

MAINE STATE LEGISLATURE

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PART 6

ADMINISTRATIVE CODE

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CHAPTER 301

GENERAL PROVISIONS

- Sec.
- 2301. Definitions.
 - 2302. Conflicts with liquor laws.

§ 2301. Definitions

For the purpose of chapters 301 to 307:

1. **Agency.** "Agency" means the following State boards, commissions, departments or officers authorized by law to make rules or to adjudicate contested cases:

- Art Commission.
- Board of Accountancy.
- Board of Barbers.
- Board of Chiropractic Examination.
- Board of Dental Examiners.
- Board of Examiners of Funeral Directors and Embalmers.
- Board of Examiners of Psychologists.
- Board of Hairdressers.
- Board of Osteopathic Examination.
- Board of Registration for Architects.
- Board of Registration in Medicine.
- Board of Registration of Nurses.
- Board of Registration in Optometry.

Board of Sanitation.

Board of Veterinary Examiners.

Boxing Commission.

Chief of State Police, but only as he controls and supervises the licensing of official inspection stations.

Commissioners of the Profession of Pharmacy.

Department of Health and Welfare, but only as that department controls and supervises the licensing of institutions, businesses or individuals in the following categories:

- A.** All establishments licensed under Title 22, section 2483;
- B.** All institutions licensed under Title 22, section 5;
- C.** Children's homes;
- D.** Control of ionizing radiation;
- E.** Cosmetics;
- F.** Hospitals and related institutions;
- G.** Private mental hospitals.

Electricians Examining Board.

Examiners of Podiatrists.

Harness Racing Commission.

Maine Milk Commission.

Maine Mining Bureau.

Maine Motor Vehicle Dealer Registration Board.

Maine Real Estate Commission.

Oilburnermen's Licensing Board.

Passenger Tramway Safety Board.

Plumbers' Examining Board.

Running Horse Racing Commission.

Secretary of State, but only as he controls and supervises the licensing of auctioneers.

State Liquor Commission.

Water Improvement Commission.

1961, c. 417, §§ 30, 31; 1963, c. 201; c. 240, § 1; c. 412, §§ 1, 2.

2. Contested case. "Contested case" means a proceeding before the Administrative Hearing Commissioner in which the

legal rights, duties or privileges of specific parties are required by law or constitutional right to be determined after hearing.

1963, c. 412, §§ 3, 23.

3. Rule. "Rule," as applied to a rule adopted, amended or repealed by an agency, includes every regulation, standard, statement of policy or interpretation of general application and future effect, which implements or makes specific the law enforced or administered by the agency or governs its organization or procedure. It does not include regulations concerning only the internal management of the agency not directly affecting the rights or procedures available to the public, and does not include rules already in effect on September 16, 1961.

1963, c. 412, § 4.

4. Hearing Commissioner. "Hearing Commissioner" means the Administrative Hearing Commissioner appointed under section 2401. (1963, c. 412, § 5.)

1961, c. 394, § 1; c. 417, §§ 30, 31; 1963, c. 201; c. 240, § 1; c. 412, §§ 1-5.

§ 2302. Conflicts with liquor laws

In any conflict between chapters 301 to 307 and Title 28, the provisions of Title 28 shall prevail.

1963, c. 412, § 12.