

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

stitution, shall not be construed as the establish-
ment or operation of a mobile branch. In the event a
bonded carrier is used to transport deposits from a
customer's place of business to a financial institu-
tion the messenger shall be considered the agent of
the customer rather than of the bank. Deposits col-
lected under this arrangement shall not be considered
to have been received by the bank until they are ac-
tually delivered to the teller at the bank's
premises.

2. Branches in other states.

A. Nothing contained in this Title may be con-
strued as permitting a financial institution to
establish a branch office or facility in any
state other than the State of Maine, and no fi-
nancial institution not authorized to do business
in this State may establish or operate a branch
office or facility in the State of Maine.

B. The operation of such a branch office or fa-
cility by such financial institution or institu-
tions is expressly prohibited by this section.

Effective July 16, 1986.

CHAPTER 578

H.P. 1273 - L.D. 1790

AN ACT to Amend the Maine Agricultural
Marketing and Bargaining Act of 1973.

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

Whereas, the bargaining process between agricul-
tural producers and processors of agricultural
products must occur within a structured framework
with dates specified for negotiating contracts; and

Whereas, the broiler industry is currently nego-
tiating a new contract with a major processor under
terms which are affected by these amendments to the
Maine Agricultural Marketing and Bargaining Act of
1973; and

Whereas, it is imperative to insure that condi-
tions support the negotiation of contracts which

maintain the economic standing of agricultural producers and processors in Maine; 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. 13 MRSA §1957, sub-§6, as enacted by PL 1973, c. 621, §1, is amended to read:

6. Annual report. A qualified association shall file an annual report with the board in such form as shall be required by the regulations of the board. The annual report shall contain such information as will enable the board to determine whether the association continues to meet the standards for qualification, except that an association which the board has determined to be qualified shall not be required to have its qualification redetermined until it has negotiated and entered into a contract with a handler, with or without resort to arbitration.

Sec. 2. 13 MRSA §1957, sub-§7, as amended by PL 1977, c. 694, §280, is further amended to read:

7. Revocation. If a qualified association ceases to maintain the standards for qualifications set forth in subsection 3, the board shall, in a manner consistent with the Maine Administrative Procedure Act, apply to the Administrative Court to revoke the qualification of such association, except that the board shall not seek revocation of an association's qualification during the period set out in subsection 6 in which the association cannot be required to have its qualification redetermined.

Sec. 3. 13 MRSA §1958-A, sub-§§1, 2 and 6, as enacted by PL 1981, c. 274, are amended to read:

1. Purpose. The purpose of this section is to establish a system of final offer arbitration which may result in a contract for the sale of potatoes agricultural products between a handler and a qualified association. This system is meant to encourage, and

not to substitute for, the voluntary bargaining provided for elsewhere in the article.

2. Application; definition. This section applies only to bargaining for ~~potatoes~~, ~~subject to this article~~, by agricultural products between a handler and a qualified association. For purposes of this section, the term "party" means either a handler or a qualified association.

6. Effect of contract. The contract presented to the parties pursuant to subsection 5 shall not be binding on the parties. The parties may sign the contract prior to April 7th, after which they may not sign any contract subject to this article or bargain for ~~potatoes~~ agricultural products subject to this article before June 15th.

Sec. 4. 13 MRSA §1958-A, sub-§3, ¶B, as enacted by PL 1981, c. 274, is amended to read:

B. All bargaining for ~~potatoes~~ agricultural products ~~subject to this article~~ to be grown during the current year shall cease at midnight, March 15th.

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

Effective March 12, 1986.

CHAPTER 579

H.P. 1216 - L.D. 1724

AN ACT Pertaining to Local Registration of Watercraft.

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

Sec. 1. 12 MRSA §7792, sub-§1-A, as enacted by PL 1983, c. 588, §12, is amended to read:

1-A. Municipal watercraft registration. Rules authorizing the commissioner to delegate to municipalities the authority to issue watercraft registrations. These rules shall include provisions for the municipalities to retain reasonable administrative costs ~~from fees collected.~~ With the approval of the