

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2050

H. P. 1657

House of Representatives, January 2, 1974

Referred to Committee on Agriculture. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Evans of Freedom.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Relating to the Weights and Measures Law.

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

Sec. 1. R. S., T. 10, § 2406, reenacted. Section 2406 of Title 10 of the Revised Statutes, as repealed by section 6 of chapter 91 of the public laws of 1973, is reenacted to read as follows:

§ 2406. Inspection of packages

The state sealer shall, from time to time, weigh or measure and inspect packages or amounts of commodities kept, offered or exposed for sale, sold or in the process of delivery, to determine whether the same contain the amounts represented and whether they be kept, offered or exposed for sale, or sold, in accordance with law. When such packages or amounts of commodities are found not to contain the amounts represented or are found to be kept, offered or exposed for sale in violation of law, the state sealer may order them off sale and may mark or stamp them as "illegal." No person shall sell, or keep, offer or expose for sale any package or amount of commodity that has been ordered off sale as provided in this section, unless and until such package or amount of commodity has been brought into full compliance with legal requirements, or dispose of any package or amount of commodity that has been ordered off sale and that has not been brought into compliance with legal requirements, in any manner, except with the specific approval of the state sealer.

Sec. 2. R. S., T. 10, § 2751, sub-§§ 5-7, additional. Section 2751 of Title 10 of the Revised Statutes, as repealed and replaced by section 11 of chapter 91

of the public laws of 1973, is amended by adding 3 new subsections 5, 6 and 7 as follows:

5. Sale of less quantity represented. Sell, or offer or expose for sale, less than the quantity he represents of any commodity, thing or service;

6. Take more quantity as buyer. Take more than the quantity he represents of any commodity, thing or service when, as a buyer, he furnishes the weight or measure by means of which the amount of the commodity, thing or service is determined;

7. Commodity in unlawful condition. Keep for the purpose of sale, advertise or offer or expose for sale, or sell any commodity, thing or service in a condition or manner contrary to law or regulation.

STATEMENT OF FACT

The intent of this bill is to improve the language and provisions of an Act passed by the regular session of the Legislature.