

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 109 - L.D. 127

An Act To Amend the Laws Governing Maine Potato Board Districts

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

Sec. 1. 36 MRSA §4602, sub-§3, ¶¶A to C, as repealed and replaced by PL 2001, c. 164, §2, are amended to read:

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

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

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

Sec. 2. 36 MRSA §4602, sub-§3, ¶D, as repealed and replaced by PL 2001, c. 164, §2 and amended by PL 2017, c. 403, Pt. A, §3 and affected by §4, is repealed.

Sec. 3. 36 MRSA §4602, sub-§3, ¶E, as repealed and replaced by PL 2001, c. 164, §2, is repealed.

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Programs. The board may make studies; undertake research, development and investment in infrastructure, marketing and promotional programs; publish and disseminate information; and implement other programs in furtherance of its legislative purposes, ~~provided that as long as programs undertaken by the board must be~~ are designed to benefit the Maine potato industry at large or segments of the industry, ~~but may~~ and not be designed to benefit exclusively any one person or entity involved in the

industry. ~~The board shall carry out the duties, as set out in Title 7, chapter 103, subchapter 10, article 4 and known as the "Maine Bag Program," and shall use any funds granted by the department to the board or obtained by the board from any other source for the Maine Bag Program to promote the sale of tablestock potatoes, except that revenues from the potato tax under section 4605 may not be used to undertake promotional activities of the board.~~ The board may use funds derived from sources other than the potato tax under section 4605 to carry out advertising and promotional programs in support of the industry.