

# MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H   L E G I S L A T U R E

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Legislative Document

No. 1318

H. P. 1120

House of Representatives, March 16, 1955

Referred to the Committee on Agriculture, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Haughn of Bridgton.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-FIVE

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AN ACT Relating to State Sealer of Weights and Measures.

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

**Sec. 1. R. S., c. 32, § 316, amended.** Section 316 of chapter 32 of the revised statutes is hereby amended to read as follows:

**‘Sec. 316. Fees.** The fees of the State Sealer of Weights and Measures for testing and adjusting scales, weights and measures, to be paid by the person for whom the service is rendered, is as follows: for testing fuel oil or gasoline meters mounted on tank trucks used in the sale, purchase and distribution of gasoline or fuel oil, \$3; for adjusting such meters, \$2; for testing each platform scale with a weighing capacity of more than 10,000 pounds capacity, \$6; for testing each platform scale with a weighing capacity of 5,000 pounds to 10,000 pounds capacity, \$4; ~~for testing each platform scale with a weighing capacity of 100 pounds to 5,000 pounds capacity, \$1~~ for testing platform scales with a capacity of 500 pounds to 5,000 pounds capacity, \$2; for the testing of each platform scale with a capacity of 100 pounds to 500 pounds capacity, \$1; for the testing of each overhead track scale, beam scale, or scale of similar construction of over 500 pounds capacity, \$2; for the testing of automatic-indicating scales of over 125 pounds capacity, \$2; for the testing of gasoline meters, retail pumps, \$1; for the testing of wholesale fuel oil or gasoline meters, \$5; for adjusting any weighing or measuring device, a fair and reasonable compensation.

When any person, firm, association or corporation requests an inspection of any measuring device, the State Sealer, deputy or inspector is authorized to charge an amount sufficient to cover the cost of actual expense incurred in per-

**forming this special service, including mileage, lodging and meals, in addition to inspection fees herein described.**

The State Sealer is authorized to charge fees for testing other weighing and measuring devices in accordance with the fee schedule set forth under the provisions of section 219 of chapter 100. He shall not charge a fee for the testing or calibrating of weighing and measuring devices which have been tested or calibrated and approved by the local sealer of weights and measures within the period of 3 months immediately following such test or calibration and approval by the local sealer.

All fees **and expenses** collected under the provisions of section 315 and this section shall be credited to the Department of Agriculture and expended to carry out the provisions of sections 311 to 319, inclusive.'

**Sec. 2. R. S., c. 32, § 317, amended.** Section 317 of chapter 32 of the revised statutes is hereby amended by adding thereto a new paragraph, to read as follows:

**'Unless otherwise provided, whoever himself or by his servant or agent gives or attempts to give false or insufficient weight or measure, or inferentially misrepresents the weight or quantity of a commodity sold or delivered by weight or measure by stating a price without stating the weights or quantity of such commodity, such price being in fact greater than the price advertised for such commodity or mutually understood by both parties to be the price for a given weight or measure, or demands or accepts payment in excess of the regularly quoted selling price of a commodity sold or delivered by weight or measure, or takes or attempts to take more than the quantity he represents when, as the buyer, he furnishes the weights, measures, or weighing or measuring devices by means of which the amount of commodity is determined, shall be punished for the first offense by a fine of not more than \$50 and for the second or subsequent offense by a fine of not more than \$200 or by imprisonment for not less than one nor more than 3 months, or by both such fine and imprisonment.'**