



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 41

H.P. 34

House of Representatives, January 11, 2011

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

(EMERGENCY)

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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 "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative EDGECOMB of Caribou.  
Cosponsored by Senator SHERMAN of Aroostook and  
Representatives: BLACK of Wilton, CLARK of Easton, GIFFORD of Lincoln,  
RICHARDSON of Warren, TIMBERLAKE of Turner, WILLETTE of Mapleton, WILLETTE  
of Presque Isle.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** it is imperative that this legislation take effect immediately because the  
4 increase in the potato tax proposed in this legislation is scheduled to take effect  
5 September 1, 2011; and

6           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
7 the meaning of the Constitution of Maine and require the following legislation as  
8 immediately necessary for the preservation of the public peace, health and safety; now,  
9 therefore,

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

11           **Sec. 1. 36 MRSA §4603, sub-§5,** as amended by PL 2005, c. 176, §2, is further  
12 amended to read:

13           **5. Meetings of executive councils and assemblies.** Executive councils shall  
14 annually elect officers, including a chair, vice-chair and secretary. Each executive  
15 council shall hold meetings from time to time, no less than ~~2 times~~ once a year, upon call  
16 of the executive council chair, a majority of the executive council or ~~upon call of the~~  
17 board. Each assembly shall hold meetings from time to time, no less than once a year,  
18 upon call of a majority of its executive council or upon call of the board, ~~provided except~~  
19 that district assemblies of growers may hold these meetings jointly in statewide sessions  
20 or in concert with other assemblies or groups of assemblies. All meetings of assemblies  
21 and executive councils must be open to the public and otherwise in compliance with Title  
22 1, chapter 13.

23           **Sec. 2. 36 MRSA §4603, sub-§6,** as enacted by PL 1985, c. 753, §§14 and 15, is  
24 amended to read:

25           **6. Composition of the board.** ~~The board's members shall be selected from board~~  
26 consists of the executive councils as follows: following members:

27           A. Two members ~~shall be~~ elected by the executive council of the tablestock growers'  
28 assemblies, ~~provided except~~ that no dealer may serve in this capacity;:

29           B. Two members ~~shall be~~ elected by the executive council of the seed growers'  
30 assemblies, ~~provided except~~ that no dealer may serve in this capacity;:

31           C. Two members ~~shall be~~ elected by the executive council of the processing growers'  
32 assemblies, ~~provided except~~ that no dealer may serve in this capacity;:

33           D. ~~Three members shall be~~ One member elected by the executive council of the  
34 dealers' assembly, ~~provided that at least one dealer member must also be a potato~~  
35 ~~grower;~~

36           E. Two members ~~shall be~~ elected by the executive council of the processors'  
37 assembly;:

38           F. The immediate past president of the board; and

