

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1227

S.P. 451

In Senate, March 21, 1991

Submitted by the Department of Public Safety pursuant to Joint Rule 24.
Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

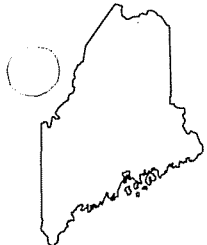
Presented by Senator FOSTER of Hancock

Cosponsored by Representative NORTON of Winthrop, Representative CARROLL of Gray
and Senator HOLLOWAY of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Amend the Schedule of Fees for Permits, Licenses and
Certificates Issued by the Department of Public Safety.**



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

2
3 **Sec. 1. 8 MRSA §161, 5th ¶**, as amended by PL 1973, c. 78, §2,
4 is further amended to read:

6 A fee of ~~\$10~~ \$25 is fixed by the Commissioner of
7 Public Safety for each such license. Said ~~The~~ the fee shall ~~must~~
8 accompany the application for such the license and shall ~~is~~ is not
9 be refunded in those cases in which the premises are inspected
10 and said the fee shall ~~be~~ is credited to the Department of Public
11 Safety to help defray expenses of such those inspections. No fee
12 shall ~~be~~ is required for the licensing of public, private or
13 state-owned school buildings or municipally-owned
14 municipality-owned buildings.

16 **Sec. 2. 8 MRSA §227, sub-§§1 to 3**, as enacted by PL 1985, c.
17 23, §2, are amended to read:

18 1. **Permit to discharge fireworks.** Permit to discharge,
19 fire off or explode fireworks: ~~Fifteen~~ twenty-five dollars per
20 calendar year;

22 2. **Site inspection.** Inspection of fireworks display
23 sites: ~~Ten~~ twenty-five dollars; and

26 3. **Display permit for specified period of time.** Permit for
27 supervised display of fireworks for period of time specified in
28 permit: ~~Twenty~~ thirty-five dollars.

30 **Sec. 3. 8 MRSA §502, 2nd ¶**, as amended by PL 1989, c. 502, Pt.
31 C, §2, is further amended to read:

32 No traveling circus, traveling amusement show or amusement
33 device may operate or exhibit any parade, show or entertainment
34 in this State without first paying a license fee for each
35 calendar year. Application for the license shall ~~shall~~ must be made to
36 the Commissioner of Public Safety and shall contain the name of
37 the person or corporation using or operating the traveling
38 circus, traveling amusement show or amusement device, and a
39 statement of proposed territory within the limits of the State,
40 and names of the cities and towns in which the traveling circus,
41 traveling amusement show or amusement device is to operate or
42 exhibit. No traveling circus or traveling amusement show or
43 amusement device may exhibit any parade, show or entertainment in
44 this State without first furnishing the Commissioner of Public
45 Safety, in an amount to be determined by the commissioner, a
46 certificate of public liability insurance issued by an authorized
47 insurer or approved surplus lines insurer pursuant to Title 24-A
48 or any risk retention group registered in any state pursuant to
49 the 15 United States Code, ~~Title-15~~, Chapter 65, or through a
50 purchasing group registered in any state pursuant to the 15
51 United States Code, ~~Title-15~~, Chapter 65. Upon receipt of the
52

2 application, accompanied by a certificate of public liability
3 insurance and upon payment of the required fee, a license shall
4 be is issued. For amusement shows, carnivals, thrill shows, ice
5 shows, rodeos or similar types of performances which are held
6 indoors or outdoors the fee shall-be is \$250. For circuses which
7 are held outdoors or under tents or similar temporary cover or
8 enclosure the fee shall-be is \$500. For circuses held indoors in
9 an auditorium, arena, civic center or similar type building the
10 fee shall-be is \$250. For circuses produced in their entirety by
11 a nonprofit, charitable organization a license is required but no
12 fee may-be is charged. The amusement device license fee shall-be
13 \$25 is \$50 per amusement device. A traveling amusement show,
14 having amusement devices and having secured a traveling amusement
15 show license, shall must pay an additional amusement device
16 license fee for each amusement device over & 5 rides. "Amusement
17 device" means a device by which a person is conveyed, where
18 control by the rider over the speed or direction of travel is
19 incomplete. It does not include a vehicle or device, the
20 operation of which is regulated as to safety by any other
21 provision of law, except a municipal ordinance under Title 30-A,
22 section 3001, or any coin-operated kiddie amusement device on a
23 nonmoving base which is designed to accommodate one child.

24 Sec. 4. 8 MRSA §652, as repealed and replaced by PL 1977, c.
25 340, §1, is amended to read:

26 **§652. Applications for license; inspections**

27
28 The owner, lessee, tenant or occupant of any building or
29 place of assembly required to be licensed under section 651 shall
30 make application to the Commissioner of Public Safety for that
31 license. Upon receipt of the application, the commissioner shall
32 inspect or cause to be inspected that building or place of
33 assembly to be used for theatrical or motion picture purposes to
34 ascertain its compliance with the statutes laws and regulations
35 rules. If as a result of the inspection the commissioner is
36 convinced that the regulations rules are fully complied with, he
37 the commissioner may issue a license to the person desiring to
38 operate the theatrical or motion picture production in that
39 building. A- The fee for a license shall-be-~~\$25~~ is \$50. All
40 theatrical or motion picture licenses issued shall expire one
41 year after date of issue unless sooner revoked. The fees shall
42 be are credited to the Office of the State Fire Marshal's-Office
43 Marshal to defray the expenses of the office. Any balance of
44 those fees shall may not lapse but shall must be carried forward
45 as a continuing account to be expended for the same purposes in
46 the following fiscal years.
47
48

5. The fee for the issuance of a permit to use is \$30.
2 This permit is issued for a 3-year period and validates the
storage, transportation and handling of explosives. There is an
4 additional fee of \$30 for the inspection of each explosive
magazine and vehicle transporting explosives. Reinspection is
6 required when renewing the permit to use.