

MAINE STATE LEGISLATURE

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R 133

L.D. 211

DATE: 4/24/95

(Filing No. H- 133)

BUSINESS AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 163, L.D. 211, Bill, "An Act to Clarify the Laws Regarding the Sale of Recreational Vehicles on Sunday"

Amend the bill by striking out the title and substituting the following:

'An Act to Exempt Motor Homes from the Sunday Sales Law'

Further amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, motor homes are currently considered to be motor vehicles in terms of the law that forbids Sunday sales; and

Whereas, the Federal Government treats motor homes as homes in terms of tax deductions; and

Whereas, motor home dealers also sell travel-trailers, which can be sold on Sundays; and

Whereas, the great majority of motor homes are sold in the spring and summer; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, '

COMMITTEE AMENDMENT

RdS

COMMITTEE AMENDMENT "A" to H.P. 163, L.D. 211

Further amend the bill in section 1 in that part designated "**§3203.**" in the first paragraph in the first line (page 1, line 8 in L.D.) by striking out the following: "Any" and inserting in its place the following: 'Any Except as provided in section 3203-A, any'

Further amend the bill in section 1 in that part designated "**§3203.**" in the first paragraph by striking out all of the last underlined sentence (page 1, lines 29 and 30 in L.D.).

Further amend the bill by inserting after section 1 the following:

'**Sec. 2. 17 MRSA §3203-A** is enacted to read:

§3203-A. Motor homes

A person who is licensed in accordance with Title 29-A, section 951 and whose primary business is the buying and selling of new motor homes is exempt from section 3203 as it relates to that person's primary business. A "motor home" means a motor vehicle that is primarily designed as temporary living quarters and:

1. Part of vehicle. Is built onto or is an integral part of the motor vehicle chassis; and

2. Contains living systems. Contains independent living systems that are part of the manufacturing process that include cooking facilities, plumbing with external evacuation or that is self-contained, electrical capabilities, a heating source powered separately from the engine and a water system that includes a sink and faucet.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

This bill may reduce prosecutions for Class E crimes. If jail sentences are reduced, the savings to the counties are estimated to be \$83.22 per day per prisoner. These savings do not affect reimbursement by the State. The reduction in the number of prosecutions that would have resulted in a jail sentence and the resulting savings to the county jail system are expected to be insignificant.

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COMMITTEE AMENDMENT "A" to H.P. 163, L.D. 211

2 The Judicial Department may realize some minor savings from
3 reductions of workload and administrative costs associated with
4 the minimal number of cases that will no longer be filed in the
5 court system. Reductions in the collection of fines may decrease
6 General Fund revenue by minor amounts.'

8 **STATEMENT OF FACT**

10 The original bill exempts recreational vehicles from the
11 Sunday sales law. This amendment clarifies that it is motor
12 homes that are exempted. It also adds a fiscal note to the bill.