

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

A. The foam is manufactured using any fully halogenated chlorofluorocarbons found by the United States Environmental Protection Agency to be an ozone-depleting chemical; and

B. A substitute for fully halogenated chlorofluorocarbon blowing agents is available and found to meet public health and safety standards by all applicable federal and state agencies.

3. Compliance. All distributors engaged in the sale or distribution of extruded polystyrene foam products in Maine which are manufactured using chlorofluorocarbons shall certify to the Department of Environmental Protection by January 31, 1989, their compliance with subsection 1, or their scheduled compliance with subsection 2.

Effective August 4, 1988.

CHAPTER 753

H.P. 1584 — L.D. 2162

AN ACT to Amend the Regulation of Lobster Parts.

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

Sec. 1. 12 MRSA §6858, sub-§5-B is enacted to read:

5-B. Exception for certain packages. This section shall not apply to frozen or canned lobster meat if the person possessing it:

A. Is not the first person offering it for sale in this State and maintains records indicating from whom the lobster meat was purchased; and

B. Did not pack the container or know that it contains lobster meat in violation of subsection 1 or 2.

Sec. 2. 12 MRSA §6862, sub-§5, as reenacted by PL 1985, c. 805, is amended to read:

5. Report; repeal. The department shall report in writing to the joint standing committee of the Legislature having jurisdiction over marine resources on the activities conducted under this section. The report shall be submitted no later than ~~January 15, 1988~~ January 1, 1989. This section is repealed on ~~August 1, 1988~~ March 1, 1989.

Effective August 4, 1988.

CHAPTER 754

H.P. 1618 — L.D. 2211

AN ACT to Improve the Potato Marketing Improvement Fund.

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

Whereas, provisions of this bill are urgently needed both as an enforcement tool and to protect the integrity of the Maine Bag Program; 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. 7 MRSA §973, as amended by PL 1987, c. 319, §2, is further amended to read:

§973. Potato Marketing Improvement Fund

There is created a fund to be known as the Potato Marketing Improvement Fund, to which shall be credited all funds received by the commissioner from any source for the development and implementation of an improved storage, packing and marketing program. Any money credited to the Potato Marketing Improvement Fund from the issuance of bonds on behalf of the State for agricultural development shall be used only for the purposes of state loans as prescribed by section 974-A, to provide assistance to farmers ~~on technical aspects of the design and construction~~ for the design, construction, improvement, support and operation of storage, packing and marketing facilities and to pay the administrative costs of processing loan applications, to the extent that the costs exceed the fee for administrative costs established by section 974-A, subsection 2. Repayment of these loans and interest thereon shall be credited to the Potato Marketing Improvement Fund to be available for making additional state loans for the same purposes.

A purchaser of a modern storage facility which was previously financed with a state loan from the Potato Marketing Improvement Fund may receive a loan under the conditions of this section. Mortgages obtained from the fund may be assumed by subsequent purchasers of the property. The department shall promulgate rules concerning the purchase of existing buildings. These rules shall include provisions that ensure that such purchases are in keeping with the purposes and intent of this article and of Private and Special Law 1981, chapters 65 and 75. They shall also include a definition of a modern storage facility.

Sec. 2. 7 MRSA §974-A, sub-§2, as enacted by PL 1987, c. 319, §4, is repealed and the following enacted in its place: