

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

and in such manner as may be satisfactory to such health officer, he shall be punished by a fine of not less than ~~5~~ \$10 nor more than ~~25~~ \$100, or by imprisonment for not more than ~~1~~ ~~month~~ 3 months.'

Effective August 28, 1957

Chapter 28

AN ACT Relating to Right of Appeal Under Labor and Industry Chapter.

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

R. S., c. 30, § 164, additional. Chapter 30 of the Revised Statutes is hereby amended by adding at the end thereof a new section to be numbered 164, to read as follows:

'Appeals.

Sec. 164. Appeals. Any order by a board created and established under this chapter, or any rule, regulation, determination or declaration formulated by such board or by the Commissioner, shall be subject to review by a Justice of the Superior Court, in term time or vacation, by an appeal taken within 30 days after the effective date of such rule, regulation, determination or declaration to the Superior Court, held in or for the county in which the operation is located, at the instance of any party in interest and aggrieved by said rule, regulation, determination or declaration. Such appeal shall be prosecuted by petition. Upon the filing thereof the Court in term time or a Justice thereof in vacation shall order notice thereof. Upon the evidence and after hearing, which shall be held not less than 7 days after notice thereof, the Court or a Justice thereof may modify, affirm or reverse the rule, regulation, determination or declaration in whole or in part in accordance with law and the weight of the evidence. The Court or a Justice thereof shall, upon hearing, determine whether the filing of the appeal shall operate as a stay of any rule, regulation, determination or declaration pending the final determination of the appeal, and may impose such terms and conditions as may be deemed proper.'

Effective August 28, 1957

Chapter 29

AN ACT Relating to Employment of Females.

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

R. S., c. 30, § 30, amended. Section 30 of chapter 30 of the Revised Statutes, as repealed and replaced by section 1 of chapter 348 of the public laws of 1955, is hereby amended to read as follows:

'Sec. 30. Females not to be employed more than 9 hours a day. No female shall knowingly be employed or accept employment in any of one or more work-shops, factories, manufacturing, mechanical or mercantile establishments, beauty parlors, hotels, commercial places of amusement, restaurants, dairies,

bakeries, laundries, dry cleaning establishments, telegraph offices, in any telephone exchange which has more than 750 stations or by any of one or more express or transportation companies in the State more than a total of 9 hours in any one day; except when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed a total of 10 hours in any one day or a total of 54 hours in any one week.'

Effective August 28, 1957

Chapter 30

AN ACT Clarifying Certain Sea and Shore Fisheries Laws.

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

Sec. 1. R. S., c. 38, § 5, amended. The 7th paragraph of section 5 of chapter 38 of the Revised Statutes, as revised, is hereby amended to read as follows:

'Whenever the Commissioner of Agriculture shall certify to the Commissioner of Sea and Shore Fisheries that clams, quahogs, oysters or mussels from certain flats or shores are contaminated or polluted and are not in conformity with regulations promulgated by the said Commissioner of Agriculture and the regulations and standards of purity established by the United States Public Health Service and not acceptable for shipment in interstate commerce, the said Commissioner of Sea and Shore Fisheries is authorized to close such flats, without notice or hearing, to all digging of clams, quahogs, oysters and mussels.'

Sec. 2. R. S., c. 38, § 9, amended. Section 9 of chapter 38 of the Revised Statutes, as revised, is hereby amended to read as follows:

'Sec. 9. Sheriffs, deputy sheriffs, police officers, constables and inland fish and game wardens to have powers of coastal wardens. Sheriffs, deputy sheriffs, police officers, constables and inland fish and game wardens, within their respective jurisdiction, are vested with the powers of coastal wardens, **except as provided in section 117**, and shall receive for similar services the same fees as those of coastal wardens.'

Sec. 3. R. S., c. 38, § 16, amended. The 23rd paragraph of section 16 of chapter 38 of the Revised Statutes, as revised, is hereby amended to read as follows:

'"Retail dealer," any person not a wholesale dealer who buys, sells or distributes ~~any marine species~~ shellfish, lobsters or crabs.'

Sec. 4. R. S., c. 38, § 32, amended. The 3rd paragraph of section 32 of chapter 38 of the Revised Statutes, as revised, is hereby amended to read as follows:

'During the open season in such waters, except as otherwise provided, smelts may be taken only with bare hands or by the ordinary mode of angling with hook and line. Unless otherwise provided, no person shall take, catch, kill or have in possession in or from any or all of the tidal brooks and streams more than 4 quarts of smelts; ~~and provided further, that smelts so taken shall not be sold.~~'