

# 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)



# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

---

Legislative Document

No. 1975

H.P. 1447

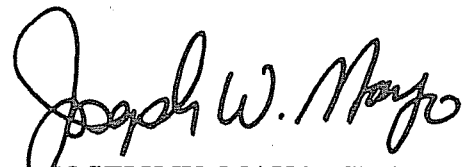
House of Representatives, March 10, 1994

**An Act to Encourage the Processing of Off-grade Potatoes in Aroostook County.**

(AFTER DEADLINE)

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Utilities suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative MARTIN of Eagle Lake.  
Cosponsored by Representative: TARDY of Palmyra.

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

4 **Sec. 1. 35-A MRSA c. 31, sub-c. IV-A is enacted to read:**

6 **SUBCHAPTER IV-A**

8 **OFF-GRADE POTATO PROCESSORS RATE POLICY**

10 **§3174. Definitions**

12 As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

14 1. Off-grade potatoes. "Off-grade potatoes" mean those potatoes that fail to meet minimum grade requirements as established by the United States Department of Agriculture for U.S. #2 processing grade potatoes.

18 2. Processor. "Processor" means any person other than a consumer who purchases or contracts to purchase licensed commodities primarily for manufacture into articles of food by operations that change the physical form the commodities possess when harvested. The effects of the following operations are considered as changing the physical form those commodities possess when harvested: chopping, slicing, cutting, dicing, mashing, removing the skin or peel, frying or otherwise cooking, freezing, canning, dehydrating or comparable methods of preparing the commodities for marketing in what is generally considered to be a processed form.

30 3. Surplus electricity. "Surplus electricity" means electricity held by an electric utility that is in excess of its demand or capacity.

34 **§3175. Purchase of surplus electricity by off-grade potato processors**

38 Notwithstanding any rule or rate, an electric utility providing service to Aroostook County may not charge a processor in Aroostook County more than 3¢ per kilowatt hour for surplus electricity used in the processing of off-grade potatoes.

42 **Sec. 2. 36 MRSA §4602, sub-§4, as enacted by PL 1985, c. 753, §§14 and 15, is amended to read:**

46 4. Potatoes. "Potatoes" means and includes all potatoes, whether graded or ungraded, including all potatoes sold for processing into food, but does not include potatoes sold for processing into starch, unless the potatoes are sold under a federal diversion program and paid for as grade potatoes, and does not include off-grade potatoes, as defined in Title 35-A, section 3174.

2

## STATEMENT OF FACT

4

This bill allows processors of off-grade potatoes in Aroostook County to purchase surplus electricity at a rate of 3¢ per kilowatt hour from electric utility companies servicing Aroostook County. This bill defines "off-grade potato" and amends the Maine Revised Statutes, Title 36, section 4602 to exempt off-grade potatoes from the tax imposed on potatoes.

10

12

14

16

---

This document has not yet been reviewed to determine the need for cross-reference, stylistic and other technical amendments to conform existing law to current drafting standards.