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05/19/25

Senator Ingwersen, Chair
Representative Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 1737 – *An Act to Ensure the Future of Maine's Sporting Camp Heritage*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services:

Thank you for the opportunity to provide information in opposition to LD 1737, *An Act to Ensure the Future of Maine's Sporting Camp Heritage*.

The bill establishes a new license type category for “Commercial Sporting Camps”, redefining Recreational/Sporting Camp under Title 22 by distinguishing the *sporting camps* from *recreational camps* and broadening the scope of the current Recreational/Sporting Camp license type by providing that, under this “Commercial Sporting Camp” license, meals may be served to the public if the camp qualifies as a Class A restaurant and there is no minimum number of rooms or cottages required to be considered a ‘camp’. The bill then changes the definition of “hunting outfitter” in Title 12 to align with the proposed commercial sporting camp license type. The Department’s testimony focuses on the construction proposed for this new license type that is inconsistent with all other licenses issued by Maine Center for Disease Control and Prevention (Maine CDC) Health Inspection Program (HIP). The Department finds this bill conflicts with the general principles of health and safety by prohibiting the Department from requiring the commercial sporting camp applicant to demonstrate compliance with other State laws, restricting the authority granted to Maine CDC for ensuring health and safety standards for eating and hospitality establishments, drinking water sources and wastewater disposal.

Maine CDC opposes LD 1737 due to the broad exemptions for commercial sporting camps. Comparing this proposed license type with the recently amended statutory definition of *recreational camp or sporting camp*¹ (22 MRS § 2491, sub-§ (11), the minimal differences do not justify allowing these businesses to operate without consideration to State laws to which other licensees that provide lodging and food services must comply. Additionally, as outlined,

¹ "Recreational camp" or "sporting camp" is defined to mean a building or group of buildings devoted primarily to the offering of eating and lodging facilities to guests only, with 4 or more rooms or cottages for rent, for a fee to persons seeking recreation, including snowmobiling, hunting, fishing and similar activities, not including programs overseen by employees or volunteers of municipalities and educational institutions when the activities generally take place at municipal or institutional properties and buildings.

because of the expanded allowances, the commercial sporting camp takes on the characteristics of other license types, but without applying the same standards.

LD 1737 exempts the commercial sporting camp from a number of applicable statutes and rules.

- It seeks to eliminate rules concerning plumbing and septic systems, provided the system is operational and not malfunctioning. However, this conflicts with 144 Ch. 241, Subsurface Wastewater Disposal Rule, which governs septic system expansions for non-residential structures, including those changes that could result in design flow increases of 10% or more, and is in conflict with the Maine Food Code, CMR 200, section 5-402.13 Conveying Sewage which states, "Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.
- It allows for the transfer of a license to a new owner without additional requirements for licensing, a conflict with MRS 22 §2494 which prohibits the transfer of all HIP licenses.
- It states the Department may not require as a condition of licensing the installation of a sprinkler system without a municipal water supply which conflicts with the CMR 206, section 4-A of the Rules Relating to Lodging Establishments requiring compliance with the NFPA (National Fire Protection Association) 101 Life Safety Code. This rule states, "In order to have a license for an eating and lodging, or lodging establishment, the establishment shall be in compliance with the appropriate chapter(s) of the NFPA 101 Life Safety Code."
- It allows serving food and catering of meals to the general public if the commercial sporting camp meets the requirements of a Class A restaurant which conflicts with 22 MRS §2491 and 10-144 CMR chapter 201, Health Inspection Program Administration Rule. "Sporting/recreational camp" current definition allows licensee to offer eating and lodging facilities to guests only. Serving food to the public requires certain standards for eating establishment licensing; "Class A restaurant"² is a term that does not exist in the scope of HIP licenses, rules and policies.

Additionally, the bill also does not address the existing definition of *commercial sporting camp* in 12 MRS §682, sub-§14³.

If enacted, this new license category requires changes to the electronic system in place for HIP licensing. The definition of the type of camp under which this falls currently permits the preparation and serving of food only to lodging guests. However, this bill proposes serving or catering meals to the public, provided the commercial sporting camp meets Class A restaurant requirements, meaning, according to 28-A MRS §2, a place that is regularly used for the purpose of providing full meals for the public on the premises, that is equipped with a separate and complete kitchen and that maintains adequate dining room equipment and capacity for preparing

² 28-A MRS §2, sub-§15(R). "Class A restaurant" means a place that is regularly used for the purpose of providing full meals for the public on the premises, that is equipped with a separate and complete kitchen and that maintains adequate dining room equipment and capacity for preparing and serving full meals upon the premises. A Class A restaurant/lounge is not a Class A restaurant.

³Commercial sporting camp. "Commercial sporting camp" means a building or group of buildings devoted primarily to the offering of primitive lodging facilities for a fee to persons primarily in pursuit of primitive recreation or snowmobiling. (12 MRS §682(14)).

and serving full meals upon the premises, and is licensed for the sale of spirits, wine or malt liquor. Any of the 106 Sporting/Recreational Camps licensed by HIP that elect to convert its license type to the proposed new “Commercial Sporting Camp” will be required to submit a complete application packet for review and approval by HIP.

In June 2023, HIP initiated a public stakeholder process to gather input on creating a new rule to clarify and define requirements for sporting and recreational camps. Stakeholders appeared to support developing a new definition for sporting camps to distinguish these from recreational camps. While the department does not oppose creating a separate license specific to “Commercial Sporting Camp”, it emphasizes that commercial sporting camps should be limited to serving guests only and must comply with applicable State laws and HIP licensing requirements.

In summary, the Department opposes LD 1737 due to significant conflicts with other license type requirements and exemptions from statutes and rules. The proposed structure for the commercial sporting camp does not align with the department’s standards for ensuring health and safety in eating and lodging places whether open to guests only or the general public. Maine CDC is open to an opportunity to continue to work on redefining Commercial Sporting Camp, separate from “recreational camp” with stakeholders and partners at Inland Fisheries and Wildlife to thoughtfully develop a plan for creating a new license category that works best for both agencies and stakeholders.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,



Puthiery Va
Director
Maine Center for Disease Control and Prevention
Maine Department of Health and Human Services