

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1734

H.P. 1243

House of Representatives, June 9, 1989

Reference to the Committee on Agriculture suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative TARDY of Palmyra.

Cosponsored by Senator EMERSON of Penobscot and Representative WHITCOMB of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

**An Act to Increase Various License and Registration Fees of the
Department of Agriculture, Food and Rural Resources.**



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

3 **Sec. 1. 7 MRSA §714, sub-§1,** as enacted by PL 1971, c. 77, §1,
5 is amended to read:

7 **1. Application for registration.** No person shall
9 distribute in this State a commercial feed, except a
11 customer-formula feed, which has not been registered pursuant to
13 this section. The application for registration shall be submitted
15 in the manner prescribed by the commissioner on forms furnished
17 by the commissioner, and shall be accompanied by a fee of \$25 \$30
per brand. Upon approval by the commissioner the registration
shall be issued to the applicant. All registrations expire on the
31st day of December of each year.

17 **Sec. 2. 7 MRSA §743, first ¶,** as amended by PL 1979, c. 672, Pt.
A, §22, is further amended to read:

19 Each brand and grade of commercial fertilizer shall be
21 registered before being offered for sale, sold or distributed in
23 this State. The application for registration shall be submitted
25 to the commissioner on forms furnished by the commissioner and
27 shall be accompanied by a fee of \$12 \$14 per plant food element
guaranteed. All registrations expire on December 31st of each
29 year or in a manner consistent with the provisions as to license
expiration of the Maine Administrative Procedure Act, Title 5,
31 section 10002, whichever is later. The commissioner may refuse to
33 renew, suspend or cancel registration for failure to comply with
35 this subchapter or with regulations adopted pursuant hereto. This
refusal, suspension or cancellation shall be considered
rule-making as that term is defined in the Maine Administrative
Procedure Act, Title 5, chapter 375 and notice and opportunity
for a hearing shall be provided in a manner consistent with the
Maine Administrative Procedure Act, Title 5, chapter 375. The
application shall include the following information:

37 **Sec. 3. 7 MRSA §2902, 6th ¶,** as enacted by PL 1979, c. 672,
Pt. A, §36, is amended to read:

39 The fee for each license to sell milk or cream as a producer
41 dealer shall be based on the annual volume of milk sold to other
than a licensed dealer or subdealer, but shall not be less than
43 \$10 nor greater than \$25. The fee for each license to sell or
45 distribute milk or cream from a milk plant shall be based on the
annual volume of milk sold or distributed by the milk plant, but
47 shall not be less than \$25 \$50 nor more than \$50 \$150. The
commissioner shall promulgate and establish a fee schedule in a
49 manner consistent with the Maine Administrative Procedure Act,
Title 5, chapter 375.

1 **Sec. 4. 7 MRSA §2902, 7th ¶**, as amended by PL 1981, c. 315,
§9, is further amended to read:

3 The fee for each wholesale license to sell or distribute
5 frozen dessert shall be \$25 ~~\$50~~.

7 **Sec. 5. 10 MRSA §2501**, as amended by PL 1977, c. 694, §181,
is further amended to read:

9 **§2501. Qualifications**

11 Any person wishing to be a licensed public weighmaster shall
13 make application to the state sealer upon forms provided by him
15 the state sealer, and each application shall be accompanied by a
17 fee of \$2 ~~\$25~~. Upon receipt of application and the state sealer
19 ~~satisfying-himself~~ sealer's satisfaction that the applicant is of
21 good moral character and has the ability to weigh accurately and
23 to make correct weight certificates and passing such oral or
25 written examination as the state sealer may determine and upon
27 making oath to execute his the requisite duties satisfactorily
shall be granted a license as a public weighmaster. Each license
shall expire on December 31st of each year or in a manner
consistent with the Maine Administrative Procedure Act, Title 5,
chapter 375, whichever is later, unless sooner revoked or
suspended under section 2506. Each licensed public weighmaster
shall, at his the public weighmaster's own expense, provide
himself--with procure an impression seal. His The public
weighmaster's name and the word "Maine" shall be inscribed around
the outer margin of the seal and the words "licensed public
weighmaster" shall appear in the center thereof. The seal shall
be impressed upon each weight certificate issued by a licensed
public weighmaster.

33 **Sec. 6. 10 MRSA §2651**, as amended by PL 1977, c. 694, §184,
35 is further amended to read:

37 **§2651. Registration; certificates**

39 Any person wishing to be registered as a dealer or repairman
shall make application to the state sealer upon forms provided by
41 him the state sealer, furnishing such pertinent information as he
may ~~require~~ be required and each application shall be accompanied
43 by a fee of \$2 ~~\$25~~. Upon approval by the state sealer,--he shall
45 issue to the applicant a registration certificate which shall
expire on December 31st, or in the manner provided in the Maine
Administrative Procedure Act, Title 5, chapter 375, whichever is
47 later, unless sooner suspended or revoked under section 2655.

