

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

**'Resolve, Directing the Office of the State Fire Marshal To Develop  
a Plan To Privatize the Inspection of Amusement Rides in Maine'**

Amend the bill by striking out everything after the title and before the summary and inserting the following:

**'Sec. 1 Office of the State Fire Marshal to develop a plan to privatize the inspection of amusement rides in Maine. Resolved:** That the Department of Public Safety, Office of the State Fire Marshal, referred to in this section as "the office," shall develop a plan to privatize the inspection of amusement rides in the State. The plan must provide for:

1. A timeline and details regarding the transition of the inspection of amusement rides from the office to an appropriate number of private amusement ride inspectors who are not employed by the office;
2. Retention by the office of the authority and the appropriate level of certified staff to provide inspections for quality assurance, accident investigation, complaint investigation and the reopening of closed rides;
3. A detailed process for the inspection of amusement rides;
4. Certification requirement options for private amusement ride inspectors as an alternative to the national standards;
5. A means to ensure that a certified private amusement ride inspector cannot inspect a ride if the inspector owns the ride or if the inspector is employed at the amusement show where the ride is located;
6. A detailed private amusement ride inspector certification program that includes:
  - A. Certification qualifications and requirements, including a background check;
  - B. Grounds and process for certification denial, revocation and refusal to renew;
  - C. A process for appeals; and
  - D. Details on certificate expiration and renewal;
7. A process to report injuries that follows statutory confidentiality requirements and clearly defines what types of injuries are reported, who receives the report and what is done with the report;
8. Definitions consistent with the Maine Revised Statutes where applicable;
9. Violations consistent with the Maine Revised Statutes where applicable;
10. Insurance requirements that meet industry standards;
11. Clarification of the distinction between amusement show insurance requirements and amusement ride insurance requirements; and

12. Any additional details necessary to create a private amusement ride inspection plan; and be it further

**Sec. 2 Reporting date established. Resolved:** That the Department of Public Safety, Office of the State Fire Marshal shall submit its plan developed pursuant to section 1, accompanied by proposed implementing legislation, to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by January 15, 2013; and be it further

**Sec. 3 Authority to submit legislation. Resolved:** That, upon receipt and review of the report submitted pursuant to section 2, the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters may submit legislation to the First Regular Session of the 126th Legislature regarding privatizing amusement ride inspections. The joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters may also submit legislation to the First Regular Session of the 126th Legislature regarding altering the fee structure used by the Department of Public Safety, Office of the State Fire Marshal for amusement ride inspections; and be it further

**Sec. 4 Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Fire Marshal - Office of 0327**

Initiative: Provides one-time funding for overtime costs to develop a plan to privatize the inspection of amusement rides.

| <b>GENERAL FUND</b>       | <b>2011-12</b> | <b>2012-13</b>  |
|---------------------------|----------------|-----------------|
| Personal Services         | \$0            | \$13,362        |
| <b>GENERAL FUND TOTAL</b> | <b>\$0</b>     | <b>\$13,362</b> |

**SUMMARY**

This amendment replaces the bill with a resolve and is the minority report of the Joint Standing Committee on Criminal Justice and Public Safety. It requires the Department of Public Safety, Office of the State Fire Marshal to develop a detailed plan to privatize the inspection of amusement rides in Maine and to report back to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by January 15, 2013, along with any draft legislation. It authorizes the committee to submit legislation to the First Regular Session of the 126th Legislature to privatize amusement ride inspections and to alter the fee structure used by the Office of the State Fire Marshal for amusement ride inspections. It also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

HP1287, LD 1745, item 3, 125th Maine State Legislature , Amendment C "B", Filing Number H-875, Sponsored by  
'Resolve, Directing the Office of the State Fire Marshal To Develop  
a Plan To Privatize the Inspection of Amusement Rides in Maine'

**(See attached)**