

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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The Knowlton and McLeary Company
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

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Sec. 29-I. Challenge of new resident's vote. The vote of any new resident may be challenged for cause. The warden at the appropriate voting place has all the powers and authority conferred upon them by law in respect to hearing and determining the legality of challenged votes.

Sec. 29-J. Penalties. Any person willfully making a false statement or affidavit required by sections 29-A to 29-O shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment for a period of not less than one month nor more than 11 months, or by both. If any public official willfully refuses or neglects to perform any of the duties prescribed by sections 29-A to 29-O or violates any of their provisions, he shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment for a period of not less than one month nor more than 11 months, or by both.

Sec. 29-K. Application of other statutes. Except as otherwise provided in sections 29-A to 29-O and insofar as they are applicable, the law relating to absentee ballots applies to the casting and counting of ballots and challenging of votes by new residents, the furnishing of election supplies, ballots, canvassing of ballots and making proper returns of the results of the election.

Sec. 29-L. Definition of state. As used in sections 29-A to 29-O, "state" includes the District of Columbia.

Sec. 29-M. Uniformity of interpretation. Sections 29-A to 29-O shall be so construed as to effectuate the general purpose to make uniform the law of those states which enact them.

Sec. 29-N. Severability. If any provisions of sections 29-A to 29-O or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of sections 29-A to 29-O which can be given effect without the invalid provision or application, and to this end the provisions of sections 29-A to 29-O are declared to be severable.

Sec. 29-O. Short title. Sections 29-A to 29-O may be cited as the "Act for Voting by New Residents in Presidential Elections."

Effective September 21, 1963

Chapter 255

AN ACT Clarifying the Maine Milk Law.

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

Sec. 1. R. S., c. 32, § 87-B, sub-§ I, amended. Subsection I of section 87-B of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 163 of the public laws of 1961, is amended to read as follows:

I. Adulterated milk and milk products. Adulterated ~~and misbranded~~ milk and milk products means milk or milk products which upon analysis are

found to contain added water or which contain any unwholesome substance, or milk or milk products which contain any antibiotics, pesticide or chemical residues, or which if defined in sections 87-A to 87-G or defined in the regulations promulgated by the commissioner do not conform to the definition thereof, shall be deemed to be adulterated. Milk or milk products shall be deemed to be misbranded if the labeling is false, improper or misleading in any particular, or the labeling does not comply with the requirements promulgated by the commissioner.'

Sec. 2. R. S., c. 32, § 87-B, sub-§ XVII, amended. Subsection XVII of section 87-B of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 163 of the public laws of 1961, is amended to read as follows:

'XVII. **Milk.** Milk means the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows. It shall contain not less than ~~8.5%~~ 11.75% milk solids, and not less than 3.25% milkfat. The word "milk" shall be interpreted to include goat milk.'

Sec. 3. R. S., c. 32, § 87-D, amended. The 3rd paragraph of section 87-D of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 163 of the public laws of 1961, is amended to read as follows:

'It shall be unlawful for any milk dealer to sell any milk, or milk products as defined in sections 87-A to 87-G, the container of which is not plainly marked or labelled with the name of the contents, the word "pasteurized" or the word ~~"raw"~~ "natural" in accordance with the quality therein contained and the name ~~or trade name of the dealer~~ and address of the licensed dealer and sufficient information to identify the milk plant where packaged.'

Sec. 4. R. S., c. 32, § 87-D, amended. Section 87-D of chapter 32 of the Revised Statutes, as enacted by section 1 of chapter 163 of the public laws of 1961, is amended by adding at the end a new paragraph, as follows:

'It shall be unlawful for any person to sell, offer or expose for sale pasteurized milk or cream which has not been handled, processed or packaged in a milk plant operated by a dealer licensed in accordance with section 87-C.'

Sec. 5. R. S., c. 32, § 87-G-1, additional. Chapter 32 of the Revised Statutes is amended by adding a new section 87-G-1, to read as follows:

'Sec. 87-G-1. **Injunction.** In addition to any other remedy for the enforcement of sections 87-A to 87-G or any rule, regulation, order or decision of the commissioner, the Superior Court shall have jurisdiction upon complaint filed by the commissioner to restrain or enjoin any person from committing any act prohibited by sections 87-A to 87-G or prohibited by any rule, regulation, order or decision of the commissioner. If it is established, upon hearing, that the person charged has been or is committing any act declared to be unlawful by sections 87-A to 87-G or is in violation of any rule, regulation, order or decision of the commissioner, 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 commissioner shall not be required to give or post bond when making an application for an injunction under this section.'

Effective September 21, 1963

Chapter 256

AN ACT Relating to Excise Tax on Motor Vehicles Owned by Domestic Corporations, Partnerships, Charitable Institutions and Religious Societies.

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

Sec. 1. R. S., c. 91-A, § 125, sub-§§ VII and VIII, amended. Subsections VII and VIII of section 125 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 308 of the public laws of 1959, are amended to read as follows:

'VII. Benevolent and charitable institutions. Vehicles owned and used solely for their own purposes by benevolent and charitable institutions incorporated by this State and entitled to property tax exemption in accordance with section 10, subsection II;

VIII. Literary and scientific institutions. Vehicles owned and used solely for their own purposes by literary and scientific institutions and entitled to property tax exemption in accordance with section 10, subsection II;'

Sec. 2. R. S., c. 91-A, § 125, sub-§ VIII-A, additional. Section 125 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 308 of the public laws of 1959 and as amended by chapter 89 of the public laws of 1961, is further amended by adding a new subsection VIII-A, to read as follows:

'VIII-A. Religious societies. Vehicles owned and used solely for their own purposes by houses of religious worship or religious societies entitled to exemption under section 10, subsection II, paragraph G.'

Sec. 3. R. S., c. 91-A, § 126, sub-§ III, ¶¶ A and C, amended. Paragraphs A and C of subsection III of section 126 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 308 of the public laws of 1959, are amended to read as follows:

'A. If the motor vehicle is owned by a an individual resident of this State, or a domestic corporation, the excise tax shall be paid in the place where the owner resides.'

'C. If the motor vehicle is owned by a partnership or a foreign corporation, the excise tax shall be paid in the place where the motor vehicle is customarily kept; or if there is no such customary place of keeping, to the State.'

Effective September 21, 1963