

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend Certain Laws Related to the Department of Agriculture, Food and Rural Resources

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

Sec. 1. 7 MRSA §742, sub-§8 is amended to read:

8. Grade. "Grade" means any commercial fertilizer having a specific ~~and~~minimum percentage of plant nutrients that is the same guarantees the guaranteed analysis, expressed in whole numbers.

Sec. 2. 7 MRSA §2104-A is enacted to read:

§ 2104-A. Arrears in payments to Seed Potato Board

A person who on July 15th of any year is in arrears as to full payment for potato seed purchased from the Seed Potato Board is not eligible for listing in the Maine certified seed potatoes book for that year published by the department's Division of Plant Industry.

Sec. 3. 7 MRSA §2701, as amended by PL 1999, c. 401, Pt. H, §2, is further amended to read:

§ 2701.Licensing

All persons owning honeybees within the State shall annually notify the commissioner of the keeping of bees and the location of the bees and shall forward to the commissioner for deposit with the Treasurer of State an annual license fee ~~not to exceed \$2 per colony~~ for all bees kept on June 15th of each year. A license may be issued for a one-year, 2-year or 3-year period. Licenses for a period in excess of one year may be issued only 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 the annual fee. Fees must be established by rule in accordance with the Maine Administrative Procedure Act. ~~No license fee returned may be less than \$2 per beekeeper.~~ License fees accrue as a dedicated revenue to the Division of Plant Industry to fund the cost of apiary inspection and licensing.

~~Between 14 and 30 days prior to June 15th annually, the commissioner shall cause notice of the annual notification and license fee requirement to be published at least twice in the state newspaper and in other newspapers or journals of general circulation adequate to provide reasonable notice throughout the State publicized.~~

Sec. 4. 22 MRSA §1471-N, as amended by PL 1979, c. 187, is repealed.

Sec. 5. 22 MRSA §2153, as amended by PL 1977, c. 694, §§346 and 347, is further amended by adding at the end a new paragraph to read:

Notwithstanding Title 1, section 402, the commissioner shall prohibit the release of information provided by the United States Department of Agriculture, Food Safety and Inspection Service pursuant to 9 Code of Federal Regulations, Section 390.9 (2008) or by the Food and Drug Administration pursuant to 21 Code of Federal Regulations, Section 20.88 (2008).

Sec. 6. 22 MRSA §2169, 3rd ¶, as enacted by PL 1999, c. 598, §1 and affected by §4, is amended to read:

Beginning August 1, 2000, each one-, 2- or 3-year license or license renewal issued expires on December 31st of the appropriate year except that, beginning January 1, 2010, each one-year, 2-year or 3-year license or license renewal expires on the date of issuance of the appropriate year. When an initial license is issued or when a 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. When a license is renewed between January 1, 2010 and January 1, 2011, the period of time that the license is valid may be increased by up to 11 months and the license fee is prorated based on the number of months the license is valid and the annual fee.

Sec. 7. 22 MRSA §2513, as enacted by PL 1999, c. 777, §1, is amended to read:

§ 2513. Rules

The commissioner shall adopt rules to carry out the purposes of this chapter. Notwithstanding Title 5, section 8052, subsection 8, such rules may adopt by general reference those provisions of the Code of Federal Regulations that are applicable to meat and poultry inspection, as such regulations may be amended, and that are necessary to remain in compliance with the federal requirements for the State's meat and poultry products inspection and licensing program under section 2512. Rules adopted under this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~2-A.

SUMMARY

The bill allows the Department of Agriculture, Food and Rural Resources to withhold from listing in the annual Maine seed certification book the names of growers who have failed to pay for seed purchased from the Seed Potato Board.

The bill directs the department to set through rulemaking fees for the cost of licensing bee colonies.

The bill creates uniformity between state and federal standards for chemical control of vertebrates.

The bill staggers the expiration dates of certain licenses issued by the department, adopts portions of the Code of Federal Regulations pertaining to the State's meat and poultry inspection program and creates uniformity with federal standards pertaining to certain information provided by the United States Department of Agriculture, Food Safety and Inspection Service and the United States Food and Drug Administration.