

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

L.D. 1953

(Filing No. H-998)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1896, L.D. 1953, Bill,  
"AN ACT to Amend the Maine Potato Branding Law."

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 7 MRSA §950, sub-§1, first ¶, as enacted by PL 1965, c. 219, §1, is amended to read:

Potatoes packed in any type or kind of container, and found in any place in the State of Maine, whether that place shall be a depot, station, ~~warehouse, packing-house,~~ boat dock or any place where potatoes are held in storage, or loaded on a boat, truck, trailer, or railroad car or motor vehicle, shall be deemed to be exposed for sale under this subchapter. Potatoes located at warehouses, or packing houses at the point of origin, shall not be deemed exposed for sale until they are loaded or are in the process of being loaded in vehicles of transportation.

Sec. 2. 7 MRSA §952, 5th sentence, as repealed and replaced PL 1965, by/c. 219, §3, is amended to read:

It shall be conclusive evidence that potatoes are exposed for sale when packed in containers for delivery or transit, or when the same are in the process of delivery or transit, or are located at a depot, station, ~~warehouse, packing-house,~~ boat dock or any place where potatoes are held in storage, or loaded on a boat, truck, trailer or railroad car, for immediate or future sale or transit.

Sec. 3. 7 MRSA §957, as repealed and replaced by PL 1975, c. 687, §2, is repealed and the following enacted in its place:  
§957. Violations

Any person, firm or corporation who ← → violates any of the provisions of sections 951 to 957 or neglects or refuses to comply with any of the provisions required therein or in any way violates any of those provisions shall be deemed to have committed a civil violation for which a forfeiture of not less than \$100 nor more than \$200 shall be adjudged for the first violation, and a forfeiture of not less than \$400 nor more than \$500 shall be adjudged for the 2nd/and subsequent violation committed during the year from September 1st to August 31st. Not more than one forfeiture shall be imposed per load in a vehicle of transportation.

#### Statement of Fact

The purposes of this amendment are to:

1. Clarify that potatoes located at warehouses, or packing houses at the point of origin, shall not be deemed exposed for sale until they are loaded or are in the process of being loaded in vehicles of transportation;
2. Provide that the 2nd and subsequent offenses shall be subject to a fine of not less than \$400 nor more than \$500; and
3. Limit the number of fines that may be imposed to one per load.

Reported by the Committee on Agriculture.

Reproduced and distributed under the direction of the Clerk of the House.  
2/1/78

(Filing No. H-998)