



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1440
TTY: MAINE RELAY 711

Amanda N. Collamore

173 Library Street
Pittsfield, ME 04967
Cell: (207) 679-7305

Amanda.Collamore@legislature.maine.gov

Senator Curry, Representative Roberts, and distinguished members of the Joint Standing Committee on Innovation, Development, Economic Advancement, and Business, my name is Amanda Collamore and I represent House District 68, Pittsfield, Clinton, Burnham, and Troy. I stand before you today to present **LD 93 – An act to Ensure Access for All Caregivers to Diaper Changing Stations in Public Restrooms**. This bill, as amended, would ensure that all public restrooms would include diaper changing stations.

The amended bill requires all covered public restrooms are brought into compliance by July 1, 2025, allowing for certain exemptions. If there are multiple restrooms on a floor of a public building, for example, a store has public restrooms in the front and the back of the store, diaper changing stations do not need to be included in the front and back of the store if there is a clear signage directing caregivers to the restrooms with changing stations in them. Additionally, if a building required a remodel to install the changing stations and costs of the construction are not feasible, would require construction that would be inconsistent with the rules adopted by the Maine Historic Preservation Commission, or said construction would be inconsistent with the Maine Uniform Building and Energy Code (MUBEC), these public restrooms would be exempt.

LD 93 was brought to me by a then 17-year-old who presented the bill in committee at the YMCA's Youth and Government event held here in November of 2022. His bill passed through committee, passed through both bodies, was signed by the Governor, and was upheld as constitutional by the newly installed Supreme Court. Mr. Nelson approached me about making this bill a real law in the State of Maine. I was more than happy to help him and he will be testifying after me today.

This bill would be a major step forward in addressing the issue facing many parents and caregivers around Maine in regard to accessing diaper changing stations. Furthermore, it would help promote gender equality and inclusivity by ensuring all caregivers, regardless of their gender or family structure,

have access to the resources they need to care for their children. All too often, changing stations are only available in women's restrooms, which can create significant challenges for single fathers and same-sex couples. By requiring changing stations in both men's and women's restrooms, this bill would help to break down gender stereotypes and promote greater inclusivity for all caregivers.

In summary, I ask that you please support LD 936 to ensure all caregivers have access to diaper changing stations in public restrooms. This is a small but important step to promote gender equality, inclusivity, and the well-being of families throughout the state, while still preserving the historic nature of some of Maine's buildings. Thank you for your time, I would be happy to answer any questions you may have.

Proposed Amendment to LD 93

(offered by Rep. Collamore)

Committee: IDEA

Date: 3-27-23

LD 93 – An Act to Ensure Access for All Caregivers to Diaper Changing Stations in Public Restrooms

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

Sec. 1. 5 MRSA Part 32 is enacted to read:

Part 32 State Buildings and Buildings Open to the Public

Chapter 641

DIAPER CHANGING STATIONS

§26001. Diaper changing stations in public restrooms required

1. Definition. As used in this section, the following terms have the following meanings:

A. "Diaper changing station" means a table or other device suitable for changing the diaper of a child who has not attained 4 years of age;

B. "Public building" means a permanent structure or building owned by the State or a private establishment that is open for public access; and

C. "Public restroom" means a sanitary facility within a public building that is open for public use and contains at least one toilet or urinal.

2. Requirement. Except as provided in subsection 3:

A. All public restrooms in a newly constructed public building must be equipped with a diaper changing station that is physically safe, sanitary and appropriate; and

B. No later than July 1, 2025, all public restrooms in a public building must be equipped with a diaper changing station that is physically safe, sanitary and appropriate.

A diaper changing station required under this subsection must be accessible to individuals with disabilities.

3. Exceptions. A public restroom is not subject to the requirements of subsection 2 if the restroom:

A. Has conspicuous signage directing individuals to the location of another restroom on the same floor with a diaper changing station that is accessible to the individual;

B. Would require construction to remodel or alter the building in order to install a diaper changing station and the cost of construction is not feasible. This paragraph does not apply to new construction;

C. Would require construction in order to install a diaper changing station and the construction required would be inconsistent with the rules adopted by the Maine Historic Preservation Commission;

D. Would require construction in order to install a diaper changing station and the construction required would be inconsistent with the Maine Uniform Building and Energy Code; or

4. Enforcement. A person who believes that a public building with a public restroom is in violation of subsection 3 may submit a complaint to the Attorney General in compliance with the rules adopted under subsection 5. If the Attorney General determines that a public building with a public restroom is in violation of subsection 3, the Attorney General shall notify the owner of the building of the violation. The owner of the building shall, within 60 days of receiving notice under this section, respond to the notice of violation with a plan to comply with subsection 2 or explain why the building is covered by one of the exceptions in subsection 3. If the owner of the building does not respond to the notice within 60 days or the Attorney General is not satisfied with the plan of the owner to comply with subsection 2 or the Attorney General determines that the building is not covered by one of the exceptions in subsection 3, the person who owns the building is in violation of subsection 2 and subject to penalty under subsection 5. The Attorney General may monitor ongoing compliance with the owner's plan to comply with subsection 2.

5. Penalty. A person who violates subsection 2 is subject to a penalty of not more than \$50 for each building in violation of subsection 2.

6. Rulemaking. The Attorney General shall adopt rules to implement this section. Rules adopted under this section must include, but are not limited, to the following:

A. Guidance for State and private entities that operate public buildings with public restrooms in making the determination that the cost of construction that would be required to install a diaper changing station is not feasible;

B. The process through which a person can submit a complaint under subsection 4 notifying the Attorney General that a public building with a public restroom is in violation of the requirements under subsection 2; and

C. The process through which the Attorney General will investigate complaints submitted under subsection 4 and notify the owner of a public building with a public restroom if the Attorney General determines that the owner is in violation of subsection 2.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Resources; enforcement and rulemaking. The Attorney General shall adopt rules under, and enforce the provisions of, Section 1 within existing budgeted resources.

SUMMARY

This amendment requires, with certain exceptions, all public restrooms in a public building to be equipped with a diaper changing station, and it directs the Attorney General to enforce this requirement and to adopt rules to implement this requirement within existing budgeted resources.