

MAINE STATE LEGISLATURE

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PART 3

LICENSING OF DEALERS; AUCTIONS

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CHAPTER 201

LIVESTOCK

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§ 1301. Purpose

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

R.S.1954, c. 32, § 133.

§ 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 livestock, whether such purchase or sale be completed by cash, delayed payment, transfer, exchange, barter or shipment on commission. A person who receives livestock 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 in the State, whether such dealer is licensed in the state of his residence or not.

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

R.S.1954, c. 32, § 134.

§ 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 disease control provided for under this Title.

R.S.1954, c. 32, § 139.

§ 1304. License; agents

No person, firm, partnership or corporation shall act as a dealer of livestock 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.

R.S.1954, c. 32, § 135.

§ 1305. Application for license

Application for a license as a dealer in livestock or as an agent shall be made upon a form prescribed by the commissioner or his duly constituted agent. The commissioner or his duly constituted agent, if satisfied with the applicant's qualifications, shall issue to such applicant a license entitling the applicant to act as a dealer or as an agent for a period of one year from July 1st of the year in which the application was made. The license fee for a dealer shall be \$5 and for an agent, 50¢. Each dealer and agent shall receive from the commissioner certificates as such, which certificates shall be carried in the motor vehicle or truck owned or used by such dealer or agent. Each dealer shall receive from

the commissioner dealer license plates to be attached to each motor vehicle or truck owned or used by such dealer.

R.S.1954, c. 32, § 136.

§ 1306. Revocation and suspension of licenses

The commissioner or his duly constituted agent shall have the power to revoke or suspend any license issued under this chapter whenever it is determined by himself or any of his deputies that any of the provisions of this Title and rules and regulations have been violated. Before any license shall be revoked, the commissioner or his duly constituted agent shall give the licensee 10 days' notice, personally or by mail, of the time and place of hearing. At such hearing the commissioner or his duly constituted agent shall receive evidence and hear the licensee and shall thereafter file an order either dismissing the proceeding or revoking such license. Any licensee who feels aggrieved or dissatisfied with the decision of the said commissioner may appeal from said decision within 10 days to the Superior Court in the county where the licensee resides, or in the case of a nonresident, to the Superior Court in the County of Kennebec.

R.S.1954, c. 32, § 137.

§ 1307. Records; health certificates; sanitation of equipment

The commissioner may require licensed livestock dealers to keep certain records of transactions in any or all classes of livestock. The commissioner may require that livestock sold by licensed livestock 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 known to be affected with tuberculosis or brucellosis shall be transported in any vehicle with other cattle except those going directly for slaughter.

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

R.S.1954, c. 32, § 138; 1955, c. 106; 1959, c. 102.

§ 1308. Penalties

Any person, copartnership, association or corporation engaged in the business of buying or selling livestock 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, or neglect or refuse to comply with any of the provisions thereof, shall be punished by a fine of not more than \$200 for the first offense and not more than \$500 for each subsequent offense.

R.S.1954, c. 32, § 140.