

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION

2
3 ONE HUNDRED AND TWELFTH LEGISLATURE

4
5 Legislative Document

No. 1105

6
7 S.P. 395

In Senate, March 22, 1985

8 Submitted by the Department of Agriculture, Food and Rural Resources
pursuant to Joint Rule 24.

9 Referred to the Committee on Agriculture. Sent down for concurrence
and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Erwin of Oxford.

11 Cosponsored by Representative Lisnik of Presque Isle and Representative
Crouse of Caribou.

12 STATE OF MAINE

13
14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE

16
17 AN ACT to Clarify the Laws Requiring
18 Certification of Seed Potatoes.
19

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

22 7 MRSA §951-A, first ¶, as enacted by PL 1979, c.
23 532, §1, is amended to read:

24 No seed potato seed, the product of which is in-
25 tended for sale, ~~shall~~ may be planted in the State in
26 lots of one or more acres unless that seed ~~meets the~~
27 minimum disease standards of Maine certified seed po-
28 tatoes as defined is certified in accordance with
29 rules adopted by the commissioner. A person, firm or
30 corporation that plants potatoes in violation of this
31 section shall be subject to a ~~fine of \$20~~ civil pen-
32 alty of not less than \$20 and not more than \$100 per
33 acre for each acre or part of an acre planted in vio-
34 lation of this section. The ~~fine~~ civil penalty shall
35 be payable to the Treasurer of State and credited
36 without lapsing to the commissioner for the enforce-

1 ment of this section. The commissioner shall adopt
2 and may amend rules consistent with the Maine Admin-
3 istrative Procedure Act, Title 5, chapter 375, to im-
4 plement this section. ~~Prior to their adoption, these~~
5 ~~rules shall be reported to the Joint Standing Commit-~~
6 ~~tee on Agriculture by January 15, 1980 for its re-~~
7 ~~view.~~

8 STATEMENT OF FACT

9 This bill amends the law pertaining to minimum
10 standards for planting seed potatoes in the State by
11 requiring that all seed planted must have been certi-
12 fied in accordance with the Department of Agricul-
13 ture, Food and Rural Resources. It also changes the
14 penalty for violation of the law from \$20 an acre to
15 a minimum of \$20 and a maximum of \$100 an acre and
16 deletes the need for review of rules prior to adop-
17 tion by the Joint Standing Committee on Agriculture.
18 Since the program has been operating successfully for
19 several years, the rule-making process, as provided
20 under the Maine Administrative Procedure Act, Title
21 5, chapter 375, is deemed adequate. This bill has no
22 impact on state funding.

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