

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 744

H.P. 537

House of Representatives, January 28, 1999

An Act to Change the Way Nursery License Fees Are Established.

Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative FULLER of Manchester.
Cosponsored by Senator NUTTING of Androscoggin and
Representative COWGER of Hallowell.

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

2 **Sec. 1. 32 MRSA §1901, sub-§1-A**, as enacted by PL 1993, c.
4 256, §2, is repealed and the following enacted in its place:

6 **1-A. Fees.** The Commissioner of Agriculture, Food and Rural
8 Resources shall establish the fee for a license to sell nursery
10 stock by rule, which is a routine technical rule as defined in
12 Title 5, chapter 375, subchapter II-A.

14 **Sec. 2. 32 MRSA §1901, sub-§2**, as enacted by PL 1991, c. 785,
16 §4 and affected by §5, is amended to read:

18 **2. Violations.** Any person, firm or corporation engaged in
20 the business of selling nursery stock without a license commits a
22 civil violation for which a forfeiture not to exceed \$500 may be
24 adjudged. Licenses may be revoked by the Administrative Court,
26 as provided in the Maine Administrative Procedure Act, for
28 failure to comply with the requirements of Title 7, chapter 405-A.
30

SUMMARY

24 This bill deletes the fee structure specified in law for a
26 nursery license and requires the Commissioner of Agriculture,
28 Food and Rural Resources to establish these fees by rule. The
30 bill also makes it a civil violation to sell nursery stock
without a license and establishes a forfeiture of not more than
\$500.