

# 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  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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ter to insure the coordination of services to meet the needs of persons with AIDS, ARC and viral positivity.

#### §19206. Civil liability

Any person violating sections 19203 and 19204 is liable to the subject of the test for actual damages and costs plus a civil penalty of up to \$1,000 for a negligent violation and up to \$5,000 for an intentional violation.

Any person may bring an action for injunctive relief for a violation of sections 19203 and 19204 in addition to or instead of the penalties provided in this section. The applicant for injunctive relief under this section shall not be required to give security as a condition upon the issuance of the injunction.

#### §19207. Civil liability

Any person violating sections 19203 and 19204 is liable to the subject of the test for actual damages and costs plus a civil penalty of up to \$1,000 for a negligent violation and up to \$5,000 for an intentional violation.

Any person may bring an action for injunctive relief for a violation of sections 19203 and 19204 in addition to or instead of the penalties provided in this section. The applicant for injunctive relief under this section shall not be required to give security as a condition upon the issuance of the injunction.

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

Effective June 26, 1987.

## CHAPTER 444

H.P. 1337 — L.D. 1827

### AN ACT to Create an Agricultural Market Research and Development Fund Program.

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

7 MRSA §401-D is enacted to read:

#### §401-D. Agricultural Market Research and Development Fund

1. Agricultural Market Research and Development Fund. In order to provide greater returns to the State's agricultural economy through improved marketing of Maine agricultural products, the Agricultural Market Research and Development Fund is established to encourage careful and thorough analysis of market potential and more extensive development of markets for Maine agricultural products. This fund shall be nonlapsing and include money appropriated by the Legislature for this purpose and money received from other public or private sources.

2. Fund uses and limitations. The fund shall be used to provide grants to individuals, firms or organizations to conduct market research or to undertake market development activities for the purpose of expanding existing markets and developing new markets for Maine agricultural products. At least 25% of the total cost of any project shall be funded by the applicant or applicants and at least 10% of the total cost shall be funded from nonpublic sources. No single grant may exceed 20% of the total funds available to be granted in a given year. Preference shall be given to projects targeted to markets in which Maine products do not already have a significant presence.

3. Applications. In the case of market research proposals, an application for a grant shall include an appropriate market research design. In the case of market development proposals, an application for a grant shall include a marketing plan which reflects an understanding of the target market addressed and a clearly articulated marketing strategy. The Department of Agriculture, Food and Rural Resources shall provide, upon request from a potential applicant, assistance with application preparation.

4. Rules. The commissioner shall establish, by rule, in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375, criteria for the allocation of grant money, application requirements consistent with the provisions of this section, a schedule for accepting and reviewing applications, reporting requirements on grant expenditures and project results and any other administrative requirements necessary for the efficient implementation of this program.

5. Proprietary information. Information relative to market research or development activities provided to the department prior to formal application, included in grant applications or provided to the department to fulfill reporting requirements, is confidential information and shall not be publicly disclosed by the department, provided that:

A. The person to whom the information belongs or pertains has requested that it be designated as confidential; and

B. The department has determined that the information gives the person making the request opportunity to obtain business or competitive advantage over another person who does not have access to the information or will result in loss of business or other significant detriment to the person making the request if access is provided to others.

Effective September 29, 1987

## CHAPTER 445

S.P. 610 — L.D. 1800