

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninetieth and Ninety-first  
Legislatures  
OF THE  
STATE OF MAINE  
From April 26, 1941 to April 9, 1943  
AND MISCELLANEOUS STATE PAPERS

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Published by the Revisor of Statutes in accordance  
with the Resolves of the Legislature approved June  
28, 1820, March 18, 1840, March 16, 1842, and Acts  
approved August 6, 1930 and April 2, 1931.

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KENNEBEC JOURNAL  
AUGUSTA, MAINE  
1943

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-first Legislature

**1943**

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## CHAP. 318

In case the same milk is handled by more than 1 dealer, the 1st dealer within the state dealing in or handling said milk shall be deemed to be the milk dealer within the meaning of this section. For the purpose of computing fees as above provided,  $\frac{1}{2}$  pint of cream shall be considered the equivalent of 1 quart of milk. All moneys received by said board shall be paid by the board to the treasurer of state forthwith and all such sums are hereby appropriated for the purpose of administering this act.'

Sec. 7. P. L., 1935, c. 13, §§ 8, 9, renumbered. Sections 8 and 9 of chapter 13 of the public laws of 1935 are hereby renumbered to be sections 7 and 8, respectively.

Sec. 8. P. L., 1935, c. 13, additional. Chapter 13 of the public laws of 1935, as amended, is hereby further amended by adding thereto a new section to be numbered 9 and to read as follows:

'Sec. 9. Intent of act. It is the intention of this act to continue in office the present members of the milk control board for the duration of their present terms of office.'

Effective July 9, 1943

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## Chapter 318

### AN ACT Relating to Suspension of Licenses for Eating Places, Etc.

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

P. L., 1933, c. 1, § 187-C, amended. Section 187-C of chapter 1 of the public laws of 1933, as allocated by section 2 of chapter 83 of the public laws of 1935, is hereby repealed and the following enacted in place thereof:

'Sec. 187-C. Revocation of licenses; appeal. The bureau of health of the department of health and welfare shall have the power to issue, renew, suspend, and revoke such licenses and to hold hearings on violations of the provisions of sections 186 to 187-C, inclusive, and regulations adopted under the provisions of said sections. The director of health, or his duly authorized representative in charge of the hearings, may administer oaths and issue subpoenas for witnesses.

Whenever the commissioner of agriculture informs the bureau of health that a licensee holding a license to operate an eating place in a hotel, restaurant, lunch cart, or lunch counter, or any eating place, is not complying with the laws and regulations governing the sale of food, the bureau of health shall revoke the license of the licensee.

The licensee shall have notice in writing of the charge or charges against him and shall have reasonable opportunity to be heard in his defense. Any

license suspended or revoked shall be delivered to any agent of the bureau of health upon demand. Any person whose license has been suspended or revoked may apply to have same reissued and it shall be reissued upon satisfactory evidence that the violations no longer exist. Any person operating an eating or lodging place after such license shall have been revoked shall be considered as operating without a license and liable to all the penalties therefor.

Any person aggrieved by the decision of the bureau of health in revoking or suspending a license or by the refusal of said bureau of health to issue a license may within 10 days thereafter appeal to any justice of the superior court, by presenting to him a petition therefor, in term time or vacation. Such justice shall fix a time and place for hearing, which may be in vacation, and cause notice thereof to be given to the bureau of health; and after hearing such justice may affirm or reverse the decision of the bureau of health and the decision of such justice shall be final. Pending judgment of the court, the decision of the bureau of health in revoking or suspending any license shall remain in full force and effect. The bureau shall, within 3 days after notice of such appeal, forward to the said court a certified copy of the proceedings.'

Effective July 9, 1943

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## Chapter 319

### AN ACT Relating to Rebate of Registration Fees on Motor Vehicles Taken by Eminent Domain.

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

Rebate of registration fees on motor vehicles taken by eminent domain. Notwithstanding the provisions of section 67 of chapter 29 of the revised statutes, as amended by chapter 113 of the public laws of 1935, in the event any motor vehicle on which the registration fee has been paid is or has been taken by eminent domain or threat of eminent domain by any agency of the state or the federal government after March 1st, 1943, the secretary of state shall, upon the surrender of the plates, refund the pro rata portion of the registration fee paid.

Effective July 9, 1943