

# MAINE STATE LEGISLATURE

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SMG  
R. O. S.

Date: 5/12/11

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 875, L.D. 1177, Bill, "An Act To Make Minor Changes to Municipal Health Inspection Activities"

Amend the bill by inserting after the title 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 in Part A in section 1 in subsection 1 in the 7th and 8th lines (page 1, lines 11 and 12 in L.D.) by striking out the following: "used only for emergency stops of less than 12 hours"

Amend the bill in Part A by striking out all of section 3 (page 1, lines 19 and 20 in L.D.) and inserting the following:

'Sec. A-3. 22 MRSA §2491, sub-§6, as enacted by PL 1975, c. 496, §3, is amended to read:

6. Eating and lodging place. "Eating and lodging place ~~or lodging place~~" means every building or structure or any part thereof kept, used as, maintained as, advertised as or held out to the public to be a place where eating and sleeping ~~or sleeping~~ accommodations are furnished to the public as a business, such as hotels, motels, guest homes and cottages.'

Amend the bill in Part A in section 14 in subsection 1 by striking out all of paragraph B (page 3, line 21 in L.D.) and inserting the following:

'B. An eating and lodging place;'

Amend the bill in Part A in section 17 in subsection 6 in the last line (page 4, line 13 in L.D.) by striking out the following: "\$60" and inserting the following: '\$60 \$100'

COMMITTEE AMENDMENT

2013

COMMITTEE AMENDMENT "A" to H.P. 875, L.D. 1177

1 Amend the bill in Part B in section 1 in the first paragraph in the 2nd line (page 4,  
2 line 34 in L.D.) by striking out the following: "~~eating and lodging place,~~" and inserting  
3 the following: 'eating and lodging place,'

4 Amend the bill in Part B in section 3 in the first paragraph in the 2nd line (page 5,  
5 line 8 in L.D.) by striking out the following: "~~eating and lodging place,~~" and inserting the  
6 following: 'eating and lodging place,'

7 Amend the bill in Part B in section 4 in paragraph A in the 2nd and 3rd lines (page 5,  
8 lines 14 and 15 in L.D.) by striking out the following: "~~eating and lodging place,~~" and  
9 inserting the following: 'eating and lodging place,'

10 Amend the bill in Part B in section 5 in paragraph B in the first line (page 5, line 21  
11 in L.D.) by striking out the following: "~~eating and lodging place,~~" and inserting the  
12 following: 'eating and lodging place,'

13 Amend the bill in Part B in section 6 in paragraph C in the 2nd line (page 5, line 30 in  
14 L.D.) by striking out the following: "~~eating and lodging place,~~" and inserting the  
15 following: 'eating and lodging place,'

16 **SUMMARY**

17 This amendment amends the definition of "campground" to exclude parking lots  
18 generally, rather than only those parking lots used for emergency stops of less than 12  
19 hours as proposed in the bill. It restores the definition of "eating and lodging places or  
20 lodging places" repealed in the bill and amends it to read, and defines instead, "eating and  
21 lodging places" only. It also restores references to eating and lodging places wherever  
22 they were removed from the statute in the bill. A definition of "lodging place" is included  
23 in the bill. The amendment increases the maximum sum that the Department of Health  
24 and Human Services may charge a delegated municipality for a license fee from \$60 to  
25 \$100. The amendment also adds a mandate preamble.

26 **FISCAL NOTE REQUIRED**

27  
28 (See attached)  
29

**COMMITTEE AMENDMENT**



# 125th MAINE LEGISLATURE

LD 1177

LR 1511(02)

## An Act To Make Minor Changes to Municipal Health Inspection Activities

Fiscal Note for Bill as Amended by Committee Amendment "A"  
Committee: Health and Human Services  
Fiscal Note Required: Yes

### Fiscal Note

State Mandate - Exempted

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Revenue</b>				
Other Special Revenue Funds	\$0	\$26,075	\$26,075	\$26,075

#### State Mandates

##### Required Activity

Requires municipalities that have been delegated food inspection authorities to submit copies of inspection reports electronically in a format and on a schedule determined by the Department of Health and Human Services.

##### Unit Affected

Municipality

##### Local Cost

Moderate  
limited scope

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the state from the constitutional requirement to fund 90% of the additional costs.

#### Fiscal Detail and Notes

Assumes additional Other Special Revenue Funds of \$26,075 per year beginning in 2012-13 from fees collected for the licensing of public pools and public spas.