

7 §2171. LICENSE REQUIRED; FEE; VIOLATIONS

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A person, firm or corporation may not engage in or continue in the business of selling or dealing in nursery stock, as defined in section 2211, without first obtaining a license to conduct such business in this State. The State Horticulturist shall prescribe the form of the license. Upon proper 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 the annual fee. [2001, c. 299, §2 (AMD).]

1. Fees.

[T. 7, §2171, sub-§1 (RP) .]

1-A. 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.

[1999, c. 790, Pt. A, §5 (NEW); 1999, c. 790, Pt. A, §6 (AFF) .]

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 District Court, as provided in the Maine Administrative Procedure Act, for failure to comply with the requirements of chapter 405-A.

[1999, c. 547, Pt. B, §78 (AMD); 1999, c. 790, Pt. A, §7 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

SECTION HISTORY

1999, c. 84, §3 (NEW). 1999, c. 547, §B78 (AMD). 1999, c. 790, §§A4,5,7 (AMD). 1999, c. 547, §B80 (AFF). 1999, c. 790, §A6 (AFF). 2001, c. 299, §2 (AMD). MRS A T.7 ., §2171/1 (AMD).

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