

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1961

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Sec. 4. R. S., c. 32, § 246, amended. Section 246 of chapter 32 of the Revised Statutes is amended to read as follows:

'Sec. 246. Seizure; forfeiture. Any economic poison or device that is distributed, sold, offered for sale within this State, or delivered for transportation or transported in intrastate or interstate commerce, not in compliance with ~~the provisions of~~ sections 237 to 247, shall be subject to seizure on complaint of the commissioner to any court of competent jurisdiction in the locality where it may be found. If the court finds the economic poison or device to be in violation of ~~the provisions of~~ sections 237 to 247, and orders its condemnation, it shall be denatured, processed, relabeled, destroyed or otherwise disposed of as provided in sections 237 to 247; ~~provided, however, that in~~. In no instance shall the court order such disposition of economic poisons or devices without first having given the claimant an opportunity to apply to the court for the release of said economic poisons or devices or permission to process or relabel them to bring them into compliance with ~~the provisions of~~ sections 237 to 247.'

Sec. 5. R. S., c. 32, § 247, amended. Section 247 of chapter 32 of the Revised Statutes is amended to read as follows:

'Sec. 247. Cooperation with Federal Government and other states. In order to avoid confusion endangering the public health resulting from diverse requirements, particularly as to the labeling and coloring of economic poisons; to avoid increased costs to the people of this State due to the necessity of complying with diverse requirements in the manufacture and sale of such poisons; and to secure uniformity between the requirements of the several states and the Federal Government relating to such poisons, the commissioner is authorized to cooperate with and, after due public hearing, to adopt such rules and regulations, applicable to and in conformity with the primary standards established, as have been or may be prescribed by the Federal Government or any other state, or agency thereof, with respect to economic poisons or devices.'

Effective September 16, 1961

Chapter 57

AN ACT Relating to Definition of Retail Sale Under Sales and Use Tax Law.

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

R. S., c. 17, § 2, amended. The 12th paragraph of section 2 of chapter 17 of the Revised Statutes which defines "retail sale" or "sale at retail," as amended, is further amended by inserting before the last sentence, a new sentence, as follows:

'It shall be considered that tangible personal property is "consumed or destroyed" or "loses its identity" in such manufacture, if it has a normal physical life expectancy of less than one year as a usable item in the use to which it is applied.'

Effective September 16, 1961