

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

1-A. Fees. The following provisions apply to the fees payable for a license issued under this section.

A. An applicant who has a nursery stock retail sales area in excess of 150 square feet or gross annual sales of nursery stock in excess of \$500 shall pay a license fee of \$25 per year.

B. An applicant who has gross annual sales of nursery stock of \$500 or less and a nursery stock retail sales area of 150 square feet or less shall pay a license fee of \$5 per year.

C. Educational institutions are exempt from the license fee.

This subsection is repealed 90 days after the adjournment of the Second Regular Session of the 119th Legislature.

Sec. 2. 32 MRSA §1901, sub-§1-B is enacted to read:

1-B. Fees established by rule. No later than December 31, 1999, the Commissioner of Agriculture, Food and Rural Resources shall provisionally adopt rules in accordance with Title 5, chapter 375 to establish fees for licenses issued under this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter II-A. Fees established by rules adopted under this subsection may take effect no earlier than 90 days after the adjournment of the Second Regular Session of the 119th Legislature.

Sec. 3. 32 MRSA §1901, sub-§2, as enacted by PL 1991, c. 785, §4 and affected by §5, is amended to read:

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

Sec. 4. Date for rules submission; authorization for legislation. Rules provisionally adopted in accordance with this Act must be submitted to the Legislature for review no later than December 31, 1999. The Joint Standing Committee of Agriculture, Conservation and Forestry may report out legislation to the Second Regular Session of the 119th Legislature pertaining to fees for licensing sellers and dealers in nursery stock.

See title page for effective date.

CHAPTER 180

S.P. 94 - L.D. 233

An Act to Amend the Provisions Relating to Executive Sessions in Connection with the Transaction of Public or Government Business

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

Sec. 1. 1 MRSA §405, sub-§6, ¶F, as amended by PL 1999, c. 40, §1, is further amended to read:

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute; ~~and~~

Sec. 2. 1 MRSA §405, sub-§6, ¶G, as enacted by PL 1999, c. 40, §2, is amended to read:

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; ~~and~~

Sec. 3. 1 MRSA §405, sub-§6, ¶H is enacted to read:

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

See title page for effective date.

CHAPTER 181

H.P. 693 - L.D. 960

An Act to Allow the Bureau of Labor Standards to Assess Administrative Civil Money Penalties for Labor Law Violations

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

Sec. 1. 26 MRSA §53 is enacted to read: