

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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

J.S. McCarthy Company
Augusta, Maine
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

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ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

provides that certification is stated on the label or in the advertisement. Any organization within this State that provides certification of food may not make membership a condition of certification under this section.

See title page for effective date.

CHAPTER 664

H.P. 1536 - L.D. 2121

An Act to Regulate Food Salvage Operations

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

Sec. 1. 22 MRSA §2152, sub-§§4-B and 7-B are enacted to read:

4-B. Food salvage establishment. "Food salvage establishment" means a food establishment engaged in reconditioning or by other means salvaging distressed merchandise and includes any food establishment that sells, buys, warehouses or distributes any salvaged merchandise.

7-B. Salvage broker. "Salvage broker" means a person, firm or corporation engaged in buying, selling, distributing or warehousing any distressed merchandise, whether or not in combination with other merchandise, which does not operate a food salvage establishment.

Sec. 2. 22 MRSA §2167, first ¶, as enacted by PL 1979, c. 672, Pt. A, §54, is amended to read:

No person, firm or corporation may operate a food establishment, food salvage establishment or act as a salvage broker unless licensed for that purpose by the commissioner. In the case of retail food establishments, licenses issued shall be displayed in a place visible to customers or other persons using a licensed establishment.

Sec. 3. 22 MRSA §2168, as enacted by PL 1979, c. 672, Pt. A, §55, is amended to read:

§2168. Fees

Each application for, or renewal of, a license to operate a food establishment or food salvage establishment or to act as a salvage broker, ~~within the meaning of this chapter shall~~ must be accompanied by a fee, appropriate to the size of the establishment of the licensee, determined by the commissioner and not to exceed \$30. The fee may not be refunded. No license may be assignable or transferable. ~~The fees so~~ Fees collected by the commissioner shall be deposited in the General Fund.

Sec. 4. 22 MRSA §2169, first ¶, as enacted by PL 1979, c. 672, Pt. A, §56, is amended to read:

The commissioner shall, within 30 days following receipt of application for a license to operate a food establishment or a food salvage establishment or to act as a salvage broker, issue ~~the appropriate license to operate any food establishment which if the applicant is found to comply in compliance with this chapter and any rules and regulations adopted by the commissioner. When any such applicant, upon inspection by the commissioner, is found not to meet the requirements of this chapter or regulations~~ rules adopted ~~hereunder~~ under this chapter, the commissioner ~~is authorized to~~ may issue either a temporary license for a specified period not to exceed 90 days, during which time corrections specified by the commissioner ~~shall~~ must be made by the applicant for compliance, or a conditional license setting forth conditions ~~which shall~~ that must be met by the applicant to the satisfaction of the commissioner.

See title page for effective date.

CHAPTER 665

H.P. 1395 - L.D. 1925

An Act to Allow Medical Testing without Physician Referral

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

Sec. 1. 22 MRSA §2013-A, sub-§1, ¶G, as enacted by PL 1989, c. 456, §2, is amended to read:

G. Laboratory services performing health screening tests as defined and regulated by rule adopted by the department and the commission. Services exempted under this paragraph include, but are not limited to, the performance of screening tests for cholesterol and colon cancer.

Sec. 2. 22 MRSA §2030, as repealed and replaced by PL 1975, c. 218, is repealed and the following enacted in its place:

§2030. Requested

1. Request from authorized person. Except as otherwise provided, a medical laboratory shall examine specimens only at the request of a licensed physician or other person authorized by law to use the findings of laboratory examinations.

2. Exceptions. Notwithstanding this section, a medical laboratory may examine specimens without a physician referral for a limited number of laboratory services to be determined by rules adopted by the department and the commission. Those services include testing for:

A. Glucose for patients who have been previously diagnosed as having diabetes;