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AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1086, L.D. 1579, Bill, “An Act To Amend and Add Consistency to the Maine Weights and Measures Law”

Amend the bill in section 1 in §2461 in the first paragraph in the 18th to 20th lines (page 1, lines 23 to 25 in L.D.) by striking out the following: "For each month that the municipal officers neglect their duty, they severally are subject to a fine of \$10."

Amend the bill in section 1 in §2461 in the first paragraph in the 22nd line (page 1, line 27 in L.D.) by striking out the following: "and for neglect of this duty is subject to a fine of \$10"

Amend the bill in section 1 by striking out all of §2462 and inserting the following:

§2462. Municipalities that do not choose a sealer

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality.'

SUMMARY

This amendment does the following:

- 1. Removes the provisions that impose a \$10 fine on municipal officers and clerks who neglect their duties with respect to sealers of weights and measures appointed or elected by those municipal officers; and
- 2. Clarifies that if a municipality chooses not to take advantage of the option to appoint or elect a sealer, or fails to provide notice to the state sealer of such an

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1 appointment or election, the state sealer retains jurisdiction and may appoint qualified
2 persons to carry out the state sealer's responsibilities in those municipalities.