

# MAINE STATE LEGISLATURE

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L.D. 1237

(Filing No. H-128 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
113TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 925, L.D. 1237,  
Bill, "AN ACT to Change the Lime Laws."

Amend the bill in section 1 in that part designated "§768." in subsection 1 by adding at the end the following:

'The order must include a notice that the owner or custodian may request a review of the determination of the commissioner at a hearing by filing a written request with the commissioner.'

Further amend the bill in section 1 in that part designated "§768." by striking out all of subsection 2 and inserting in its place the following:

'2. Hearing. Within 10 days of receipt of a request for a hearing under subsection 1, the commissioner shall hold a hearing in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter IV. Upon the hearing, the commissioner shall either rescind the order or, for good cause shown, continue the order.'

3. Release of materials. When the requirements of this subchapter have been met and all costs and expenses incurred in connection with the withdrawal have been paid, the commissioner shall release the agricultural liming materials held under this section by terminating the "stop sale, use or removal" order and issuing a release order. The issuance of the release order shall not be considered licensing or an adjudicatory proceeding, as defined by the Maine Administrative Procedure Act, Title 5, chapter 375.'

Further amend the Bill by inserting before section 2 the following:

HOUSE AMENDMENT "A" to H.P. 925, L.D. 1237

1           'Sec. 2. Allocation. The following funds are  
2 allocated from Other Special Revenue to carry out the  
3 purposes of this Act.

4		<u>1987-88</u>	<u>1988-89</u>
5	<u>AGRICULTURE, FOOD AND RURAL</u>		
6	<u>RESOURCES, DEPARTMENT OF</u>		
7	Bureau of Public Services		
8	All Other	\$1,000	\$1,000

9           Provides funds for  
10           increased sampling  
11           and testing of lime  
12           products.'

13           Further amend the Bill by renumbering the sec-  
14           tions to read consecutively.

15           Further amend the bill by inserting before the  
16           statement of fact the following:

17                                   'FISCAL NOTE

18           This bill will result in an increase in dedicated  
19           revenue to the Department of Agriculture, Food and  
20           Rural Resources of approximately \$1,000 annually from  
21           the proposed fee of \$50 on lime products. There will  
22           be a loss of \$480 to the General Fund annually, since  
23           20 agricultural liming products are currently charged  
24           a fee of \$24.'

HOUSE AMENDMENT "A" to H.P. 925, L.D. 1237

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STATEMENT OF FACT

2           This amendment requires that the commissioner  
3 provide an opportunity for a hearing on his "stop  
4 sale, use or removal" order within 10 days of being  
5 requested to do so by a recipient of an order. The  
6 amendment also adds an allocation and a fiscal note  
7 to the bill.

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2821051387

Filed by Rep. Tardy of Palmyra  
Reproduced and distributed under the direction of the Clerk of the  
House  
5/14/87                                   (Filing No. H-128)