

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 825

S. P. 342

In Senate, February 14, 1939.

Referred to Committee on Agriculture. Sent down for concurrence and 1000 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Osgood of Oxford.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to the Milk Control Board.

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

Sec. 1. P. L., 1935, c. 13, § 4, repealed. Section 4 of chapter 13 of the public laws of 1935 is hereby repealed.

Sec. 2. P. L., 1935, c. 13, § 5, amended. Section 5 of chapter 13 of the public laws of 1935 is hereby amended by inserting therein at the end of the 2nd paragraph the following paragraph:

‘Prices so fixed shall be just and reasonable taking into due consideration the insuring of an adequate supply of pure and wholesome milk and conditions affecting the milk industry including a reasonable return to the producer, producer-dealer, and dealer.’

Sec 3. P. L., 1935, c. 13, § 6, amended. Section 6 of chapter 13 of the public laws of 1935 is hereby amended to read as follows:

‘Sec. 6. Licenses; how issued. The board shall require all dealers and producer-dealers in any market designated by said board to be licensed by said board, provided however, that no license shall be required of any person who produces or sells milk for consumption only on the premises of the producer or seller. The board may, upon proper evidence, decline to

grant a license or may suspend or revoke a license already granted upon due notice and after hearing.

No order of the board suspending ~~or~~, revoking **or withholding** a license or refusing to renew an existing license shall be effective until 10 days after the same has been issued and a copy thereof mailed to the holder of **or applicant for** such license. Within said period of 10 days any party believing himself aggrieved by the order of the board may appeal to the ~~term of the superior court next to be held~~ in the county wherein the holder of **or applicant for** such license resides, **in term time or vacation**, and cause notice of such appeal to be served on the board. Such court, after hearing, **in term time or vacation**, shall affirm or reverse the order of the board, **or any modification thereof by the board**. ~~If such appeal be seasonably taken the order of the board shall be stayed and the applicant permitted to continue operation, upon payment of the required fees, until final determination of such appeal.~~

No appeal taken from an order of the board shall suspend the operation of such order, except as herein provided. The justice of the superior court before whom such appeal is pending, when in his opinion justice may so require, may order a suspension of or compliance with such order or with such order as modified by the board, pending the determination of such appeal. Violation of the provisions of this act or of any order, rule or regulation made hereunder, or conviction of violating any other law or regulation of the state relating to the production, distribution, and sale of milk, shall be sufficient cause to suspend, revoke, or withhold such license.'