

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 228

H.P. 163

House of Representatives, February 16, 1989

Submitted by the Department of Agriculture, Food and Rural Resources
pursuant to Joint Rule 24.

Reference to the Committee on Agriculture suggested and ordered printed.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative TARDY of Palmyra.
Cosponsored by Representative PARENT of Benton.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Alter Certain Provisions of the Weights and Measures Laws
to Recognize the Recently Created National Institute of Standards and
Technology.



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

3 **Sec. 1. 10 MRSA §2351**, as repealed and replaced by PL 1973,
c. 91, §3, is amended to read:

5 **§2351. Systems of weights and measures**

7
9 The system of weights and measures in customary use in the
11 United States and the metric system of weights and measures are
13 jointly recognized and either one or both of these systems shall
15 be used for all commercial purposes in the State. The definitions
17 of basic units of weight and measure, the tables of weight and
measure and weights and measures equivalents as published by the
National Bureau of Standards or it's successor organization, the
National Institute of Standards and Technology, are recognized
and shall govern weighing and measuring equipment and
transactions in the State.

19 **Sec. 2. 10 MRSA §2352**, as repealed and replaced by PL 1973,
c. 91, §3, is amended to read:

21 **§2352. Physical standards**

23
25 Weights and measures that are traceable to the United States
27 prototype standards supplied by the Federal Government, or
approved as being satisfactory by the National Bureau of
Standards, or it's successor organization, the National Institute
29 of Standards and Technology, shall be the state primary standards
of weights and measures and shall be maintained in such
calibration as prescribed by the National Bureau of Standards or
31 the National Institute of Standards and Technology, as
33 applicable. All secondary standards may be prescribed by the
state sealer and shall be verified upon their initial receipt and
35 as often thereafter as deemed determined necessary by the state
sealer.

37 **Sec. 3. 10 MRSA § 2353**, as repealed and replaced by PL 1973,
c. 91, §3, is amended to read:

39 **§2353. Technical requirements for commercial devices**

41
43 The specifications, tolerances and other technical
45 requirements for commercial weighing and measuring devices as
adopted by the National Conference on Weights and Measures and
published in National Bureau of Standards Handbook 44,
47 "Specifications, Tolerances and Other Technical Requirements for
Commercial Weighing and Measuring Devices," or published in the
49 National Institute of Standards and Technology Handbook 44, 1990,
and supplements ~~thereto~~ or revisions ~~thereof~~ to those
51 publications, shall apply to commercial weighing and measuring
devices in the State, except insofar as modified or rejected by
regulation.

1 **Sec. 4. 10 MRSA §2628**, as enacted by PL 1973, c. 91, §10, is
3 amended to read:

5 **§2628. Conformity to national method of sale regulations**

7 The methods, units, terms and other requirements for the
9 sale of commodities, as adopted by the National Conference on
11 Standards, or as published in the National Institute of Standards
and Technology, "Model State Method of Sale of Commodities
13 Regulation," and supplements thereto or revisions thereof to
15 those publications, shall apply to the sale of commodities in the
State of Maine, except insofar as specifically modified, amended
or rejected by a regulation issued by the state sealer.

17 **Sec. 5. 10 MRSA §2629**, as enacted by PL 1973, c. 91, §10, is
19 amended to read:

21 **§2629. Conformity to national packaging and labeling regulations**

23 The packaging and labeling requirements for consumer and
25 nonconsumer packages, as adopted by the National Conference on
Standards, "Model State Packaging and Labeling Regulation," and
27 ~~supplements thereto or revisions thereof~~, or in publications of
the National Institute of Standards and Technology, successor
29 organization to the National Bureau of Standards, or in any
supplements or revisions to those publications, shall apply to
31 any package kept for the purpose of sale or offered or exposed
for sale in the State of Maine, except insofar as specifically
33 modified, amended or rejected by a regulation issued by the state
sealer.

35
37 **STATEMENT OF FACT**

39 In August 1988, federal legislation created the National
41 Institute of Standards and Technology which is the successor
organization to the National Bureau of Standards. The National
43 Institute of Standards and Technology will retain all of the
traditional functions of the National Bureau of Standards and
will assume several new roles as well.

45 The purpose of this bill is to make the corrections
47 necessary for existing Maine laws to reference the appropriate
federal agency.