

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

C. Standards for informed consent to treatment and guidelines for exceptions to informed consent as permitted under applicable law or in emergency situations, including reasonable standards and procedural mechanisms for determining when to treat a client absent his informed consent, consistent with applicable law;

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

Effective April 4, 1986.

CHAPTER 646

S.P. 707 - L.D. 1832

AN ACT to Clarify the Role of Cooperatives under the Maine Milk Pool.

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

Sec. 1. 7 MRSA §3152, sub-§4, as enacted by PL 1983, c. 573, §4, is repealed and the following enacted in its place:

4. Dealer. "Dealer" means any person or entity who purchases or receives milk from a producer within the State for processing and sale within or outside the State.

A. A producer-dealer which is not an agricultural cooperative shall be deemed a dealer only with respect to milk purchased or received from other producers.

B. A producer-dealer which is an agricultural cooperative shall be deemed a dealer:

(1) With respect to all milk purchased or received from other producers; and

(2) With respect to all milk purchased or received from its members except to the extent that it is exempt from the Maine Milk Pool under section 3152-A.

C. An agricultural cooperative which is not a producer-dealer shall be deemed a dealer with respect to all milk subject to the producer price

control authority of the Maine Milk Commission which it purchases or receives and which is not sold to a dealer.

Sec. 2. 7 MRSA §3152, sub-§10, as enacted by PL 1983, c. 574, §4, is amended to read:

10. Producer-dealer. "Producer-dealer" means a dealer who himself produces a part or all of his milk or a person who produces milk and sells to a grocery store or dairy products store or similar commercial establishment, and shall include an agricultural cooperative comprised solely of dairy farmers that wholly owns and operates its processing facilities, and whose individual members hold a share of that ownership which is in direct proportion to that individual's share of all milk produced by cooperative members for the cooperative, provided that such an agricultural cooperative shall be a "producer-dealer" under this chapter only if it was in existence on January 1, 1986, and had been recognized on or before that date by the commissioner as meeting the criteria established in this subsection.

Sec. 3. 7 MRSA §3152-A is enacted to read:

§3152-A. Agricultural cooperatives which are producer-dealers

1. Exemption; pool payments. An agricultural cooperative which is a producer-dealer under section 3152, subsection 10, shall be exempt from payment into and redistributions out of the Maine Milk Pool to the extent that the milk sold or otherwise distributed by the agricultural cooperative which is a producer-dealer does not exceed 5,000,000 pounds a month. In any month in which the milk sold or otherwise distributed by the agricultural cooperative which is a producer-dealer exceeds 5,000,000 pounds, the agricultural cooperative which is a producer-dealer shall be considered the dealer for purposes of this chapter for the amount of milk which is in excess of 5,000,000 pounds.

2. Promotion; administration. An agricultural cooperative which is a producer-dealer shall make promotion payments according to section 3153, subsection 3, on that milk for which it is exempt under subsection 1. For milk for which the agricultural cooperative which is a producer-dealer is not exempt,

it shall make payments for promotion and for administration of the pool as a dealer under this chapter.

Effective July 16, 1986.

CHAPTER 647

H.P. 1532 - L.D. 2159

AN ACT to Clarify the Confidentiality Provisions of the Maine Banking Code.

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

Sec. 1. 9-B MRSA §161, sub-§1, ¶B, as enacted by PL 1977, c. 416, is amended to read:

B. "Financial records" means any original or any copy of:

(1) A document granting signature authority over a deposit, deposit-like or share account;

(2) A statement, ledger card or other record of any deposit ~~or~~, deposit-like, share or loan account, which shows each transaction in or with respect to that account;

(3) A check, clear draft or money order drawn on an institution or issued and payable by an institution; or

(4) Any item, other than an institutional or periodic charge, made pursuant to any agreement by an institution and a person which constitutes a debit or credit to that person's deposit ~~or~~, deposit-like, share or loan account, including charges made through the use of credit cards as authorized by section 444, if the item is not included in subparagraph (3).

Sec. 2. 9-B MRSA §163, sub-§1, as enacted by PL 1977, c. 416, is amended to read:

1. Service. A fiduciary institution shall disclose financial records under section 162 pursuant to