

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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

J.S. McCarthy Company
Augusta, Maine
1999

See title page for effective date.

CHAPTER 175

S.P. 705 - L.D. 1980

An Act to Provide Labeling for Cider

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

Whereas, the appropriate labeling of cider is important to consumers and producers; and

Whereas, cider is a seasonal crop and changes are needed prior to the 1999 cider season; 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Sec. 1. 7 MRSA §543-A, as enacted by PL 1983, c. 220, is repealed and the following enacted in its place:

§543-A. Cider

1. Restriction on product labeled as cider. A person may not sell, advertise, offer or expose for sale any product labeled as "cider" if that product has been heated to a temperature of 155° Fahrenheit or higher for more than 10 seconds.

2. Accepted processing methods. All cider sold, advertised, offered or exposed for sale must be heat treated, treated by ultraviolet light or pressed under a state-approved hazard and critical control plan unless the cider bears a warning label in accordance with subsection 3. A state-approved hazard and critical control plan must prohibit the pressing of apples that have dropped from the trees for use in cider. For the purposes of this section, "heat treated" means heated to a temperature of 155° Fahrenheit or higher for no more than 10 seconds.

3. Warning label. A person selling, advertising, offering or exposing for sale cider that has not been processed in accordance with subsection 2 must affix a label to that product stating: "WARNING: This product has not been pasteurized. It may contain harmful bacteria that can cause serious illness in children, the elderly and persons with weakened immune systems."

4. Exemption. Hard cider as defined in Title 28-A, section 2, subsection 12-A is exempt from this section.

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

Effective May 13, 1999.

CHAPTER 176

S.P. 467 - L.D. 1406

An Act to Prevent Forgery, Alterations or Counterfeiting of Maine State Lottery Tickets

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

Sec. 1. 8 MRSA §389 is enacted to read:

§389. Forged lottery tickets

A person who forges or counterfeits a Maine State Lottery ticket or alters a Maine State Lottery ticket prepared by the Director of the State Lottery; who causes such an alteration or forgery; or who knowingly and willfully publishes, passes or tenders as true such a forged, altered or counterfeited Maine State Lottery ticket is guilty of a Class D crime. If a person with intent to defraud secures, manufactures or causes to be secured or manufactured or has in that person's possession any counterfeit Maine State Lottery ticket or a counterfeiting device, that person is guilty of a Class D crime.

See title page for effective date.

CHAPTER 177

H.P. 1018 - L.D. 1429

An Act to Add Members to the Maine Turnpike Authority

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

Sec. 1. 23 MRSA §1965, sub-§2, ¶A, as amended by PL 1995, c. 108, §1, is further amended to read:

A. The authority consists of 4 members. Members of the authority are appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over transportation and subject to confirmation