

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1262

H. P. 849

House of Representatives, February 12, 1965

Referred to the Committee on Taxation. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Young of Gouldsboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Use of Sardine Tax Revenues for Advertising.

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

R. S., T. 36, § 4699, sub-§ 2, repealed and replaced. Subsection 2 of section 4699 of Title 36 of the Revised Statutes is repealed and the following enacted in place thereof:

'2. **Balance of funds.** The balance in such amounts as shall be from time to time determined by the Maine Sardine Council:

A. For conducting research and investigation of methods of propagating and conserving clupeoid fish, particularly the clupea harengus, with a view of improving both the quality and quantity of the same in Maine waters, and for the implementation of all feasible methods of improving, propagating and conserving the same, under the joint direction of the Commissioner of Sea and Shore Fisheries and the Maine Sardine Council.

B. For gathering, studying, classifying and distributing information and data concerning quality, grades, standards, methods of packing and character of the manufactured sardine products, in order to determine and improve their quality and aid in merchandising and advertising them under the direction of the Maine Sardine Council, with the advice and cooperation of the Commissioner of Economic Development. Such information and data and the services of the personnel who collect and classify it may be made available to the Commissioner of Agriculture for use in promulgating, establishing and modifying official grades for sardines and for use in assigning and determining grades of sardines and in enforcing applicable provisions of the law.

C. For the purpose of collective merchandising and advertising of Maine sardines for food, under the administration of the Maine Sardine Council, with the advice and cooperation of the Commissioner of Economic Development.

D. For the purpose of encouraging brand advertising of Maine sardines for food by the incentive refunds provided. Any packer who has paid the excise taxes provided for by section 4695 may apply for and receive incentive refunds from the council, not exceeding 75% of any sardine excise taxes paid by him, to reimburse him for brand advertising expense. The term "brand advertising" shall be restricted to point of sale material, retail price cards or other printed matter used in the display of sardines, and to newspaper, billboard, magazine, radio or television advertising. Such brand advertising to qualify for rebate shall, in all print media, include the word "Maine" in letters at least $\frac{1}{2}$ the vertical height of the largest letter of the brand name as it is most prominently used on the advertisement, and in broadcast media the word "Maine" shall be used in the commercial at least as frequently as the brand name is used. If a packer as of June 30th of any year has not incurred such brand advertising expense in such year as to entitle him to the full 75% refund, he may at his option, by written notice to the council prior to said June 30th, require the balance of said 75% available to him to be carried forward and be available to him in future years.'