164, §3,  
22 are further amended to read:

23 A. There are ~~5~~ 3 assemblies of tablestock growers, one for each district. Subject to  
24 paragraph F, all tablestock growers in any district are entitled to membership in that  
25 district's tablestock growers' assembly.

26 B. There are ~~5~~ 3 assemblies of seed growers, one for each district. Subject to  
27 paragraph F, all seed growers in any district are entitled to membership in that  
28 district's seed growers' assembly.

29 C. There are ~~5~~ 3 assemblies of processing growers, one for each district. Subject to  
30 paragraph F, all processing growers in any district are entitled to membership in that  
31 district's processing growers' assembly.

32 **Sec. 5. 36 MRSA §4603, sub-§3, ¶¶A to C**, as amended by PL 2001, c. 164, §4,  
33 are further amended to read:

34 A. The executive council for the tablestock growers consists of ~~7~~ 5 members, one  
35 elected by the tablestock growers' assembly for each district and 2 additional  
36 members appointed by the board.

37 B. The executive council for the seed growers consists of ~~7~~ 5 members, one elected  
38 by the seed growers' assembly for each district and 2 additional members appointed  
39 by the board.

1 C. The executive council for the processing growers consists of 7 5 members, one  
2 elected by the processing growers' assembly for each district and 2 additional  
3 members appointed by the board.

4 **Sec. 6. 36 MRSA §4603, sub-§3, ¶D**, as enacted by PL 1985, c. 753, §§14 and  
5 15, is amended to read:

6 D. The executive council for the dealers shall consist of 7 5 members elected by the  
7 dealers' assembly.

8 **Sec. 7. 36 MRSA §4603, sub-§5**, as amended by PL 2011, c. 7, §1, is further  
9 amended to read:

10 **5. Meetings of executive councils and assemblies.** Executive councils shall  
11 annually elect officers, ~~including a chair, vice-chair and secretary.~~ Each executive  
12 council shall hold meetings from time to time, no less than once a year, upon call of the  
13 executive council chair, a majority of the executive council or the board. Each assembly  
14 shall hold meetings from time to time, no less than once a year, upon call of a majority of  
15 its executive council or upon call of the board, except that district assemblies of growers  
16 may hold these meetings jointly in statewide sessions or in concert with other assemblies  
17 or groups of assemblies. All meetings of assemblies and executive councils must be open  
18 to the public and otherwise in compliance with Title 1, chapter 13.

19 **Sec. 8. 36 MRSA §4604, sub-§2**, as amended by PL 2017, c. 288, Pt. A, §48, is  
20 further amended to read:

21 **2. Programs.** The board may make studies; undertake research, development and  
22 investment in infrastructure, marketing and promotional programs; publish and  
23 disseminate information; and implement other programs in furtherance of its legislative  
24 purposes, ~~provided that~~ as long as programs undertaken by the board ~~must be~~ are  
25 designed to benefit the Maine potato industry at large or segments of the industry, ~~but~~  
26 may and not be designed to benefit exclusively any one person or entity involved in the  
27 industry. ~~The board shall carry out the duties, as set out in Title 7, chapter 103,~~  
28 ~~subchapter 10, article 4 and known as the "Maine Bag Program," and shall use any funds~~  
29 ~~granted by the department to the board or obtained by the board from any other source for~~  
30 ~~the Maine Bag Program to promote the sale of tablestock potatoes, except that revenues~~  
31 ~~from the potato tax under section 4605 may not be used to undertake promotional~~  
32 ~~activities of the board.~~ The board may use funds derived from sources other than the  
33 potato tax under section 4605 to carry out advertising and promotional programs in  
34 support of the industry.

35 **SUMMARY**

36 This bill amends the laws governing the Maine Potato Board to reduce the number of  
37 the board's districts from 5 to 3 and the number of assemblies to match the reduction in  
38 districts, to reduce the number of members on assemblies' executive councils so that all  
39 executive councils have 5 members and to reduce the number of officers an executive  
40 council must elect to one, a chair. It also removes the requirements that the board carry  
41 out duties under the laws governing the so-called Maine Bag Program.