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STATE AND LOCAL GOVERNMENT

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 938, L.D. 2201, “An Act Regarding the Approval for the Placement of Portable Toilets”

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

'An Act Regarding the Placement of Portable Toilets'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 22 MRSA §42, sub-§3-B, as amended by PL 1991, c. 824, Pt. A, §39, is further amended to read:

3-B. Inspection of plumbing and subsurface ~~waste water~~ wastewater disposal systems and temporary portable toilets. The department shall adopt rules providing for the inspection of plumbing and subsurface ~~waste water~~ wastewater disposal systems. The department may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A providing for the inspection of temporary portable toilets, except for temporary portable toilets allowed pursuant to Title 30-A, section 4211, subsection 3-A. In municipalities, the municipal officers shall provide for the appointment of one or more plumbing inspectors. In plantations, the assessors shall appoint plumbing inspectors in accordance with Title 30-A, section 4221. In the unorganized areas of the State, the department shall appoint plumbing inspectors or act in the capacity of a plumbing inspector until a person is appointed. For purposes of this subsection, "temporary portable toilet" means a prefabricated toilet designed for temporary use.

Sec. 2. 30-A MRSA §4211, sub-§3-A is enacted to read:

3-A. Temporary portable toilets. Except for persons required to be licensed under Title 22, chapter 562, a person may place and use a temporary portable toilet on property as long as the temporary portable toilet is maintained and serviced in a reasonable manner to protect the public's health and safety and the environment. For purposes of this subsection, "temporary portable toilet" means a prefabricated toilet designed for temporary use.'

COMMITTEE AMENDMENT

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

3 **SUMMARY**

4 This amendment, which is the majority report of the committee, replaces the bill and
5 changes the title. It enacts a new section of law in the Maine Revised Statutes, Title 30-A
6 that allows a person not subject to regulation under Title 22, chapter 562 to place and use
7 a temporary portable toilet as long as the temporary portable toilet is maintained and
8 serviced in a reasonable manner to protect the public's health and safety and the
9 environment. It clarifies that the Department of Health and Human Services may adopt
10 routine technical rules providing for the inspection of portable toilets for persons subject to
11 regulation under Title 22, chapter 562.