

MAINE STATE LEGISLATURE

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L.D. 1191

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DATE: 5-15-01

(Filing No. H- 458)

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AGRICULTURE, CONSERVATION AND FORESTRY

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12 the House.

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

18
20 COMMITTEE AMENDMENT "A" to H.P. 899, L.D. 1191, Bill, "An
Act to Amend the Maine Arborist Licensing Laws"

22 Amend the bill by striking out the title and substituting
24 the following:

26 **'An Act to Amend the Maine Arborist Licensing Law and Clarify the
Expiration Date for Nursery Licenses'**

28 Further amend the bill by inserting after section 1 the
30 following:

32 **'Sec. 2. 7 MRSA §2171, first ¶, as enacted by PL 1999, c. 84,
§3, is amended to read:**

34 A person, firm or corporation may not engage in or continue
36 in the business of selling or dealing in nursery stock, as
38 defined in section 2211, without first obtaining a license to
40 conduct such business in this State. The State Horticulturist
42 shall prescribe the form of the license. Upon proper
44 application, a license must be issued in the name of the nursery
owner or dealer and that license may not be transferred. Each
agent and each store acting under a general agent or store must
have a license as provided in this section. A license may be
issued for a one-year, 2-year or 3-year period and expires on
December 31st of the year the period ends. Licenses for a period
in excess of one year may only be issued with the agreement of or
at the request of the applicant. The fee for a 2-year license is
2 times the annual fee. The fee for a 3-year license is 3 times
48 the annual fee.'

COMMITTEE AMENDMENT

R. 918

COMMITTEE AMENDMENT "A" to H.P. 899, L.D. 1191

2 Further amend the bill in section 4 in that part designated
3 "~~§2179.~~" in the first paragraph in the 2nd line (page 1, line 35
4 in L.D.) by inserting after the following: "advertise," the
5 following: 'consult,'

6 Further amend the bill in section 7 in that part designated
7 "~~§2191.~~" in subsection 1 in the 4th line (page 2, line 7 in L.D.)
8 by striking out the following: "In addition," and inserting in
9 its place the following: 'Of the 6 arborists,'

10 Further amend the bill in section 7 in that part designated
11 "~~§2191.~~" in subsection 1 in the 6th line (page 2, line 9 in L.D.)
12 by striking out the following: "and"

13 Further amend the bill in section 7 in that part designated
14 "~~§2191.~~" in subsection 1 in the 7th line (page 2, line 10 in
15 L.D.) by inserting after the following: "arborist" the following:
16 '; and one must serve on the governing council of a statewide
17 professional organization for licensed arborists'

18 Further amend the bill by relettering or renumbering any
19 nonconsecutive Part letter or section number to read
20 consecutively.

21 Further amend the bill by inserting at the end before the
22 summary the following:

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· FISCAL NOTE

The Department of Agriculture, Food and Rural Resources will incur some minor additional costs to reimburse members of the Maine Arborist Advisory Council for certain expenses. These costs can be absorbed within the department's existing budgeted resources.

The removal of certain arborist licensing exemptions will result in insignificant increases of dedicated revenue to the Department of Agriculture, Food and Rural Resources from license fees.

This bill may reduce prosecutions for Class E crimes. If the number of jail sentences is reduced, the savings to the counties are estimated to be \$83.36 per day per prisoner. The amount of any reduction of jail time and the resulting savings to the county jail system are expected to be insignificant.

Dedicating the fine revenue will increase Other Special Revenue and decrease General Fund revenue by minor amounts.

R.S.

COMMITTEE AMENDMENT "A" to H.P. 899, L.D. 1191

2 The additional costs associated with the technology and
administrative costs associated with the dedication of fine
4 revenue can be absorbed by the Judicial Department utilizing
existing budgeted resources.'

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SUMMARY

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10 This amendment is the majority report of the committee. It
clarifies that a nursery license expires on December 31st. It
12 clarifies that a person who consults in the business of an
arborist is required to have a license. It requires one member of
the Maine Arborist Advisory Council to serve on the governing
14 council of a professional organization for licensed arborists.
It also adds a fiscal note to the bill.

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