

# MAINE STATE LEGISLATURE

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L.D. 2428  
(Filing No. H-689 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
113TH LEGISLATURE  
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "<sup>A</sup>" to H.P. 1775, L.D. 2428,  
Bill, "AN ACT to Increase the Frequency of Restaurant  
Inspections."

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Amend the bill by striking out all of section 1  
and inserting in its place the following:

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'Sec. 1. 22 MRSA §2494, as amended by PL 1983,  
c. 553, §20, is further amended to read:

14

§2494. Fees

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Each application for, or for renewal of, a license  
to operate an eating establishment, eating and lodging  
place, lodging place, recreational camp or camping  
area within the meaning of this chapter shall be  
accompanied by a fee, appropriate to the size of the  
establishment, place, camp or area of the licensee,  
determined by the department and not to exceed ~~\$40~~  
the fees listed below. All fees collected by the  
department shall be deposited in the General Fund. No  
such fee may be refunded. No license may be  
assignable or transferable. The fees may not exceed:

26

1. Forty dollars. Forty dollars for:

27  
28

A. Public schools governed by a school board of  
an administrative unit;

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1 B. Private secondary schools approved for tuition  
2 when school enrollments are at least 60% publicly  
3 funded students as determined by the previous  
4 school year's October to April average enrollment;  
5 and

6 C. Schools operated by an agency of State  
7 Government for the education of children in  
8 unorganized territories;

9 2. Ten dollars. Ten dollars for each inspection  
10 for any eating establishment which is located in a  
11 municipality which requires local inspections of  
12 eating establishments; and

13 3. One hundred twenty-five dollars. One hundred  
14 twenty-five dollars for all other establishments,  
15 places and camps not included in subsection 1 or 2.

16 All such fees are for the license and the  
17 initial licensure inspection, 2 licensure inspections  
18 and one follow-up inspection. When additional  
19 inspections are required to determine an applicant's  
20 eligibility for licensure, the department is  
21 authorized through its regulations rules to charge  
22 an additional ~~10~~ \$20 fee to cover the costs of  
23 each additional inspection or visit. Failure to pay  
24 such charges within 90 30 days of the billing date  
25 shall constitute grounds for revocation of said the  
26 license, unless an extension for a period not to  
27 exceed 90 60 days is granted in writing by the  
28 commissioner.'

29 Further amend the bill by striking out all of  
30 section 3 and inserting its place the following:

31 'Sec. 3. Appropriation. The following funds  
32 are appropriated from the General Fund to carry out  
33 the purposes of this Act.

34 1988-89

35 HUMAN SERVICES,  
36 DEPARTMENT OF

37 Legal Services-Human Services

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1	Positions	(2)
2	Personal Services	\$51,800
3	All Other	3,200
4	Capital Expenditures	1,000
5	Provides funds for one	
6	attorney and one	
7	clerical position in	
8	order to carry out the	
9	purposes of this Act.	
10	Bureau of Health	
11	Positions	(14)
12	Personal Services	\$291,760
13	All Other	74,240
14	Provides funds for 14	
15	restaurant inspectors,	
16	in order to carry out	
17	the purposes of this	
18	Act.	
19		
20	TOTAL APPROPRIATIONS	<u>\$422,000</u>

21 FISCAL NOTE

22 The department estimates that the proposed  
23 increase in fees would increase General Fund revenues  
24 by \$413,000. If schools were required to pay the new  
25 \$125 fee instead of the current \$40, there would be an  
26 additional \$9000 in revenues to the General Fund.'

27 STATEMENT OF FACT

28 This amendment retains the current \$40 inspection  
29 fee for educational institutions. It amends the  
30 appropriation to properly give the money for the

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1 attorney and clerical positions to the Department of  
2 Human Services and divides the money for the Bureau of  
3 Health between Personal Services and All Other.

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Reported by the Committee on Human Resources  
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