

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 Hundred and First 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.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

At The

SPECIAL SESSION, November 27, 1961

to

December 2, 1961

the public laws of 1959 and as amended by section 1 of chapter 390 of the public laws of 1961, which relates to the salary of the register of deeds of Franklin County, is further amended to read as follows: 'register of deeds, \$3,300 until January 1, 1962 and \$3,800 thereafter;'

Sec. 2. P. L., 1961, c. 390, § 3, amended. Section 3 of chapter 390 of the public laws of 1961 is amended to read as follows:

'**Sec. 3. Effective date in certain counties.** The salaries set forth in section 1 as they relate to the Counties of Androscoggin, Aroostook, ~~Franklin~~ Knox, Lincoln, Somerset and York, except the salaries of the registers of deeds, registers of probate and county attorneys and assistant county attorneys of these counties, shall be retroactive to January 1, 1961.'

Sec. 3. P. L., 1961, c. 390, § 4, amended. Section 4 of chapter 390 of the public laws of 1961 is amended to read as follows:

'**Sec. 4. Effective date in certain counties.** The salaries set forth in section 1 as they relate to the Counties of Franklin, Waldo and Washington, except the salaries of county attorneys of these counties, shall be retroactive to January 1, 1961.'

Effective March 3, 1962

Chapter 410

AN ACT Granting Courts Power to Issue Injunctions to Enforce Milk Commission Law.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless passed as emergencies; and

Whereas, the production and distribution of milk is an industry within the State affected with a public interest; and

Whereas, the health of the public requires a continuous abundant supply of wholesome pure milk; and

Whereas, certain unfair practices have been carried on and may be carried on which are detrimental to the production, sale and distribution of wholesome milk, thereby leading to a lowering of the health standards and impairing an adequate supply of wholesome milk to the public; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. R. S., c. 33, § 1, amended. The 3rd paragraph from the end of section 1 of chapter 33 of the Revised Statutes, which relates to the definition of "store", as amended by section 5 of chapter 384 of the public laws of 1957, is repealed and the following enacted in place thereof:

“Store” means a grocery store, dairy product store, canteen, milk vending machine operator, milk dispensing operator or any similar commercial establishment or outlet or any other sale where milk is sold to consumers for consumption off the premises where sold.’

Sec. 2. R. S., c. 33, § 4, amended. Section 4 of chapter 33 of the Revised Statutes, as amended, is further amended by adding at the end, a new paragraph, as follows:

‘Whenever milk produced outside the State becomes a subject of regulation by the State in the exercise of its police powers, the provisions of this chapter shall apply and the powers of the commission shall attach. After any such milk so produced shall come within the jurisdiction of this State, any sale of such milk within this State at a price less than the scheduled minimum price established in any given market shall be unlawful.’

Sec. 3. R. S., c. 33, § 9-A, additional. Chapter 33 of the Revised Statutes is amended by adding a new section 9-A, to read as follows:

‘Sec. 9-A. Injunction. In addition to any other remedy set forth in this chapter for the enforcement of this chapter or any rule, regulation, order or decision of the commission, the Superior Court shall have jurisdiction upon complaint filed by the commission, or any person duly authorized to act for the commission, including but not limited to its executive secretary, to restrain or enjoin any person from committing any act prohibited by this chapter or prohibited by any rule, regulation, order or decision of the commission. If it is established upon hearing that the person charged has been or is committing any act declared to be unlawful by this chapter or is in violation of any rule, regulation, order or decision of the commission, the court shall enter a decree perpetually enjoining said person from further commission of such act or actions. In case of violation of any injunction issued under this section, the court shall summarily try and punish the person for contempt of court. The existence of other civil or criminal remedies shall be no defense to this proceeding. The commission or his authorized agent shall not be required to give or post a bond when making an application for an injunction under this section.’

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective December 1, 1961

Chapter 411

AN ACT to Provide for a Legislative Finance Officer.

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

R. S., c. 10, § 26, sub-§ XV, additional. Section 26 of chapter 10 of the Revised Statutes, as amended, is further amended by adding a new subsection XV, to read as follows:

XV. Legislative Finance Officer. The Legislative Research Committee shall appoint a Finance Officer. He shall be chosen without reference to