

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-sixth Legislature

1953

Sec. 7. R. S., c. 57, §§ 61-A, 61-B, additional. Chapter 57 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 61-A and 61-B, to read as follows:

'Salesmen

Sec. 61-A. Salesmen. All concerns selling liquor to the state shall furnish to the commission a list of all officers and directors, if a corporation, or a list of all partners, if a partnership, and also the name of the salesman representing the concern within the state.

Such salesman shall apply to the director of licensing and enforcement for a license disclosing the person, firm or corporation for whom he is employed. The license fee shall be \$10 and shall expire on the last day of December of the year in which it is obtained. It may be renewed annually on payment of \$10.

Licenses so issued by the director of licensing and enforcement shall be revoked for the violation of the liquor laws or any rule or regulation promulgated by the commission.

Sec. 61-B. Appeal. If any person is aggrieved by the decision of the director of licensing and enforcement in revoking the license of the salesman, he may, within 10 days thereafter, appeal to the commission and the decision of the commission shall be final. Pending judgment of the commission, the decision of the director of licensing and enforcement in revoking such license shall remain in full force and effect.'

Sec. 8. Amendatory clause. Wherever in this chapter references are made to powers and duties of the commission, which powers and duties have been specifically assigned under its supervision to the business administrator or the director of licensing and enforcement by the provisions of this act, such references shall be amended accordingly.

Effective August 8, 1953

Chapter 397

AN ACT to Control Vesicular Diseases.

Emergency preamble. Whereas, vesicular exanthema has been positively diagnosed in Maine; and

Whereas, symptoms of vesicular exanthema and foot and mouth disease are identical; and

Whereas, approved diagnostic tests involve considerable expense and time of expensive personnel, and if this disease is allowed to become permanently established in the state of Maine, it would make annual high expenditures of money necessary to continually run diagnostic tests; and

Whereas, this condition has been declared an emergency by the secretary of agriculture in Washington, and cooperative steps are being taken to eradicate the disease in the states where it exists; and

Whereas, this disease is primarily spread by feeding of uncooked garbage to swine; and

Whereas, immediate action is necessary to check the spread of this disease and to protect the livestock industry of the state of Maine; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of the state of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, economy and welfare; now therefore,

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

Sec. 1. R. S., c. 27, §§ 76-A — 76-G, additional. Chapter 27 of the revised statutes, as amended, is hereby further amended by adding thereto 7 new sections to be numbered 76-A to 76-G, inclusive, to read as follows:

‘Vesicular Exanthema

Sec. 76-A. Vesicular exanthema. As used in sections 76-A to 76-G, inclusive, the following words shall have the following meanings:

“Garbage” shall mean putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of foods including animal carcasses or parts thereof. This does not include fruits and vegetables which have not come in contact with any other products.

“Person” shall mean the state, any municipality, political subdivision, institution, public or private corporation, individual, partnership or other entity.

Sec. 76-B. License to feed garbage; heating; inspection. After June 1, 1953, no person shall feed garbage to swine without first securing a license therefor from the commissioner of agriculture or his duly authorized

agent. Such licenses shall be secured annually for a fee of \$1 and shall be renewed on the 1st day of June of each succeeding year. The provisions of this section shall not apply to any person who feeds his own household garbage only to swine which are raised for such person's own use.

Garbage, regardless of previous processing, shall before being fed to swine, be thoroughly heated to at least 212 degrees F. for at least 30 minutes unless treated in some other manner which shall be approved in writing by the commissioner or his duly authorized agent.

The commissioner or his duly authorized agent shall have the power to enter at reasonable times any private or public property for the purpose of investigating conditions relating to the treating or feeding of garbage.

Sec. 76-C. Animals infected. Any animal infected with or exposed to foot and mouth disease shall be killed, buried, destroyed, rendered, processed or otherwise disposed of under the direct supervision of the commissioner or his duly authorized agent.

Sec. 76-D. Suppression and eradication. The commissioner or his agent is authorized to conduct approved diagnostic tests, procure necessary animals, personnel, equipment and facilities and take other necessary precautions for the suppression and eradication of any vesicular disease.

Sec. 76-E. Agreements with United States Department of Agriculture. The commissioner or his agent is authorized to enter into agreements of cooperation in the name of the state of Maine with the United States Department of Agriculture.

Sec. 76-F. Rules and regulations. The commissioner is authorized to promulgate necessary rules and regulations to carry out the provisions of sections 76-A to 76-G, inclusive. Such rules and regulations shall become effective when approved in writing by the governor and council.

Sec. 76-G. Penalty. Whoever violates any provision of sections 76-A to 76-G, inclusive, or any rule and regulation promulgated thereunder, shall be punished by a fine of not less than \$50, nor more than \$100 for the 1st offense; and shall, for the 2nd and subsequent offenses, be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment for not less than 30 days, nor more than 6 months, or by both such fine and imprisonment.'

Sec. 2. Removal of swine. No swine shall be sold or removed from any farm or premises where raw garbage is fed until 30 days after a

license for cooking garbage has been issued, without satisfactorily passing veterinary inspection at the owner's expense within 24 hours previous to the time of removal.

A special permit shall be required from the commissioner of agriculture or his duly authorized agent for such removal, and shall be granted only for animals for immediate slaughter or to other garbage feeders.

Sec. 3. Appropriation. There is hereby appropriated from the unappropriated surplus of the general fund the sum of \$5,000 for the fiscal year ending June 30, 1953, to carry out the provisions of this act. This appropriation shall not lapse but shall remain a continuing carrying account.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective May 8, 1953

Chapter 398

AN ACT Relating to Administration of the Highway Commission.

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

Sec. 1. R. S., c. 20, § 3, amended. Section 3 of chapter 20 of the revised statutes, as amended, is hereby further amended to read as follows:

Sec. 3. Commission; appointment; tenure; choice of chairman; attorney-general attorney for commission; annual reports. The state highway commission, as heretofore established, shall consist of 3 members to be appointed by the governor with the advice and consent of the council. One member shall be a member of the political party which cast the 2nd highest number of votes in the last gubernatorial election. One member shall be appointed by the governor as chairman who shall devote each full working day to his duties and whose salary shall be fixed by the governor and council. The term of office of the chairman shall be 7 years, subject only to removal for cause. The other members of the commission shall receive \$4,000 per year and shall be appointed for a term of 3 years and any vacancies shall be filled for the unexpired term. Each member of the commission, except the chairman, shall receive his actual expenses incurred in the performance of his official duties while away from his home. The attorney-general shall be attorney for the commission and shall, without