

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

**CHAPTER 191**  
**H.P. 190 - L.D. 236**

**An Act To Establish the  
Permanent Commission on the  
Status of Women**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the issues resulting from gender discrimination in the State exist and affect the lives of women; and

**Whereas,** the Permanent Commission on the Status of Women should begin to work on issues resulting from gender discrimination immediately; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 5 MRSA c. 371-A** is enacted to read:

**CHAPTER 371-A**

**PERMANENT COMMISSION ON THE STATUS  
OF WOMEN**

**§7029. Commission established**

The Permanent Commission on the Status of Women, established by section 12004-I, subsection 88-A and referred to in this chapter as "the commission," is an independent commission. The commission shall promote, carry out and coordinate programs designed to improve opportunities for women in the State.

**§7030. Membership**

The commission consists of 17 members, including 7 appointed by the Governor, 5 appointed by the President of the Senate and 5 appointed by the Speaker of the House of Representatives. In making these appointments, the Governor, the President of the Senate and the Speaker of the House of Representatives shall consider and appoint residents of the State who have a knowledge of problems facing women in the State, who have experience in advocacy relating to women's issues and who provide leadership in programs or activities that improve opportunities for women. The members of the commission must be chosen from throughout the State, and the majority of members must be women. A member of the Legislature may not be appointed to the commission. The Governor shall appoint 7 members, each of whom represents one

of the following interests: minorities, the elderly, low-income people, persons with disabilities, youth, working with victims of domestic violence and federally recognized tribes in the State.

**§7030-A. Term of office**

Members of the commission are appointed for 2-year terms, except that, of those members first appointed, 4 appointed by the Governor, 2 appointed by the President of the Senate and 2 appointed by the Speaker of the House must be appointed for one-year terms. The term of office of each member must be designated at the time of appointment.

Members of the commission may serve after the expiration of their terms until their successors have taken office. The Governor, the President of the Senate and the Speaker of the House may terminate the membership of their respective appointees for good cause. The reason for the termination must be communicated in writing to a member whose membership is terminated. The membership of any member of the commission must be terminated if the member is absent from 3 consecutive meetings without communicating good cause to the chair of the commission.

**§7030-B. Vacancies**

A member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed serves only for the remainder of that term and must be appointed by the same appointing authority. Any vacancy on the commission does not affect its powers.

**§7030-C. Chair**

The Governor shall select from among the members of the commission a chair and a vice-chair, both of whom shall serve for one year. These selections must be made each year prior to the first meeting of the commission. The chair is authorized to appoint subcommittees.

**§7030-D. Powers and duties**

The commission shall advise and consult with the Governor and the Legislature about, and assist them in improving, opportunities for women in the State by:

**1. Research.** Carrying out research programs necessary to determine the status of women in the State;

**2. Activities.** Promoting and coordinating activities on state and local levels designed to meet the problems of women in the State;

**3. Advocate.** Serving as an advocate for women in making recommendations on proposed budgetary, legislative and policy actions to the Governor, the Legislature and other officials of the State and the Federal Government with respect to state and federal

policies, programs and other activities affecting or relating to women in the State;

**4. Information.** Informing the public about the presence or absence of opportunities for women in the State;

**5. Meetings.** Conducting public hearings, conferences, workshops and other such meetings to obtain information about, discuss and publicize the needs of and solutions to the problems of women; and

**6. Reports.** Making a biennial report to the Governor and the Legislature concerning the work and interests of the commission.

**§7030-E. Meetings; compensation**

The commission shall meet at the call of the chair not less than 4 times each year.

**§7030-F. Staff support**

The Secretary of State shall provide staffing support as required.

**Sec. 2. 5 MRSA §12004-I, sub-§88-A** is enacted to read:

**88-A.**

<u>Women</u>	<u>Permanent Commission on the Status of Women</u>	<u>Not Authorized</u>	<u>5 MRSA §7029</u>
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**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 22, 2009.

**CHAPTER 192**

**H.P. 308 - L.D. 420**

**An Act To Amend Certain  
Laws Related to the  
Department of Agriculture,  
Food and Rural Resources,  
Division of Quality Assurance  
and Regulation**

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

**Sec. 1. 10 MRSA §2623, sub-§1,** as enacted by PL 2001, c. 491, §1, is amended to read:

**1. Sales of commodities.** Except as otherwise provided by the State Sealer, sales of commodities must comply with the following:

A. Commodities in liquid form must be sold by liquid measure or by weight;

B. Commodities not in liquid form must be sold only by weight, by measure or by count; ~~and~~

C. A seller selling commodities in liquid form and using temperature compensators ~~must~~ shall have the seller's entire fleet of vehicles equipped with temperature compensators or have prior approval by the State Sealer for regional use of temperature compensators; and ~~must~~ shall provide accurate and adequate quantity information that permits the buyer to make price and quantity comparisons. Such equipment must be sealed and in use throughout the year;

D. Beginning January 1, 2010 all new delivery vehicles using vehicle tank meters and intended for the retail sale of refined petroleum products in the State must be equipped with automatic temperature compensating meters. A seller selling refined petroleum products and using temperature compensators shall have the seller's entire fleet of vehicles equipped with temperature compensators; and

E. Beginning January 1, 2015 all delivery vehicles using vehicle tank meters and intended for the retail sale of refined petroleum products in the State must be equipped with automatic temperature compensating meters. A seller selling refined petroleum products and using temperature compensators shall have the seller's entire fleet of vehicles equipped with temperature compensators, and they must be in use throughout the year.

**Sec. 2. 10 MRSA §2627,** as enacted by PL 1973, c. 91, §10, is amended by inserting at the end a new paragraph to read:

Whenever a package commodity or consumer commodity, as defined in Title 7, section 523, subsection 3, is advertised for retail sale, there must be a declaration of the price of the item either on each individual item, on the shelf where the item is located or on a placard or sign immediately adjacent to the item.

**Sec. 3. 10 MRSA §2631** is enacted to read:

**§2631. Conformity to national engine fuels and automotive lubricants regulations**

The engine fuel and automotive lubricants requirements, as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology uniform regulation "Uniform Engine Fuels and Automotive Lubricants Regulation," apply to any internal combustion engine fuels, lubricating oils or other similar products stored, sold, distributed, transported, exposed for sale or offered for sale, distribution or transportation in the