

### §4604. Powers and duties of the Maine Potato Board

In furtherance of the purposes of this chapter, the board shall have the following powers and duties. [PL 1985, c. 753, §§14, 15 (NEW).]

**1. Bylaws.** The board may adopt bylaws to govern its functions and those of the assemblies and executive councils provided for in this chapter.

[PL 1995, c. 502, Pt. C, §17 (AMD).]

**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 as long as programs undertaken by the board are designed to benefit the Maine potato industry at large or segments of the industry and not designed to benefit exclusively any one person or entity involved in the industry. 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.

[PL 2019, c. 6, §8 (AMD).]

**3. Contracts.** The board may enter into contracts and agreements with private and public entities that the board finds are in furtherance of its legislative purposes. The contracts and agreements may include, without limitation, those relating to the lease or purchase of office space, facilities, property, equipment and supplies as the board considers necessary for its purposes. The board may delegate to its executive director the power to enter into the contracts and agreements, subject to the board's oversight.

[PL 1995, c. 502, Pt. C, §17 (AMD).]

**4. Funding; accounts.** In addition to the money received by the board pursuant to section 4606, the board may receive and expend funds from any source, public or private, that it considers necessary to carry out its legislative purposes. The board shall establish an account, known as the seed potato account, to receive and expend funds for carrying out the board's responsibilities under Title 7, chapter 403.

[PL 2009, c. 379, §6 (AMD).]

**5. Books and records; confidentiality.** The board shall keep books, records and accounts of all its activities, which must be open to inspection and audit by the State at all times. The State Auditor may conduct an annual audit of the financial records of the board and shall report the results of the audit to the board, the Commissioner of Agriculture, Conservation and Forestry, the Treasurer of State and the Legislature. All books and records of the board must be open to public inspection in accordance with Title 1, chapter 13, except that records and meetings of the board may by vote be closed to the public when public disclosure of the subject matter of the records or meetings would adversely affect the competitive position of the Maine potato industry or segments of the industry.

[PL 2005, c. 176, §4 (AMD); PL 2011, c. 657, Pt. W, §6 (REV).]

**6. Assemblies and executive councils.** The board shall oversee, communicate with and coordinate the work of assemblies and their executive councils. The board may make money available to enable the assemblies and executive councils to undertake functions in furtherance of this chapter, subject to the board's supervision.

[PL 1985, c. 753, §§14, 15 (NEW).]

#### SECTION HISTORY

PL 1985, c. 753, §§14,15 (NEW). PL 1987, c. 99, §20 (AMD). PL 1995, c. 502, §C17 (AMD). PL 2005, c. 176, §§3,4 (AMD). PL 2009, c. 379, §6 (AMD). PL 2011, c. 657, Pt. W, §6 (REV). PL 2017, c. 288, Pt. A, §48 (AMD). PL 2019, c. 6, §8 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.