

# MAINE STATE LEGISLATURE

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(After Deadline)  
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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1584**

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H. P. 1340

House of Representatives, April 25, 1979

The Committee on Agriculture suggested, Maine Blueberries Competitive in North America. Approved for introduction by a Majority of the Legislative Council pursuant to Joint Rule 27 and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Silsby of Ellsworth.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT to Increase the Self-imposed Tax on Blueberries to Support Research and Extension Work as to the Effects of Inflation, the Shortage of Fuel Oil and Promotional and Marketing Aspects to Keep Maine Blueberries Competitive in North America.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, inflation and the escalating costs of fuel oil used to burn the fields are causing unusual hardship to the blueberry industry and competition in the market is steadily increasing from blueberries produced in other areas; and

Whereas, legislation is urgently needed to increase the self-imposed blueberry tax to permit needed research and education to cope with these developments; and

Whereas, in judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 36 MRSA § 4303, first sentence**, as amended by PL 1977, c. 533, § 1, is further amended to read:

There is levied and imposed a tax at the rate of ~~2~~ 3 mills per pound of fresh fruit on all blueberries grown, purchased, sold, handled or processed in this State.

**Sec. 2. 36 MRSA § 4303-A, first sentence**, as enacted by PL 1971, c. 425, § 1, is amended to read:

There is levied and imposed an additional tax at the rate of ~~1 mill~~ 2 mills per pound of fresh fruit on all blueberries grown, purchased, sold, handled or processed in this State.

**Sec. 3. 36 MRSA § 4306**, as amended by PL 1977, c. 533, § 2, is further amended to read:

**§ 4306. Tax deducted from purchase price**

Each processor or shipper, purchasing blueberries and paying or becoming liable to pay the tax imposed by section 4303, shall charge and collect from the seller a tax at the rate of ~~2~~ 3 mills per pound, to be deducted from the purchase price of all blueberries subject to the tax so purchased by such processor shipper.

**Sec. 4. 36 MRSA § 4307, next to last sentence**, as amended by PL 1977, c. 533, § 3, is further amended to read:

With said report, each processor or shipper shall forward payment of the tax at the rate of ~~3~~ 5 mills per pound upon all blueberries so reported as sold or purchased.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This bill increases the growers tax from 2 mills per pound to 3 mills per pound and the processors tax from 1 mill per pound to 2 mills per pound. The purpose of the increase in the self-imposed blueberry tax is to support research and extension work with Maine blueberries especially as relates to the effects of inflation and fuel oil shortage on the industry and promote and keep Maine blueberries competitive with other blueberries produced in North America.