

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1444

H.P. 995

House of Representatives, April 8, 1991

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.

Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative PARENT of Benton.
Cosponsored by Senator TWITCHELL of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to License Installers of Milking Equipment.



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

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7 MRSA §2909 is enacted to read:

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§2909. Installers of milking equipment

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1. Licensing. A person, firm or corporation that installs or repairs milking equipment on farms shall apply annually to the commissioner for a license. For the purpose of this section, "milking equipment" means pipeline milkers, in-line coolers, automatic takeoffs, stimulators and backflush systems. Before granting a license to an applicant, the commissioner shall determine that the applicant is qualified to perform installation and repair services. The application fee is \$25 per year.

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2. Submission and approval of plans. Prior to the installation or repair of any milking equipment, a licensee under this section shall submit a written plan or design to the commissioner for review and approval. A plan or design must be submitted at least 10 days prior to the date on which work is expected to begin and the commissioner shall complete the review within 10 days of receipt of the plan or design. Work may not commence until approval of the plan or design has been given by the commissioner. The commissioner shall approve any plan or design that conforms with standards established by the commissioner by rulemaking in accordance with the Maine Administrative Procedure Act.

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3. Suspension and revocation of license. The commissioner may suspend or revoke any license issued under this section after notice and an opportunity to be heard is provided in a manner consistent with the Maine Administrative Procedure Act governing adjudicatory proceedings, upon a finding that any of the following has occurred.

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A. The licensee failed to submit a plan or design in accordance with subsection 2 prior to performing installation or repair services.

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B. The licensee completed an installation or repair project in a manner that is substantially inconsistent with the approved plan or design.

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STATEMENT OF FACT

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This bill requires that persons who install or repair milking equipment in this State be licensed. The bill requires that minimum standards of competency be possessed by persons

installing milking equipment and that installers submit plans or
2 designs of proposed installations to the Commissioner of
Agriculture, Food and Rural Resources for review and approval.
4 Plans and designs must be reviewed by the commissioner to
determine conformance with established industry standards.
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