

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

Sec. 6. Appropriation. There is appropriated from the General Fund \$13,000 for the fiscal year ending June 30, 1985, to carry out the purposes of this Part.

1984-85

SPECIAL COMMISSION TO STUDY THE
IMPLEMENTATION OF EDUCATIONAL REFORM

Personal Services

Per diem for nonlegislative public members and Legislators when not receiving any legislative per diem \$ 2,250

All Other

Travel and expenses for nonlegislative public members and Legislators when not receiving any legislative travel or expenses 10,750

Total \$13,000

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

Effective January 25, 1985.

CHAPTER 5

S.P. 59 - L.D. 85

AN ACT Relating to Potato Labeling.

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

Whereas, the potato labeling requirements enacted in the 111th Legislature have proven to be a hardship on certain potato packers who have large supplies of unlabeled potato bags; and

Whereas, unless an exemption is granted to those packers, they will be unable to use those bags, thus causing them severe economic hardship; 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:

7 MRSA §952, as amended by PL 1983, c. 462, is further amended to read:

§952. Branding

It shall be unlawful for any person, firm, association, organization or corporation, or agent, representative or assistant to any person, firm, association, organization or corporation to expose for sale, or sell, at wholesale or retail, to ship, deliver or consign or have in possession potatoes prepared for market unless in containers which have been legibly and conspicuously tagged, branded, labeled or stenciled with the name and address of the person or persons responsible for packing and the name of the grade, net weight and the word "potatoes." All potatoes packed in this State must be packed in containers which conspicuously bear the name of the country where the potatoes were grown. The person or persons responsible for grading shall be as follows: If the violation is discovered in the packing house then the person or persons packing the potatoes shall be responsible; if the violation is discovered at any other place, then the person or persons whose name appears on the container shall be responsible. Each lot of potatoes sold at wholesale shall be accompanied by a bill of lading or invoice stating grade, name and address of packer, name and address of the consignor, name and address of the consignee, date of loading and name of loading point. The bill of lading or invoice shall be prima facie evidence in any court of the person or persons packing potatoes. It shall be conclusive evidence that potatoes are exposed for sale when packed in containers for delivery or transit, or when the same are in the process of delivery or transit, or are located at a depot, station, warehouse, packing house, boat dock or any place where potatoes are held in storage, or loaded on a boat, truck, trailer or railroad car, for immediate or future sale or transit. Potatoes located at warehouses, or packing houses at point of origin, shall not be deemed exposed for sale until they are loaded or are in the process of being loaded in vehicles of transportation. When a violation of this section occurs,

it is deemed to have taken place at the loading point or where such violation first became evident to the commissioner or his duly authorized representative. The Commissioner of Agriculture, Food and Rural Resources has the temporary authority for 6 months from the effective date of this section, as amended, to exempt packers who have purchased a substantial supply of bags before June 1, 1983, which do not comply with this section. Upon request and submission of proof to the Department of Agriculture, Food and Rural Resources by a packer that he has on hand a supply of bags that do not meet the requirement that the bags conspicuously bear the name of a country where the potatoes were grown, and those bags were purchased or contracted for before September 23, 1983, the Commissioner of Agriculture, Food and Rural Resources shall exempt the packer from that requirement until January 1, 1986. The commissioner, at his discretion and upon unusual circumstances, may grant packers extended waivers until January 1, 1987.

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

Effective February 1, 1985.

CHAPTER 6

H.P. 17 - L.D. 15

AN ACT to Extend the Maximum Length of
Agreements in the University of Maine
Labor Relations Act from 2 Years to 3
Years.

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

26 MRSA §1026, sub-§1, ¶D, as enacted by PL 1975, c. 603, §1, is amended to read:

D. To execute in writing any agreements arrived at, the term of any such agreement to be subject to negotiation, but not to exceed 2 3 years; and

Effective September 19, 1985.
