

MAINE STATE LEGISLATURE

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L.D. 878

(Filing No. S-159)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to H.P. 644, L.D. 878, Bill, "An Act to Strengthen the Penalties against Those Who Intentionally Mislabeled Foods as Natural or Organic"

Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Amend the amendment by inserting after the enacting clause the following:

'Sec. 1. 7 MRSA §559, as enacted by PL 1979, c. 240, §1, is repealed.'

Further amend the bill in section 2 in that part designated "§562-A." by striking out all of subsection 2 and inserting in its place the following:

'2. Violation notices. The department shall issue notices to growers, manufacturers or sellers alleged to have violated any provision of this subchapter. Any person who violates this subchapter commits a civil violation for which a forfeiture not to exceed \$1,000 may be adjudged. The department may also recover costs of investigation, with the limitation that the total forfeiture assessed for a violation shall not exceed \$1,000.'

Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.'

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1989-90

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**AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF**

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Public Services - Agriculture

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All Other \$2,000

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Provides funds for anticipated costs of
rule-making hearings.

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FISCAL NOTE

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Enactment of this legislation would require a one-time
General Fund appropriation to the Department of Agriculture, Food
and Rural Resources (Public Services-Agriculture, Account
#01101.6) in the amount of \$2,000 for fiscal year 1989-90. This
appropriation would provide funds for anticipated costs of
rule-making hearings. Also, this bill could result in an
increase in Other Special Revenue to the Department of
Agriculture, Food and Rural Resources due to the proposed civil
violation. However, the exact increase in dedicated revenue from
the collection of civil penalties, as well as required
allocation, cannot be determined at this time.'

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Further amend the bill by renumbering the sections to read
consecutively.'

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STATEMENT OF FACT

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This amendment retains the intent of the committee amendment
and corrects provisions of the bill that gave the Department of
Agriculture, Food and Rural Resources the ability to determine
and impose fines for a civil violation.

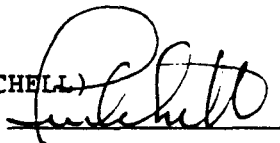
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(Senator TWITCHELL)

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