

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

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

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J.S. McCarthy Company  
Augusta, Maine  
1989

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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The commission shall keep a permanent record of all permits issued. The commission may promulgate rules establishing the form and content of transportation permits and governing the means of their issuance and establishing the record-keeping functions of the commission and the owners.

2. Permits subject to forgery laws. Every permit specified under this section is deemed to be a written instrument subject to the laws of forgery.

3. Violation. Any person who transports blueberries in violation of this section is guilty of a Class E offense. Any other violation of this section is a civil violation punishable by a fine of not more than \$500.

4. Exceptions. A person is not guilty of transporting blueberries without a transportation permit if:

A. The person is transporting blueberries that were not harvested in this State; or

B. That person purchased the blueberries at a store, farm stand, produce market or other retail outlet.

#### §4316. Receivers of blueberries

1. Record keeping required. Any person who receives blueberries must keep a permanent record of each lot or load of blueberries received. The record shall include the name of the driver of the vehicle used to deliver the blueberries, the date of delivery, the delivery point, the number of the transportation permit, the driver's license number and the total pounds of blueberries delivered.

2. Inspection of permit required. It shall be unlawful for any person to receive or accept delivery of any blueberries in lots of greater than 5 pounds without first inspecting the transportation permit of the driver of the vehicle used to deliver the blueberries and recording the transportation permit number in accordance with subsection 1 of this section.

3. Violation. The failure to keep the permanent records of blueberries received as required in this section or failure to inspect the transportation permit of a driver of a vehicle used to deliver blueberries is a civil violation punishable by a fine of not more than \$1,000.

4. Audits. The Maine Blueberry Commission may request the Department of Agriculture, Food and Rural Resources to conduct, through its staff, audits of the records kept pursuant to this section for the purpose of ascertaining compliance with this section. Any documents inspected or taken by the department in furtherance of the audit functions or any other information collected by the department pursuant to the audits shall be kept confidential notwithstanding anything to the contrary contained in Title 1, chapter 13, subchapter I. The confidential status shall not apply to any documents, records or information which become evidence in any criminal proceeding to enforce any law under this chapter or any other criminal law.

#### §4317. Authorized law enforcement

State police, county sheriffs and their deputies, municipal enforcement officers, state forest rangers and game wardens are authorized to make inspections, conduct investigations, make arrests and otherwise enforce this chapter.

#### §4318. Sunset provision

Sections 4314 to 4317 are repealed on July 1, 1991.

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

Effective June 2, 1989.

## CHAPTER 215

H.P. 783 - L.D. 1095

### An Act to Reduce Administrative Burdens on County Jails

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

17-A MRSA §1254, sub-§2-A is enacted to read:

2-A. If the length of the unsuspended portion of a prisoner's term of imprisonment is 8 days or more, a prisoner sentenced to a county jail may be released at any time on the final day of imprisonment, in accordance with jail release procedures; otherwise, the prisoner shall not be released until the prisoner has served the full term of hours or days imposed by the court.

See title page for effective date.

## CHAPTER 216

H.P. 223 - L.D. 303

### An Act to Establish a Process for the Deorganization of Municipalities and Plantations

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

Whereas, the provisions of the Maine Revised Statutes, Title 30-A governing Maine municipalities become effective on March 1, 1989; and

Whereas, there is no consistent, objective or carefully developed process by which municipalities deorganize and become part of the unorganized territory; and