

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

Chapter 78

AN ACT Relating to Knox County Game Preserve.

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

R. S., c. 38, § 90, amended. The paragraph relating to the Knox County Game Preserve in section 90 of chapter 38 of the revised statutes, as revised, is hereby repealed.

Approved March 16, 1939.

Chapter 79

AN ACT Relating to Taxation of Motor Vehicles.

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

R. S., c. 12, § 98, amended. Section 98 of chapter 12 of the revised statutes is hereby amended to read as follows:

'Sec. 98. Collector in adjacent town or city to make collection in unincorporated places. The collector of taxes of any adjacent town or the city treasurer of any adjacent city shall receive the excise tax and issue the receipt prescribed therefor under this chapter to persons residing in unorganized places in any county. ~~Such fee shall be for the use of the town in which such tax is paid.~~ The collector shall be allowed a fee of 15c for each tax receipt issued, and the remainder shall be remitted monthly to the county treasurer to be added to the road repair tax fund for the unorganized township in which the taxpayer resides.'

Approved March 16, 1939.

Chapter 80

AN ACT Relating to the Labelling of Fresh Eggs for Sale.

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

Sec. 1. P. L., 1937, c. 100, § 3, amended. Section 3 of chapter 100 of the public laws of 1937 is hereby amended to read as follows:

'Sec. 3. Other definitions and terms. Terms used in this act shall be construed as follows unless a different meaning is clearly apparent from the language or context: "persons" means any person, firm, partnership,

corporation or association, "wholesale" means selling to retailers; "retail" means selling direct to consumer; "candling" means the common practice of examining the interior of an egg by holding and twirling the same before a light passing through an aperture in an opaque shield; "large" eggs shall mean eggs which average at least having an average weight of not less than 24 ounces net to the dozen and with no egg weighing less than at the rate of 23 ounces to the dozen; "medium" eggs mean eggs which average at least 21 ounces to the dozen and no eggs weighing less than at the rate of 20 ounces, shall mean eggs having an average weight of not less than 21 ounces net to the dozen with no egg below the rate of 20 ounces to the dozen; "small" eggs mean any eggs which will not qualify as to size under "large" or "medium." "pullet" eggs shall mean eggs having an average weight of not less than 19 ounces net to the dozen with no egg below the rate of 18 ounces to the dozen; "peewee" eggs shall mean all eggs which will not qualify as to size under "large," "medium," or "pullet."

Sec. 2. P. L., 1937, c. 100, § 4, amended. Section 4 of chapter 100 of the public laws of 1937 is hereby repealed, and the following enacted in place thereof:

'Sec. 4. To provide for proper branding. All eggs sold, offered, exposed or advertised for sale for human consumption at retail or wholesale, or exchanged or distributed at retail or wholesale in bulk or in open or closed packages or containers within the state as fresh eggs, shall be plainly and conspicuously marked on such package or container with the word "Fresh." The size of all eggs for human consumption which are sold, offered, exposed or advertised for sale at retail or wholesale or exchanged or distributed at retail or wholesale within this state in bulk or in open or closed packages or containers shall be plainly and conspicuously marked and identified on such package or container as "large," "medium," "pullet," or "peewee," as the case may be, or by such other terms as the commissioner of agriculture may from time to time prescribe.'

Sec. 3. P. L., 1937, c. 100, § 5, amended. Section 5 of chapter 100 of the public laws of 1937 is hereby amended to read as follows:

'Sec. 5. Tolerances established. In order to allow for variations incident to proper grading and handling the following tolerances shall be allowed: (a) Ten eggs in each dozen shall meet the minimum requirements for fresh eggs as hereinbefore defined. Not more than 2 eggs in each dozen may be below said minimum requirements, but not below the following requirements: air cell not greater than $\frac{3}{8}$ inch in depth; localized, may be slightly tremulous, yolk may be visible, mobile, germ developments slightly visible; white reasonably firm. (b) Not more than 2 eggs in each dozen

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"large" and "medium" shall fall below the required average weight of "large" and "medium" as designated in this act. shall fall below the required average weight of its classification as defined in this act.'

Approved March 16, 1939.

Chapter 81

AN ACT to Prohibit the Sale of Cull or Unclassified Apples.

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

Sec. 1. Sale of unclassified apples, regulated. No person, firm or corporation shall within this state sell, distribute, transport, offer or expose for sale, distribution or transportation any apples that were grown outside of the state of Maine, which do not conform to the apple grades established in section 42 of chapter 41 of the revised statutes; provided, however, nothing in this act shall apply to any person, firm or corporation supplying apples consigned to a processing plant for use therein. The commissioner of agriculture shall diligently enforce the provisions of this act, and in person or by deputy shall have free access, ingress and egress at all reasonable hours to any place or any building wherein apples are stored, transported, sold, offered or exposed for sale, or for transportation. He may also in person or by deputy upon tendering the market price take samples of apples therefrom.

Sec. 2. Penalty. Any person, firm or corporation who sells, distributes, transports, offers or exposes for sale apples in violation of the above provisions shall be punished by a fine of not more than \$100 for the first offense, and by a fine of not more than \$200 for each subsequent offense.

Approved March 16, 1939.

Chapter 82

AN ACT Relating to Removal of Paupers.

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

R. S., c. 33, § 34, amended. Section 34 of chapter 33 of the revised statutes, as amended, is hereby further amended to read as follows:

'**Sec. 34. Overseers' complaint if pauper refuses to be removed to town of settlement; proceedings; person executing order of magistrate has same**