

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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or a surviving spouse for the retirement allowance.

D. Whatever adjustments are made under Title 5, sections 17806 and 18407 shall be applied to payments made under this section.

Effective September 29, 1987.

## CHAPTER 423

H.P. 1080 — L.D. 1468

### AN ACT to Allow Political Parties to Determine the Qualifications of Voters in Primary Elections.

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

**Sec. 1.** 21-A MRSA §1, sub-§32, as enacted by PL 1985, c. 161, §6, is amended to read:

32. Primary election. "Primary election" means the regular election ~~by the voters of a party~~ for the election of nominees of a party for the general election.

**Sec. 2.** 21-A MRSA §111, sub-§5, as enacted by PL 1985, c. 161, §6, is amended to read:

5. Enrollment. He must be enrolled in a party in that municipality to vote at a caucus, convention or primary election, unless otherwise permitted by a political party pursuant to section 340.

**Sec. 3.** 21-A MRSA §340 is enacted to read:

§340. Notice of parties of qualified primary voters

1. Notice to Secretary of State. No later than February 1st of the election year, each political party eligible to participate in a primary election shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's primary. If no notice is received by that date, only voters enrolled in a political party may vote in that party's primary.

2. Notice to municipal clerks. The Secretary of State shall inform all municipal clerks of the qualifications necessary for voters to participate in each party's primary. The clerks shall establish procedures to ensure that all qualified primary voters are offered ballots for each party in which primary election the voters are qualified to vote.

Effective September 29, 1987.

## CHAPTER 424

H.P. 944 — L.D. 1267

### AN ACT to Continue the Agricultural Viability Program.

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

**Sec. 1.** 7 MRSA Pt. 1-A, as enacted by PL 1985, c. 482, §2, is repealed.

**Sec. 2.** 7 MRSA §314, as enacted by PL 1985, c. 482, §2, is amended to read:

§314. Establishing a program for identifying regional opportunities

In response to these legislative findings, the commissioner shall establish a ~~pilot~~ program to review and identify the agricultural opportunities and constraints in ~~up to 4~~ selected regions of the State and, to the maximum extent possible, to administer the department's programs in these selected regions so as to address these opportunities and constraints. In this ~~pilot~~ program, the commissioner shall:

1. Public participation. Ensure that the agricultural community and public in general have the opportunity to participate in the assessment of regional opportunities and constraints and in any redirection of programs resulting from the assessment; ~~and~~

2. Local lead agencies. By rule establish criteria for selecting ~~up to 4~~ regions for inclusion in this ~~pilot~~ program and designating local lead agencies to coordinate public input and assist in this regional assessment, provided that preference shall be given to local soil and water conservation districts as lead agencies which meet designation criteria. Regions shall be selected so as to reflect the agricultural, geographic and demographic diversity of the State and the capacity of potential local lead agencies to participate in this ~~pilot~~ program. The commissioner shall provide, not later than August 1st each year, notice of the availability of funding and a schedule for accepting applications for selection of local lead agencies to review and assess regional agricultural opportunities in areas of the State in which the assessments have not yet been carried out.

A. The department shall provide the local lead agencies with current information about agricultural production, processing and marketing within the State, the demand for state agricultural products and the State's market position relative to its competitors.

B. Local lead agencies shall hold hearings and public meetings and shall collect and assess information on agricultural resources, problems and needs in their local areas, including at a minimum:

- (1) The land base currently used or suitable for agricultural production, its nature and extent, use and ownership;
- (2) The market, supply and service infrastructure serving the area;
- (3) The availability and cost of production inputs in the area;
- (4) The local demand for agricultural goods produced in the area; and
- (5) The needs of the agricultural sector in the area perceived to be critical to maintaining or enhancing its economic strength.

C. The department shall compile and analyze information received pursuant to paragraph B and shall, after consultation with local lead agencies, propose redirection of existing programs and implementation of new programs as appropriate; and

3. Funds. Establish by rule provisions for the expenditure of funds authorized for the purposes of this chapter.

Sec. 3. 7 MRSA §315, as enacted by PL 1985, c. 482, §2, is repealed and the following enacted in its place:

#### §315. Implementation

1. State implementation. Within one year following completion of a regional assessment, the commissioner shall consider implementation of appropriate state programs to respond to regional needs identified in the assessment. In determining whether and when to initiate implementation of the programs, the commissioner shall consider the effect of implementation on agriculture as a whole, on agriculture in other parts of the State and on existing departmental programs.

2. Local implementation grant program. The commissioner shall, from funds appropriated for this purpose, establish a program to provide funds to local lead agencies which have satisfactorily completed a local area assessment as defined in section 314 to carry out activities which address needs identified in that local area assessment. The commissioner shall, no later than August 1st each year, provide notice of the availability of funds to support local implementation efforts and a schedule for accepting applications for these funds. Activities chosen to receive state support shall be selected by the commissioner with the advice of the Agriculture Viability Advisory Committee. The criteria for selection shall be established by rule in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, and shall require, at a minimum, that proposed activities:

A. Address particular local needs identified in the local area assessment;

B. Demonstrate the potential for a significant improvement to agricultural viability of the region in proportion to the public funds requested; and

C. Reflect coordination with other public or private agencies in order to take advantage of other resources available to support the proposed activities.

Sec. 4. Effective date. Section 1 of the Act shall take effect June 30, 1991.

Effective September 29, 1987, unless otherwise indicated.

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## CHAPTER 425

H.P. 925 — L.D. 1237

### AN ACT to Change the Lime Laws.

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

Sec. 1. 7 MRSA c. 103, sub-c. V-A is enacted to read:

#### SUBCHAPTER V-A

#### AGRICULTURAL LIMING MATERIALS

##### §761. Title

This subchapter shall be known and may be cited as the "Maine Agricultural Liming Materials Act."

##### §762. Definitions

As used in this subchapter, unless the context indicates otherwise, the following terms have the following meanings.

1. Agricultural liming materials. "Agricultural liming material" means a product whose calcium and magnesium compounds are capable of neutralizing soil acidity.

2. Brand. "Brand" means the term, designation, trademark, product name or other specific designation under which an individual agricultural liming material is offered for sale.

3. Bulk. "Bulk" means a nonpackaged form.

4. Burnt lime. "Burnt lime" means a material made from limestone which consists essentially of calcium oxide or a combination of calcium oxide with magnesium oxide.

5. Calcium carbonate equivalent. "Calcium carbonate equivalent" means the acid neutralizing capacity of an agricultural liming material expressed as a weight percentage of calcium carbonate.