



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 145

H.P. 127

House of Representatives, January 17, 2019

An Act To Expand the Membership of the Wild Blueberry Commission of Maine

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 ALLEY of Beals.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: COLLINGS of Portland, GRIFFIN of Levant, JAVNER of Chester, TUELL
of East Machias, ZEIGLER of Montville, Senator: MOORE of Washington.

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

2 **Sec. 1. 36 MRSA §4312-C, sub-§3**, as enacted by PL 1997, c. 511, §21 and
3 affected by §25 and amended by PL 2011, c. 657, Pt. W, §6, is further amended to read:

4 **3. Membership.** The commission consists of ~~8~~ 14 members who are active in and
5 representative of the wild blueberry industry, appointed by the Commissioner of
6 Agriculture, Conservation and Forestry. ~~Three~~ Five members must be grower
7 representatives, one member must be a member of a federally recognized Indian nation,
8 tribe or band in the State, one member must be an organic grower, one member must be a
9 fresh packer, one member must be the leader of a cooperative and one member must be a
10 representative of a value-added organization or company. For the purposes of this
11 section, "grower" means a person, firm, partnership, association or corporation engaged
12 in the growing of wild blueberries and processing less than 1,000,000 pounds of wild
13 blueberries in a calendar year. ~~Five~~ Four members must be processor representatives who
14 process 1,000,000 pounds or more of wild blueberries in a calendar year.

15 **Sec. 2. 36 MRSA §4312-C, sub-§4**, as repealed and replaced by PL 2011, c. 579,
16 §2 and amended by c. 657, Pt. W, §6, is further amended to read:

17 **4. Term.** Members are appointed to ~~staggered 4-year terms so that the terms of 2~~
18 ~~members expire on August 31st of every year, except that the terms must be staggered to~~
19 ~~the extent possible. Appointments for terms of less than 4 years may be made in order to~~
20 ~~stagger the terms. A member may not serve consecutive terms, and there must be a~~
21 ~~minimum of one year between a member's terms.~~ If the Commissioner of Agriculture,
22 Conservation and Forestry fails to make an appointment prior to the expiration of a
23 member's term, that member continues to serve until the commissioner makes an
24 appointment for the remainder of that term. If a vacancy occurs prior to the expiration of
25 a specified term, the Commissioner of Agriculture, Conservation and Forestry shall
26 appoint an individual to serve only the remainder of that term.

27 **SUMMARY**

28 This bill increases the membership of the Wild Blueberry Commission of Maine from
29 8 members to 14 members and requires that one member be a member of a federally
30 recognized Indian nation, tribe or band in the State, one member be an organic grower,
31 one member be a fresh packer, one member be the leader of a cooperative and one
32 member be a representative of a value-added organization or company. The bill also
33 increases the number of members who are grower representatives and decreases the
34 number of members who are processor representatives who process 1,000,000 pounds or
35 more of wild blueberries in a calendar year. The bill specifies that members may not
36 serve consecutive terms.