

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
**FIRST REGULAR SESSION**

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ONE HUNDRED AND EIGHTH LEGISLATURE

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## CHAPTER 60

### AN ACT Relating to Maintaining Records on Premises under the Laws Relating to Alcoholic Beverages.

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

28 MRSA § 351, first sentence, is amended to read:

Every retail licensee shall keep for 2 years ~~in each premise for which he has a license~~ complete records separate and apart from records relating to any other transactions engaged in by the licensee showing the date of all purchases, the actual prices paid therefor and the fact that the licensee paid cash for all liquor bought by him at the time of or prior to delivery of such liquor together with the name and address of every person from whom such liquor was purchased.

Effective October 24, 1977

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## CHAPTER 61

### AN ACT Providing Legal Definition of Hunter Orange.

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

12 MRSA § 2468, as last repealed and replaced by PL 1973, c. 30, is repealed and the following enacted in its place:

§ 2468. Hunter orange clothing

Any person while hunting with firearms during the open firearm season on deer, except when hunting waterfowl from a boat or blind or in conjunction with waterfowl decoys, shall wear an article of hunter orange clothing which is in good and serviceable condition and which shall be visible from all sides.

Hunter orange is defined as a daylight fluorescent orange color with a dominant wave length between 595 and 605 nanometers, excitation purity not less than 85%, and luminance factor of not less than 40%.

Effective October 24, 1977

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## CHAPTER 62

### AN ACT to Amend the School Lunch and Milk Program.

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

20 MRSA § 1053, as last amended by PL 1975, c. 737, is repealed and the following enacted in its place:

§ 1053. Administration

1. Nutrition report. The commissioner may, to the extent that funds are available, conduct appraisals of the nutrition benefits of school lunch programs and report his findings to the State Board of Education.

2. Standards and regulations. The commissioner, with the authorization of the board, shall establish and maintain nutritional standards and regulations for all school food service programs.

A. The commissioner may establish training and educational standards and qualifications for positions of school food service program supervisors, managers and other school food service program employees.

3. Authority to operate food service programs. The school committee or board of directors of an administrative unit may establish, maintain and operate a school breakfast, milk or lunch program for the pupils in any school building under its jurisdiction.

4. Required participation. The commissioner, with the authorization of the board, shall require all public schools to participate in the National School Lunch Program.

5. Management of food service programs; use of funds.

A. The school committee or board of directors of an administrative unit shall make all contracts to provide material, personnel and equipment necessary to carry out the National School Lunch Act and the Child Nutrition Act of 1966. They shall hire the necessary employees to manage and operate their school food service programs.

B. The school committee or board of directors of an administrative unit shall use funds disbursed to them under this subchapter, appropriations and other money received from the State for school food service programs, gifts received for school food service programs and the receipts from the sale of meals under these school food service programs for meeting the expenses incurred under paragraph A.

6. Type A meals. A public school shall make available meals which meet nutritional standards established by the United States Department of Agriculture for type A meals.

7. Advice and assistance. The commissioner may give technical advice and assistance to any school committee or board of directors in connection with the establishment and operation of school food service programs. He may assist in training personnel engaged in the operation of any food service program.

8. Exceptions. The following are exempt from the requirements of subsection 4:

A. An administrative unit which has been authorized by the commissioner under subsection 9 to postpone the establishment of a National School Lunch Program; and

B. All high schools limited to students in grades 9, 10, 11 and 12.

9. Application for postponement. An administrative unit, which had been authorized by the commissioner as of September 1, 1976, to postpone the establishment of a National School Lunch Program, may apply to the commissioner to postpone the establishment of the program for an additional 3 years. The commissioner, with the authorization of the board, may grant the requested postponement provided:

A. The school committee or board of directors of the administrative unit has held a public hearing on its proposed application; and

B. Any one of the following conditions are met:

(1) It has been documented to the commissioner's satisfaction that the administrative unit lacks space for the program and there is no appropriate alternative source of meals for the students; or

(2) It is impossible for the administrative unit to contract for or to otherwise procure Type A meals for its students; or

(3) The lack of need for the program, as determined by the school committee or board of directors, is documented to the commissioner's satisfaction and was evident at the public hearing.

10. Annual review. The commissioner shall annually review the conditions in each of the administrative units which has been granted a postponement under subsection 9. If he finds that the conditions in an administrative unit have changed so that a postponement is no longer warranted, he may require that the administrative unit establish a National School Lunch Program at the start of the next school year. Whenever 1% of the residents living within the boundaries of the administrative unit petition the commissioner, he shall cause to be called a public hearing on the postponement granted under subsection 9 prior to his next annual review.

Effective October 24, 1977

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## CHAPTER 63

AN ACT to Clarify Authorization for Payment of Witness Fees for State Witnesses in Criminal Prosecutions.

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