

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 32

H.P. 146 - L.D. 180

AN ACT to Lower the Storage Temperature of Milk.

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

7 MRSA §2903, 9th ¶, as amended by PL 1971, c. 164, §15, is further amended to read:

It shall be unlawful to sell or serve any milk, skim milk, nonfat or fat-free milk, flavored milk or flavored dairy drink, or low fat milk, fortified milk and milk products, except ultra high temperature products, in a hotel, soda fountain, restaurant, grocery store, retail establishment selling packaged milk or milk products, hospital or similar establishment school which has not been maintained while in its possession, at a storage temperature of 45° 40° Fahrenheit, or less, in dry storage. Wet storage is specifically prohibited.

Effective September 19, 1985.

CHAPTER 33

H.P. 233 - L.D. 274

AN ACT to Amend the Weights and Measures Law.

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

Sec. 1. 10 MRSA §2654-A is enacted to read:

§2654-A. Retail vehicle tank metering devices

A repairman registered and otherwise regulated under this subchapter may test and calibrate retail vehicle tank metering devices for the delivery of petroleum products, provided that the state sealer has determined that the repairman is qualified, on the basis of his competency and his proper use of correct equipment, to perform those tests and calibrations. The state sealer shall note his determination of that

qualification on the repairman's registration certificate and shall make a new determination of qualification each time the certificate is renewed.

Such a metering device which has been tested and, if necessary, calibrated by a repairman in accordance with this section shall not be tested or calibrated by the state sealer within the 12-month period following the date of the testing and calibration unless testing or calibration by the state sealer is requested by the owner or operator of the device, except that the state sealer may test and, if necessary, calibrate any such device for the purpose of evaluating the competency of any repairman or for the purpose of investigation of a complaint. When the state sealer tests or calibrates such a device for those purposes, he shall not charge any fee if the device has been tested and, if necessary, calibrated within the previous 12 months and he finds the device to be correct.

Sec. 2. 10 MRSA §2701, 4th ¶ is amended to read:

The state sealer or sealers shall not charge a fee for testing or calibrating, weighing and measuring devices which have been calibrated or tested and approved within a period of 3 months from time of approval, provided the same are found to be correct, except fees for testing or calibrating retail vehicle tank metering devices tested or calibrated by a repairman in accordance with section 2654-A shall be charged as provided in that section.

Effective September 19, 1985.

CHAPTER 34

S.P. 35 - L.D. 43

AN ACT to Ensure Consistency Between 2
State Laws Concerning Personal Care
Assistance Services.

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

Sec. 1. 22 MRSA §3091-A, sub-§3, as enacted by PL 1983, c. 541, §1, is amended to read: