

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2012

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Legislative Document

No. 1851

H.P. 1369

House of Representatives, March 8, 2012

### **An Act To Amend the Laws Concerning Municipal Inspections of Establishments**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative STRANG BURGESS of Cumberland.  
Cosponsored by Senator McCORMICK of Kennebec.

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

2 **Sec. 1. 22 MRSA §2499, first ¶**, as amended by PL 2011, c. 193, Pt. B, §9 and c.  
3 295, §1, is repealed and the following enacted in its place:

4 Notwithstanding any other provisions of this chapter, in order to ensure statewide  
5 uniformity in health standards, health inspector certification and the maintenance of  
6 inspection report records, a municipality must have been delegated authority by the  
7 department to conduct inspections and demonstrated adherence to requirements under this  
8 section prior to performing any municipal inspections under such authority. The  
9 department may issue a license to an establishment as defined in section 2491 on the  
10 basis of an inspection performed by a health inspector who works for and is compensated  
11 by the municipality in which such an establishment is located, but only if the following  
12 conditions have been met.

13 **SUMMARY**

14 The purpose of this bill is to remove language that prohibits a municipality from  
15 licensing eating establishments. The bill also corrects a conflict created by Public Law  
16 2011, chapters 193 and 295, which affected the same provision of law. The bill repeals  
17 the provision and replaces it with the chapter 295 version.