

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1953**

H. P. 1896

Office of the Clerk of the House

Governor's Bill to the Committee on Agriculture suggested.

EDWIN H. PERT, Clerk

Presented by Mr. Mahany of Easton.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-EIGHT

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**AN ACT to Amend the Maine Potato Branding Law.**

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

7 MRSA § 957, as last repealed and replaced by PL 1975, c. 687, § 2, is amended to read:

§ 957. **Penalties**

Any person, firm or corporation who shall violate any of the provisions of sections 951 to 957 or neglect or refuse to comply with any of the provisions required therein or in any way violate any of those provisions, **notwithstanding Title 17-A, section 4-A**, shall be punished by a fine of not less than \$100 nor more than \$200 **or imprisonment of not more than 30 days or both** for the first offense, and a fine of not less than \$400 nor more than \$500 **or imprisonment of not more than 90 days or both** for the 2nd offense, and a fine of not less than \$1,000 **or imprisonment of not more than 6 months or both** for the 3rd and subsequent offenses committed during the year from September 1st to August 31st.

STATEMENT OF FACT

This section was repealed and replaced in 1975 to provide greater monetary penalties for violation of the potato branding law. Because the overwhelming majority of the carriers whose shipments are in violation are out-of-state truckers, it is difficult to enforce the fines provided without the possibility of a prison sentence.

New York state provides such sentencing under its branding law.