

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 1281**

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H. P. 927

House of Representatives, March 3, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Albert of Limestone.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT** Relating to the Payment of Dues to Grower  
Organizations by Handlers and Processors of Farm Products.

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

R. S., T. 7, c. 105, additional. Title 7 of the Revised Statutes is amended by adding a new chapter 105 to read as follows:

CHAPTER 105

PAYMENT OF DUES

§ 1091. Dues

If any grower or producer of any farm product within this State voluntarily executes and causes a certified list to be delivered to a dealer or processor of farm products by the growers' organization, either as a clause in a sales contract or other instrument in writing, a notice of assignment of dues to a nonprofit agricultural commodity organization directly representing the specific product involved, by which the processor or dealer is directed to deduct a sum from the price to be paid for such product and to pay the same over to such association as dues for the grower or producer, the processor or dealer shall deduct from the price to be paid for any farm product being sold by any such grower or producer to any such processor or dealer, the amount authorized and pay it over to the organization as assignee.

§ 1092. Assignment

No provision which is inserted in any contract that is prepared by a dealer or processor which makes an assignment of the dues described in section 1091 ineffective is valid.

§ 1093. —Amount

An assignment of dues may not exceed 1% of the total value of the product which is delivered by the grower or producer to the dealer or processor.

§ 1094. Funds available

Payment need not be made under any assignment of dues pursuant to section 1091 until the dealer or processor has available and under his control funds owing to the grower or producer that are sufficient in amount for making the payment of the dues involved, at which time payments shall be made on a monthly basis.

§ 1095. —Liability

Any dealer or processor who pays any dues to an association pursuant to the assignment of dues governed by this chapter shall not be liable for such sums upon any seed lien, farm laborer's lien or any other lien or encumbrance which has priority by law upon the proceeds of the farm crop or product. Any lienholder who has priority upon the proceeds from such farm crop or product whose lien remains unsatisfied shall have the right to receive all sums paid to any association pursuant to the assignment of dues. Such association shall remit all dues paid pursuant to the assignment to the priority lienholder upon the receipt of notice and proof that a valid prior lien exists against such farm crop or product.

§ 1096. —Deduction

Any dealer or processor may deduct a sum not to exceed 2% of the total dues to be paid to an association for administrative expenses incurred by the payment of such dues under the assignment.

### STATEMENT OF FACT

The purpose of this bill is to make progress in cooperative and collective bargaining in Maine as to farm products by requiring handlers, dealers and processors to deduct membership dues from the proceeds of grower sales and pay such dues to a growers' association. The statute can apply to members of all bona fide grower organizations and, providing a grower-member agrees, merely serves to facilitate the collection of organization membership dues.