

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
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nonresident licenses not granted during the period available to residents or nonresidents.

Sec. 2. 12 MRSA §6676 is enacted to read:

§6676. Summary of municipal ordinances

The department shall prepare a summary description of all municipal shellfish ordinances which shall include, but not be limited to, a listing for each municipality of the license application period, fee structure, number of licenses available to residents and nonresidents. The department shall update and publish the summary every 6 months in a trade or industry journal which the commissioner considers to be effective in reaching the persons affected.

Effective September 19, 1985.

CHAPTER 49

H.P. 213 - L.D. 247

AN ACT Relating to the Adulteration of Food.

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

Sec. 1. 22 MRSA §2159, first ¶, as amended by PL 1979, c. 731, §19, is further amended to read:

Whenever a duly authorized agent of the Commissioner of Agriculture, Food and Rural Resources finds or has ~~probable cause~~ reason to believe that any food is adulterated, or so misbranded as to be dangerous or fraudulent, within the meaning of this subchapter, he ~~shall~~ may issue an order detaining or embargoing that food to any person or persons with possession or control thereof, and may affix or require the person or persons to whom the order is directed to affix to such article a tag or other appropriate marking, giving notice that such article is or is suspected of being adulterated or misbranded and has been detained or embargoed, and warning all persons not to remove or dispose of such article by sale or otherwise until permission for removal or disposal is given by such agent or the court. It shall be unlawful for any person to remove or dispose of such detained or embargoed article by sale or otherwise without such

permission. Orders relating to detention and embargo issued pursuant to this chapter shall not be considered licensing or an adjudicatory proceeding, as those terms are defined by the Maine Administrative Procedure Act, Title 5, chapter 375.

Sec. 2. 22 MRSA §2166, first ¶ is amended to read:

Any person who violates any of the provisions of section 2155 shall be punished by a fine of not more than ~~§100~~ \$1,000 for the first offense and a fine of not more than ~~§200~~ \$2,000 for each subsequent offense, except that any intentional violation of section 2155, subsections 1, 2, 3, 6, 7 and 8 which involve adulterated food, except as adulterated according to section 2156, subsection 2, shall be punished by a fine of not more than \$10,000 for the first offense and a fine of not more than \$20,000 for each subsequent offense. Carriers subject to jurisdiction of the Maine Public Utilities Commission or the Interstate Commerce Commission shall not be subject to section 2155, subsection 3, by reason of their receipt, carriage, holding or delivery of foods in the usual course of business as carriers.

Effective September 19, 1985.

CHAPTER 50

S.P. 48 - L.D. 64

AN ACT Concerning the Holidays on which
Courts must Close.

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

4 MRSA §1051, as amended by PL 1981, c. 202, is further amended to read:

§1051. Legal holidays

No court may be held on Sunday or any day designated for the annual Thanksgiving; ~~or for the choice of Presidential Electors;~~ New Year's Day, January 1st; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May, but if the United States