

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

The provisions of this section may be modified or changed by the rules and regulations of the Department under section 9.'

Effective August 20, 1955

Chapter 386

AN ACT Relating to State Sealer of Weights and Measures.

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 persons 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 engaged in a business or trade requiring the use of any weighing or measuring device requests an inspection of any weighing or measuring device, the State Sealer, deputy or inspector is authorized to charge an amount sufficient to cover the cost of actual expense incurred in performing 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 device 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.'

Effective August 20, 1955

Chapter 387

AN ACT Relating to Compensation Benefits Under Workmen's Compensation Law.

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

Sec. 1. R. S., c. 31, § 11, amended. The 1st sentence of section 11 of chapter 31 of the revised statutes is hereby amended to read as follows:

'While the incapacity for work resulting from the injury is total, the employer shall pay the injured employee a weekly compensation equal to $\frac{2}{3}$ his average weekly wages, earnings or salary, but not more than ~~\$27~~ \$30 nor less than \$15 a week; and in no case shall the period covered by such compensation be greater than 500 weeks from the date of the accident, nor the amount more than ~~\$10,500~~ \$12,000.'

Sec. 2. R. S., c. 31, § 12, amended. Section 12 of chapter 31 of the revised statutes is hereby amended to read as follows:

'**Sec. 12. Compensation for partial incapacity.** While the incapacity for work resulting from the injury is partial, the employer shall pay the injured employee a weekly compensation equal to $\frac{2}{3}$ the difference, due to said injury, between his average weekly wages, earnings or salary before the accident and the weekly wages, earnings or salary which he is able to earn thereafter, but not more than ~~\$27~~ \$30 a week; and in no case shall the period covered by such compensation be greater than 300 weeks from the date of the accident.'

Sec. 3. R. S., c. 31, § 15, amended. The 1st sentence of section 15 of chapter 31 of the revised statutes is hereby amended to read as follows:

'If death results from the injury, the employer shall pay the dependents of the employee, wholly dependent upon his earnings for support at the time of his accident, a weekly payment equal to $\frac{2}{3}$ his average weekly wages, earnings or salary, but not more than ~~\$27~~ \$30 nor less than \$15 a week, from the date of death for a period ending 300 weeks from the date of the accident, and in no case to exceed ~~\$8,000~~ \$9,000.'

Sec. 4. **Effective date.** This act shall become effective on November 30, 1955.

Effective November 30, 1955