

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1074

S. P. 420

In Senate, February 23, 1967

Referred to Committee on Agriculture. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Girard of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Revising Laws on Dealers in Poultry.

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

Sec. 1. R. S., T. 7, §§ 1301-1304, amended. Sections 1301, 1302, 1303 and 1304 of Title 7 of the Revised Statutes are amended to read as follows:

§ 1301. Purpose

The purposes of this chapter are to maintain fair and equitable practices in the buying and selling of livestock **and poultry** within this State, and to suppress practices in such transactions which tend against the elimination of diseased and unfit livestock **and poultry**. In respect to dealers in livestock **and poultry** this chapter supplements and does not supersede other provisions of the laws relating to the control of livestock **and poultry** diseases under this Title.

§ 1302. Definitions

As used in this chapter:

1. **Agent.** "Agent" means any person acting for or in behalf of another in any of the transactions which constitute being a dealer.

2. **Dealer.** "Dealer" means any person, copartnership, association or corporation engaged in the business of buying or selling, **or both**, livestock **and poultry**, whether such purchase or sale be completed by cash, delayed payment, transfer, exchange, barter or shipment on commission. A person who receives livestock **and poultry** exclusively for slaughter on his own premises shall not be termed a dealer. The term "dealer" shall apply to nonresidents of the State who carry on business of buying and selling livestock **and poultry** in the State, whether such dealer is licensed in the state of his residence or not.

3. **Livestock and poultry.** "Livestock **and poultry**" shall include all cattle, dairy, feeding, beef or breeding animals, sheep, goats, swine **and**, horses **and poultry**.

§ 1303. Rules and regulations

The commissioner shall make uniform rules and regulations for carrying out this chapter, which shall be consistent with the rules and regulations for livestock and poultry disease control provided for under this Title.

§ 1304. License; agents

No person, firm, partnership or corporation shall act as a dealer of livestock and poultry unless duly licensed. No agent shall act for any dealer unless he and the dealer are duly licensed and the dealer has designated such agent to act in his behalf. A dealer shall be accountable and responsible for acts of his agents.

Sec. 2. R. S., T. 7, § 1305, amended. The first sentence of section 1305 of Title 7 of the Revised Statutes is amended to read as follows:

Application for a license as a dealer in livestock and poultry or as an agent shall be made upon a form prescribed by the commissioner or his duly constituted agent.

Sec. 3. R. S., T. 7, §§ 1307 and 1308, amended. Sections 1307 and 1308 of Title 7 of the Revised Statutes, as amended by chapter 47 of the public laws of 1965, are further amended to read as follows:

§ 1307. Records; health certificates; sanitation of equipment

The commissioner may require licensed livestock and poultry dealers to keep certain records of transactions in any or all classes of livestock and poultry. The commissioner may require that livestock and poultry sold by licensed livestock and poultry dealers shall meet certain health requirements established by him.

A licensed dealer shall at all times keep his motor vehicles or trucks and premises in a sanitary condition. No ~~cattle livestock or poultry~~ known to be affected with ~~tuberculosis or brucellosis~~ any reportable disease shall be transported in any vehicle with other ~~cattle livestock or poultry~~ except those going directly for slaughter.

All motor vehicles, trucks or other ~~conveyances~~ equipment used to transport ~~known reactors to tuberculosis and brucellosis~~ livestock or poultry infected with any reportable disease shall be cleaned and disinfected before being used for the transportation of any other livestock or poultry.

§ 1308. Penalties

Any person, copartnership, association or corporation engaged in the business of buying or selling livestock or poultry, or both, as defined in this chapter without a license provided for in section 1304, or who shall violate any of the provisions of sections 1302 to 1307, shall be punished by a fine of not more than \$500 or by imprisonment for not more than 90 days, or by both, or who shall violate any rule and regulation promulgated thereunder, or neglect or refuse to comply with any of the provisions thereof, shall be punished by a fine of not more than \$50.

Sec. 4. R. S., T. 7, c. 205, §§ 1401-1406, repealed. Chapter 205 of Title 7 of the Revised Statutes is repealed.