

**§2952. Organization**

**1. Members.** The Maine Milk Commission, as established by Title 5, section 12004-E, subsection 2, consists of the following 5 members:

A. The commissioner or the commissioner's designee, ex officio; and [PL 2005, c. 382, Pt. F, §3 (NEW).]

B. Four members, who must be residents of the State, appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over agriculture matters and subject to confirmation by the Legislature. [PL 2005, c. 382, Pt. F, §3 (NEW).]

[PL 2005, c. 382, Pt. F, §3 (NEW).]

**2. Conflict of interest.** In addition to the limitations imposed under Title 5, section 18, the following conflict of interest restrictions apply.

A. A member of the commission appointed under subsection 1, paragraph B may not, at the time of appointment or while serving as a member of the commission, have a business or professional relationship or connection with or a financial interest in any producer, dealer, store or other person whose activities are subject to the jurisdiction of the commission. The retail purchase of milk for consumption is not a violation of this paragraph. [PL 2005, c. 382, Pt. F, §3 (NEW).]

B. An employee of the commission may not have a business or professional relationship or connection with or a financial interest in any producer, dealer, store or other person whose activities are subject to the jurisdiction of the commission. The retail purchase of milk for consumption is not a violation of this paragraph. [PL 2005, c. 382, Pt. F, §3 (NEW).]

C. A member or employee of the commission may not render, or be a member of a firm that renders, any professional or other service for or against a producer, dealer, store or other person whose activities are subject to the jurisdiction of the commission. [PL 2005, c. 382, Pt. F, §3 (NEW).]

[PL 2005, c. 382, Pt. F, §3 (NEW).]

**3. Terms; vacancies.** Members of the commission appointed under subsection 1, paragraph B serve for a term of 4 years or until their successors are duly appointed and qualified, except that the initial terms of these members are for one, 2, 3 and 4 years so that the terms of the members of the commission are staggered.

A vacancy in the membership of the commission must be filled by appointment by the Governor. [PL 2005, c. 382, Pt. F, §3 (NEW).]

**4. Chair; employees and resources.** The members of the commission shall elect a chair. With the approval of the commission, the commissioner may employ, subject to the Civil Service Law, a secretary and such officers, clerks, assistants and other employees as the commission determines necessary. To the extent possible, the commission shall make use of professional, expert or other resources available within the various departments of State Government, including, but not limited to, the department, the Department of Health and Human Services and the Department of the Attorney General, and such departments shall, as resources allow, provide necessary and appropriate services at the request of the commission. To the extent these services are not available or otherwise adequate, the commission may employ appropriate experts, professionals or others to assist it in carrying out its duties.

[PL 2005, c. 382, Pt. F, §3 (NEW).]

**5. Compensation; office; supplies.** Members of the commission are compensated as provided in Title 5, chapter 379, as determined by the Governor. The administrative costs of the commission, including expenses and compensation of members, may not exceed the amount of fees collected under

this chapter. The commission must be furnished a suitable office at the seat of government, together with all necessary equipment and supplies.

[PL 2005, c. 382, Pt. F, §3 (NEW).]

**6. Special meetings.** The chair shall call special meetings of the commission whenever requested in writing by 2 or more members of the commission.

[PL 2005, c. 382, Pt. F, §3 (NEW).]

#### SECTION HISTORY

PL 1969, c. 362 (AMD). PL 1971, c. 594, §12 (AMD). PL 1973, c. 758, §2 (AMD). PL 1975, c. 293, §4 (AMD). PL 1975, c. 517, §1 (RPR). PL 1975, c. 771, §§100,101 (AMD). PL 1977, c. 78, §31 (AMD). PL 1979, c. 731, §19 (AMD). PL 1979, c. 734, §6 (AMD). PL 1983, c. 484, §1 (AMD). PL 1983, c. 812, §§52,53 (AMD). PL 1985, c. 517 (AMD). PL 1985, c. 785, §B48 (AMD). PL 1989, c. 410, §21 (AMD). PL 1989, c. 503, §B46 (AMD). PL 1999, c. 679, §B1 (AMD). PL 1999, c. 679, §B14 (AFF). PL 2003, c. 689, §B6 (REV). PL 2005, c. 382, §F3 (RPR).

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