

MAINE STATE LEGISLATURE

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R.S.

L.D. 2448

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DATE: 3-9-00

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AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1742, L.D. 2448, Bill, "An Act to Improve Licensing Efficiency within the Department of Agriculture, Food and Rural Resources"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 22 MRSA §2169, as amended by PL 1997, c. 454, §11, is further amended to read:

§2169. Issuance of licenses

The commissioner shall, within 30 days following receipt of application for a license to operate a food establishment or a food salvage establishment or to act as a salvage broker, issue the appropriate license if the applicant is in compliance with this chapter and any rules adopted by the commissioner. When any applicant, upon inspection by the commissioner, is found not to meet the requirements of this chapter or rules adopted under this chapter, the commissioner may issue either a temporary license for a specified period not to exceed 90 days, during which time corrections specified by the commissioner must be made by the applicant for compliance, or a conditional license setting forth conditions that must be met by the applicant to the satisfaction of the commissioner.

A license is may be issued for a ~~one-year, 2-year or 3-year~~ period of up to 3 years. Licenses for a period in excess of one

COMMITTEE AMENDMENT

2 year may only be issued with the agreement of or at the request
4 of the applicant. The fee for a 2-year license is 2 times the
6 annual fee. The fee for a 3-year license is 3 times the annual
8 fee. The prescribed fee must accompany the application for
license. Licenses may be renewed upon application and payment of
the fees, subject to the commissioner's rules and regulations.
Licenses erroneously issued by the commissioner are considered
void and must be returned to the commissioner on demand.

10 ~~The commissioner shall, during the 2-year period following~~
12 ~~the effective date of this section, redistribute the expiration~~
14 ~~dates of the existing licenses so that an equal number expire in~~
~~each month of the year, thus allowing for distributing the work~~
~~of relicensure evenly throughout the year.~~

16 Beginning August 1, 2000, each one-, 2- or 3-year license or
18 license renewal issued expires on December 31st of the
20 appropriate year. When an initial license is issued or when a
22 license is renewed between August 1, 2000 and August 1, 2003, the
license fee is prorated based on the number of months the license
is valid and the annual fee.

24 The commissioner shall notify license holders not less than
26 30 days prior to the expiration of their licenses and provide
them with any necessary relicensure forms.

28 **Sec. 2. 32 MRSA §1851, 3rd ¶**, as amended by PL 1993, c. 410,
Pt. S, §4, is further amended to read:

30 ~~All such licenses run for the current year until the 30th~~
32 ~~day of June following the date of the issuance, on which date,~~
34 Beginning August 1, 2000, each license or license renewal issued
36 expires on the 31st day of December following the date of
38 issuance or on the date provided by the provisions of the Maine
40 Administrative Procedure Act as to license expiration, whichever
42 date is later, they terminate unless sooner revoked as provided
in section 1802, and must be renewed annually thereafter subject
always to such revocation. When an initial license is issued or
when a license is renewed between August 1, 2000 and December 31,
2001, the license fee is prorated based on the number of months
the license is valid and the annual license fee.

44 **Sec. 3. Effective date.** This Act takes effect August 1, 2000.'

46 SUMMARY

48 This amendment clarifies that license fees for any license
50 issued after August 1, 2000 expires on December 31st of the
appropriate year of expiration and that old license fees must be
prorated based upon the December 31st expiration date.