

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1178

H. P. 1548

House of Representatives, February 27, 1947

Transmitted by the revisor of statutes pursuant to joint order

Referred to the Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Clements of Belfast.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

**AN ACT Relating to the Licensing of Dealers in Antiques, Used Precious
Metals and Gems, and Secondhand Articles.**

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

R. S., c. 88, §§ 105-A - 105-E, additional. Chapter 88 of the revised statutes is hereby amended by adding thereto 5 new sections to be numbered 105-A to 105-E, inclusive, to read as follows:

'Sec. 105-A. Licenses for dealers in antiques; fee; revocation. No person, firm or corporation shall keep or occupy any shop, storehouse, building or place of business, or be a dealer in the state for the purchase, possession, storage, sale or barter of, or trade in, any antiques, used precious metals and gems, and secondhand articles, except under written license, as a dealer in the above mentioned articles, granted by the secretary of state and issued under his hand upon payment to him for the use of the state of an annual license fee of \$10. Such license shall be valid only during the calendar year for which issued, and may be revoked by the secretary of state for violation of any provisions hereof.

Sec. 105-B. Applications and records. Applications for dealer in antiques, used precious metals and gems, and secondhand articles shall

designate the place where business is to be carried on or where such articles as are herein before specified under the provisions hereof, may be kept or stored. Every such licensee shall make a daily duplicate record on forms provided by the secretary of state of all such articles purchased or otherwise acquired by such licensee, with date, name and residence of seller, and a description of each article sufficiently accurate to identify it, together with the price paid therefor and also the registration number of any motor vehicle used by the seller in the delivery of any such article and shall file the duplicate copy thereof in the office of the sheriff of the respective county by not later than Saturday following such purchase.

Sec. 105-C. Retention of articles. Every licensee hereunder shall retain possession of all such articles for which a record is herein required for a period of 1 week from the date of filing the record thereof in the office of the sheriff, during which period said articles shall be subject to identification and inspection by any law enforcement officer. Such licensee shall produce and identify any such article upon request of the officer.

Sec. 105-D. Penalty. Violation of any of the provisions hereof shall be punished by a fine of not less than \$50 nor more than \$100 for each separate offense, and each day's violation of any provision hereunder shall be deemed a separate offense.

Sec. 105-E. "Secondhand dealer", defined. "Secondhand dealer" as used in sections 105-A to 105-D, inclusive, shall mean any person who buys one or more antiques, used precious metals and gems, and other secondhand articles for resale.'