

MAINE STATE LEGISLATURE

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AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE HOUSE OF REPRESENTATIVES 122ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1110, L.D. 1572, Bill, "An Act To Amend the Potato Industry Licensing Laws"

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the licensing of potato dealers is vital to the potato industry; and

Whereas, revisions are needed to protect potato growers when contracting for the 2005 crop; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, '

Further amend the bill in section 1 in that part designated "§1015." in the 2nd paragraph in the first line (page 1, line 26 in L.D.) by striking out the following: "such applications" and inserting in its place the following: 'such--applicatiens an initial application' and in the 2nd line (page 1, line 27 in L.D.) by striking out the following: "applications" and inserting in its place the following: 'applicatiens application'

Further amend the bill in section 1 in that part designated
2 "**§1015.**" in the 5th paragraph in the 7th line (page 2, line 28 in
L.D.) by inserting after the following: "submission of" the
4 following: 'an application demonstrating that the applicant
continues to meet the requirements for licensing, including
6 filing'

Further amend the bill in section 1 in that part designated
8 "**§1015.**" in the 5th paragraph in the 12th line (page 2, line 33
10 in L.D.) by striking out the following: "for license renewals"
and inserting in its place the following: 'when granting a
12 license renewal'

Further amend the bill in section 2 in subsection 1 by
14 striking out all of the first paragraph (page 3, lines 11 to 17
16 in L.D.) and inserting in its place the following:

18 '1. **Acts enumerated.** The commissioner or the
commissioner's duly authorized agent may refuse to grant or renew
20 a license, after notice and opportunity for a hearing is provided
in a manner consistent with the Maine Administrative Procedure
22 Act as to adjudicatory proceedings, upon a finding that any of
the following acts have existed within 2 years of the date of the
24 filing of an application for license:'

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

28 '**Emergency clause.** In view of the emergency cited in the
30 preamble, this Act takes effect when approved.'

32
34 **SUMMARY**

This amendment adds an emergency preamble and clause to the
36 bill. It clarifies the requirements for a license renewal for
potato dealers and brokers. It restores language providing due
38 process that was struck in the bill.

40
42 **FISCAL NOTE REQUIRED**
(See attached)



122nd MAINE LEGISLATURE

LD 1572

LR 0545(02)

An Act to Amend the Potato Industry Licensing Laws

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Minor revenue increase - Other Special Revenue Funds