

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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Legislative Document

No. 930

S. P. 316

In Senate, February 23, 1971

Referred to Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Bernard of Androscoggin.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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AN ACT to Amend the Eating Place Licensing Law.

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

Sec. 1. R. S., T. 22, § 2482, amended. Section 2482 of Title 22 of the Revised Statutes is amended to read as follows:

§ 2482. License; required

No person, corporation, firm or copartnership shall conduct, control, manage or operate, for compensation, directly or indirectly, any catering establishment, or establishments preparing foods for vending machines dispensing foods other than in original sealed packages, or any other establishment preparing food for human consumption other than on the premises, or any eating or lodging place, recreational or overnight camp, unless the same shall be licensed by the department.

Sec. 2. R. S., T. 22, § 2483, amended. Section 2483 of Title 22 of the Revised Statutes is amended to read as follows:

§ 2483. —Terms and fees

The department is empowered to license catering establishments, establishments preparing foods for vending machines dispensing foods other than in original sealed packages, or any other establishment preparing food for human consumption other than on the premises, eating and lodging places, recreational and overnight camps. Such licenses shall be issued by the department under such terms and conditions as it deems advisable, and fees for licenses not exceeding ~~\$15~~ \$50 may be charged. The fees thus received shall constitute a permanent fund to carry out this chapter.

Sec. 3. R. S., T. 22, § 2486, amended. The last sentence of the first paragraph of section 2486 of Title 22 of the Revised Statutes is amended to read as follows:

License shall not be required from dormitories of charitable, educational or philanthropic institutions, nor from private homes used in emergencies for the accommodation of persons attending conventions, fairs or similar public gatherings, nor from temporary eating and lodging places for the same, nor from railroad dining or buffet cars, nor from construction camps, nor from boardinghouses and camps conducted in connection with wood cutting and logging operations, nor from any boarding homes for the aged, blind or other persons over 16 years of age which are licensed under section 5, nor from any homes boarding children exclusively and which are licensed under section 3797, nor such business activities as are currently inspected by the State Department of Agriculture.

#### STATEMENT OF FACT

The increases in inspection costs are such that the present license fees will support only a very limited inspection program of eating, lodging and recreational places.

The requested increase in license fee ceiling would provide the means to increase fees to the point where a regular and complete inspection schedule could be financed. The maximum fee would be applied to recreational camps.

The suggested change in section 2482 would subject to inspection a variety of establishments not now inspected by the Department of Agriculture or the Department of Health and Welfare. These are places such as those used for the manufacture of Italian sandwiches, not for consumption on the premises.

The alternatives to a license fee increase are: (1) Continued decrease in inspection services as costs continue to increase in the face of a fixed income, and (2) finance inspection services from a general revenue appropriation with license fees going into the general revenue.