

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Date: 3/15/10

(Filing No. H-721)

Majority  
HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
124TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1130, L.D. 1592, Bill, "An Act To Update the Laws Affecting the Maine Center for Disease Control and Prevention"

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

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill by striking out all of sections 1 to 6 and inserting the following:

**Sec. 1. 22 MRSA §263** is enacted to read:

**§263. Fees for services provided to municipalities**

The department shall adopt rules to charge fees for services provided to municipalities by the Maine Center for Disease Control and Prevention pertaining to health data and vital statistics, including but not limited to fees for services, paper and supplies. The department shall review fees charged under this section every 3 years beginning in 2013. Rules adopted pursuant to this section are major substantive rules as defined by Title 5, chapter 375, subchapter 2-A.'

Amend the bill in section 12 in subsection 3 by striking out all of paragraph B (page 5, line 14 in L.D.) and inserting the following:

'B. Burial permit, \$5 Permit for the disposition of human remains, \$20, except that no fee is owed if the disposition of human remains is paid for through the municipal general assistance program under chapter 1161; and'

Amend the bill by striking out all of sections 13 to 15 and inserting the following:

**Sec. 13. 30-A MRSA §2652**, as amended by PL 2005, c. 86, §1; c. 112, §§1 and 2; and c. 683, Pt. C, §8, is further amended by adding at the end a new paragraph to read:

1        The Department of Health and Human Services, Maine Center for Disease Control  
 2        and Prevention shall review the fees charged by the clerk under this section every 3 years  
 3        beginning in 2013.'

4        Amend the bill by inserting after section 20 the following:

5        'Sec. 21. **Appropriations and allocations.** The following appropriations and  
 6        allocations are made.

7        **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

8        **Division of Data, Research and Vital Statistics Z037**

9        Initiative: Allocates funds from increased fee revenue for program operating expenses.

10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
11	All Other	\$0	\$442,665
12			
13	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$442,665</u>

14        **Health - Bureau of 0143**

15        Initiative: Allocates funds from increased fee revenue for program operating expenses.

16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
17	All Other	\$0	\$321,488
18			
19	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$321,488</u>

20        **Plumbing - Control Over 0205**

21        Initiative: Allocates funds from increased fee revenue for program operating expenses.

22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2009-10</b>	<b>2010-11</b>
23	All Other	\$0	\$429,820
24			
25	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$429,820</u>

26        **HEALTH AND HUMAN SERVICES,**  
 27        **DEPARTMENT OF (FORMERLY DHS)**  
 28        **DEPARTMENT TOTALS**

29		<b>2009-10</b>	<b>2010-11</b>
30	<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	\$1,193,973
31			
32	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$1,193,973</u>
33			

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

3 **SUMMARY**

4 This amendment is the majority report of the committee. The amendment adds a  
5 mandate preamble. It removes the provisions of the bill related to rabies control and  
6 provisions of the bill that would require municipalities to remit to the Department of  
7 Health and Human Services a portion of the increased fees that towns would charge for  
8 vital records. It reduces the increased fee for burial permits from \$40 to \$20, changes the  
9 term "burial" to "disposition of human remains" and exempts dispositions of human  
10 remains paid for by municipal general assistance from the fee. The amendment  
11 authorizes the Department of Health and Human Services to charge municipalities fees  
12 for services and paper related to vital records, the fees to be established through major  
13 substantive rulemaking and to be reviewed every 3 years. It requires the department to  
14 review every 3 years the fees charged by municipalities for vital records. It also adds an  
15 appropriations and allocations section.

16 **FISCAL NOTE REQUIRED**

17 **(See attached)**



# 124th MAINE LEGISLATURE

LD 1592

LR 2318(02)

## An Act To Update the Laws Affecting the Maine Center for Disease Control and Prevention

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

State Mandate - Exempted

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$1,193,973	\$1,193,973	\$1,193,973
<b>Revenue</b>				
Other Special Revenue Funds	\$0	\$1,193,973	\$1,193,973	\$5,062,373

#### State Mandates

##### Required Activity

The administrative duties surrounding increasing a number of existing fees collected and implementing and remitting payment of a new fee(s) to the state for services pertaining to health data and vital statistics.

##### Unit Affected

Municipality

##### Local Cost

Insignificant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. With the inclusion of the Mandate Preamble, a two-thirds vote of the members of each body of the Legislature exempts the state from the requirement that it fund 90% of the cost of the mandate.

#### Fiscal Detail and Notes

Provides increased allocations for 2010-11 of \$442,665 to the Division of Data, Research and Vital Statistics, \$321,488 to the Maine Center for Disease Control and Prevention, Health Inspection program and \$429,820 to the Subsurface Wastewater program in the Department of Health and Human Services. These increased allocations are funded by increased dedicated revenue from fee increases included in the bill. The increased funding is to be used to meet existing program operating expenses. The increased allocation and revenue for the Division of Data, Research and Vital Statistics reflects amounts it is assumed will be generated by the fee charged to municipalities for services provided pertaining to health data and vital statistics.