

MAINE STATE LEGISLATURE

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Date: 5/17/19

Majority

HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 940, L.D. 1297, Bill, "An Act To Reduce Youth Cancer Risk"

Amend the bill in section 1 in §689-A in subsection 3 by inserting at the end a blocked paragraph to read:

'Failure to post a notice in accordance with this subsection is a violation of this section.'

Amend the bill in section 1 in §689-A in subsection 4 by inserting at the end a blocked paragraph to read:

'Failure to provide a written statement in accordance with this subsection is a violation of this section.'

Amend the bill in section 1 in §689-A in subsection 5 by inserting at the end a blocked paragraph to read:

'Failure to act in accordance with this subsection is a violation of this section.'

Amend the bill in section 1 in §689-A by striking out all of subsection 8 and inserting the following:

'8. Violation; penalty. Notwithstanding section 690, subsection 1, a person who violates this section is not subject to the criminal penalties under section 690, subsection 1 but is subject to civil penalties in accordance with section 690, subsection 2. Violation may also result in suspension or revocation of a registration issued in accordance with subsection 7.'

Amend the bill in section 1 in §689-A in subsection 9 in the last line (page 3, line 14 in L.D.) by inserting after the following: "section" the following: 'or rules adopted pursuant to subsection 10'

Amend the bill in section 1 in §689-A by inserting after subsection 9 the following:

'10. Rulemaking. The department shall adopt rules to implement this section and otherwise regulate tanning facilities. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

COMMITTEE AMENDMENT

BOFS

1 Amend the bill by adding after section 1 the following:

2 **'Sec. 2. Department of Health and Human Services to amend rules.** No
3 later than February 1, 2020, the Department of Health and Human Services shall amend
4 its rules in 10-144 C.M.R. Chapter 223 to be consistent with the Maine Revised Statutes,
5 Title 22, section 689-A.'

6 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
7 section number to read consecutively.

8 **SUMMARY**

9 This amendment, which is the majority report of the committee, specifies that a
10 violation of the section on tanning facilities is subject only to civil penalties. It requires
11 the Department of Health and Human Services to adopt routine technical rules to
12 implement the law and otherwise regulate tanning facilities and directs the department to
13 amend its rules in 10-144 C.M.R. Chapter 223 to be consistent with the law.

14 **FISCAL NOTE REQUIRED**

15 **(See attached)**



129th MAINE LEGISLATURE

LD 1297

LR 765(02)

An Act To Reduce Youth Cancer Risk

Fiscal Note for Bill as Amended by Committee Amendment

A(H-293)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor revenue impact - General Fund
Minor revenue increase - Other Special Revenue Funds
Minor cost increase - General Fund

Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time.

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.

Fiscal Detail and Notes

This bill may decrease the number of registered tanning facilities over time, thus decreasing income from registration fees. Any loss of revenue to the Department of Health and Human Services is expected to be minor and can be absorbed within existing budgeted resources.