

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

CHAPTER 540

H.P. 1942 - L.D. 1918

AN ACT to Amend the Maine Potato Quality Control Program.

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

Whereas, the Maine Potato Quality Control Program was enacted by the First Regular Session of the 110th Legislature; and

Whereas, many potato bags in inventory will be technically out of compliance with the law; and

Whereas, the Maine Potato Quality Control Program became fully operational on February 1, 1982, and being out of compliance will impose a hardship on many people in the potato industry; and

Whereas, in the 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. 7 MRSA §951-B, last sentence, as enacted by PL 1981, c. 513, §3, is amended to read:

The potato inspection fee schedule may provide for a lower inspection rate for any person who is packing potatoes in a Maine bag as defined by section 1032, subsection ~~4~~ 3.

Sec. 2. 7 MRSA §1032, sub-§2, as enacted by PL 1981, c. 513, §10, is amended by adding at the end a new sentence to read:

Consumer pack shall not mean a master container.

Sec. 3. 7 MRSA §1032, sub-§2-A is enacted to read:

2-A. Identification marks of bag manufacturers and bag distributors. Identification marks of bag manufacturers and bag distributors are exempt from this Act.

Sec. 4. 7 MRSA §1032, sub-§3, as enacted by PL 1981, c. 513, §10, is repealed and the following enacted in its place:

3. Maine bag. "Maine bag" means any consumer pack for potatoes on which appears the word Maine in letters larger than 1/4 inch or a pictorial representation of the outline of the shape of the state.

Sec. 5. 7 MRSA §1032, sub-§5 are enacted to read:

5. Other than Maine bag. A bag other than a Maine bag may have the word "Maine" appear only in the name and address of the producer, packer or any other person, at the bottom of the bag, provided that the letters are not taller than 1/4 inch.

Sec. 6. 7 MRSA §1035, sub-§2, as enacted by PL 1981, c. 513, §10, is amended to read:

2. Logo. The board shall adopt an official logo which, at a minimum, shall contain an outline of the shape of the State. Any Maine bag shall bear a statement that the contents have been inspected and meet the grade standards of the board.

Sec. 7. PL 1981, c. 513, §13, last ¶ is repealed and the following enacted in its place:

The Commissioner of Agriculture, Food and Rural Resources shall provide no more than \$30,000 each year to the Maine Potato Quality Control Board which shall use these funds for the purposes of the Revised Statutes, Title 7, chapter 103, subchapter X, article 4. The remaining funds shall be used to reduce inspection costs conducted under the authority of the Revised Statutes, Title 7, chapter 103, subchapter X, article 4. The commissioner shall separately account for any funds to implement article 4 and shall not merge them with other accounts. Funds appropriated for this program shall not lapse before June 30, 1983.

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