

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE

**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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	<u>1983-84</u>	<u>1984-85</u>
Alcohol and Drug Abuse Planning Committee		
Positions	(1)	(1)
Personal Services	\$22,985	\$24,091
All Other	8,151	9,765

Sec. 22. Allocation. The following funds are allocated from the Alcoholism Prevention, Education, Treatment and Research Fund to carry out the purposes of this Act.

	<u>1983-84</u>	<u>1984-85</u>
<u>HUMAN SERVICES,</u> <u>DEPARTMENT OF</u>		
Alcohol and Drug Abuse Planning Committee		
Positions	(1)	(1)
Personal Services	\$28,826	\$30,166
All Other	21,174	19,834
Total	\$50,000	\$50,000

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

Effective June 17, 1983.

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## CHAPTER 465

H.P. 1298 - L.D. 1723

AN ACT to Amend the Maine Potato Dealer  
Licensing Law.

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

Sec. 1. 7 MRSA §1015, 4th ¶, as amended by PL 1979, c. 672, Pt. A, §24, is further amended to read:

In order to insure the licensee's financial responsibility and to protect potato producers, the commissioner shall require the licensee to file a

bond in a form and amount satisfactory to the commissioner, but in no event not less than ~~\$10,000~~ \$35,000 nor more than ~~\$100,000~~ \$200,000 in the case of dealers and brokers, or not less than \$50,000 nor more than \$300,000 in the case of processors, payable to the commissioner in his official capacity and conditioned on the full and prompt payment for all potatoes received or purchased from producers or other licensees during the effective period of the license. In the case of processors, the amount of bond required shall be based on the licensee's anticipated monthly volume of purchases, but may be adjusted to reflect other federal escrow accounts or bond requirements met by the licensee which satisfy the purposes of this section.

Sec. 2. 7 MRSA §1022, sub-§1, as enacted by PL 1971, c. 366, is amended to read:

1. Broker and dealer records. Every person required dealer and broker to be licensed under this Article, upon having negotiated a sale of potatoes for others or upon having purchased potatoes from the producer, shall cause a record of such that transaction to be made, and deliver promptly to the seller a copy thereof, setting forth the following with reference to the handling, sale and storage of such those potatoes:

- A. Date of sale;
- B. Name and address of producer;
- C. Name and address of seller;
- D. Name and address of buyer;
- E. Name and address of broker, if any;
- F. Name and address of handler, if any;
- G. Name and address of any person designated as a secured party on a financing statement naming the seller as debtor filed in accordance with Title 11, section 9-401, covering the potatoes, if any;
- H. Mode of transportation of shipment, if known; if unknown, such information shall be provided the seller prior to shipment;
- I. Name of carrier, if known; if unknown, such information shall be provided the seller prior to shipment;
- J. If there is a broker or a retailer involved

in a transaction, point of final destination;

K. Date of shipment;

L. If there is a broker or a retailer involved in the transaction, contemplated date of arrival at final destination;

M. Grade, size, weight and amount and other specifications;

N. Price for the potatoes, per unit and total;

O. Any deductions to be made from the proceeds for expenses to be borne by the seller or handler;

P. All other essential details of the purchase or sale; and

Q. If there is a broker involved in the transaction, an itemized accounting which separately sets forth all charges in connection with the sale, including the brokerage fee, if any.

Sec. 3. 7 MRSA §1022, sub-§1-A is enacted to read:

1-A. Processor records. Every processor licensed under this Article, upon having purchased potatoes from the producer, shall cause a record of the transaction to be made, and deliver promptly to the seller a copy thereof setting forth the following with reference to the handling, sale and storage of those potatoes:

A. Date of sale;

B. Name and address of producer;

C. Name and address of buyer; and

D. Grade, size, weight and amount and other specifications.

In addition, the processor shall, for each transaction, specify the price for the potatoes, per unit and total, and deliver that information to the producer within 10 business days of delivery and acceptance of the potatoes.

Sec. 4. Review. The Department of Agriculture, Food and Rural Resources shall work with the Maine Potato Council and other industry representatives affected by the Revised Statutes, Title 7, chapter 103, subchapter X, Article 3, to review the appropriateness of the current licensing statute. This review shall include, but shall not be limited to,

the need for clarification of current licensee definitions and record of transaction requirements and the need for additional licensing classifications and requirements. The department shall report the results of this review not later than January 1, 1984, to the Joint Standing Committee on Agriculture.

Effective September 23, 1983.

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## CHAPTER 466

H.P. 1301 - L.D. 1725

AN ACT to Authorize the Department of  
Human Services to Operate a Grant Diversion  
Program for Recipients of Aid to Families  
with Dependent Children.

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

Whereas, legislative authorization is required for the Department of Human Services to operate a grant diversion program; and

Whereas, a grant diversion program will result in more employment and training opportunities for recipients of Aid to Families with Dependent Children; and

Whereas, it is in the interests of recipients to begin a grant diversion program as soon as possible; and

Whereas, the Department of Human Services would like to begin a grant diversion program by late spring 1983; 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,