

# MAINE STATE LEGISLATURE

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L.D. 2013

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**TRANSPORTATION**

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**STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 735, L.D. 2013, Bill, "An Act to Broaden the Farm Stand Exemption"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**Sec. 1. 23 MRSA §1903, sub-§§1-C and 10-B** are enacted to read:

**1-C. Agricultural product.** "Agricultural product" means an item under paragraph A, B, C or D if the item is sold in accordance with any applicable state or federal law or rule:

**A. Fresh fruit, fresh produce or a fresh horticultural or agronomic commodity and a seasonal product made from that fresh fruit, fresh produce or fresh horticultural or agronomic commodity;**

**B. Trees and wreaths used for decorative purposes;**

**C. Maple syrup; and**

**D. A fresh food product made from an animal raised for the purpose of providing food or from the products of that animal.**

**10-B. Producer.** "Producer" means a person who produces, cultivates, grows or harvests an agricultural product.

**Sec. 2. 23 MRSA §1913-A, sub-§2, ¶F,** as enacted by PL 1991, c. 387, §2, is repealed.

Sec. 3. 23 MRSA §1913-A, sub-§2, ¶G is enacted to read:

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G. Signs erected between May 1st and December 31st by a producer of agricultural products, as long as those signs advertise products that are grown, produced and sold on the producer's premise. A producer that grows, produces and sells an agricultural product from a location with frontage on a numbered state highway may not erect a sign under this paragraph adjacent to that highway. Signs must be directional in nature and may advertise only the agricultural product that is available for immediate purchase. The producer erecting the sign shall remove the sign once the agricultural product advertised on the sign is no longer available. A sign may not exceed 8 square feet in size and must be located within 5 miles of where the product is sold. A sign may only be erected on private property after the producer erecting the sign has obtained the landowner's written consent. A sign must be a minimum of 33 feet from the center of a road. A producer may not erect more than 4 signs pursuant to this paragraph and the total number of signs erected by that producer under this paragraph and section 1911, subsection 2 may not exceed 6.'

24 Further amend the bill by inserting at the end before the  
26 summary the following:

28 **FISCAL NOTE**

30 The Department of Transportation will incur some minor  
32 additional costs to enforce the expanded exemptions. These costs  
34 can be absorbed within the Department of Transportation's  
existing budgeted resources.

36 This bill may both increase and decrease the number of cases  
38 filed in the court system. The net effect on the Judicial  
Department's workload and administrative costs will be minimal.  
40 The net effect on the collection of fines will also be  
insignificant.'

42 **SUMMARY**

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46 The amendment replaces the bill. It allows a producer of an  
48 agricultural product to erect signs on private property between  
May 1st and December 31st that advertise products that are grown,  
50 produced and sold on the premises of the producer. If a  
producer's operation fronts a state highway, the producer may not

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2 erect a sign on that state highway. The producer is limited to 4  
signs and the signs must be within 5 miles of the producer's  
4 location. The signs must be directional in nature and must  
advertise only the agricultural products available for immediate  
purchase. The amendment also adds a fiscal note to the bill.

**COMMITTEE AMENDMENT**