

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 884

H. P. 685

House of Representatives, February 19, 1969

Referred to Committee on Health and Institutional Services. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Septic Tank and Cesspool Cleaners.

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

R. S., T. 32, c. 62, additional. Title 32 of the Revised Statutes is amended by adding a new chapter 62, to read as follows:

CHAPTER 62

SEPTIC TANK AND CESSPOOL CLEANERS

§ 4171. License

No septic tank or cesspool cleaning shall be done for compensation unless done by a person licensed by the Department of Health and Welfare. Each license shall expire on December 31st and shall not be transferable. An annual fee of not more than \$10 shall be charged for each license, and shall be credited to the General Fund.

§ 4172. Terms

The Department of Health and Welfare is empowered to license septic tank and cesspool cleaners and to make such rules and regulations as it deems advisable to insure safe and proper septic tank and cesspool cleaning and proper disposal of wastes. All septic tank and cesspool cleaning and disposal of wastes shall be subject to such rules and regulations.

§ 4173. Suspension or revocation

When the department believes a license should be suspended or revoked, it shall file a statement or complaint with the Administrative Hearing Com-

missioner as provided in Title 5, chapter 301 to 307. A person aggrieved by the refusal of the department to issue a license may file a statement or complaint with the Administrative Hearing Commissioner.

§ 4174. Penalties

Whoever violates any of the provisions of this chapter shall be punished by a fine of not less than \$20 nor more than \$100, or by imprisonment for not more than 30 days, or by both.

STATEMENT OF FACTS

Under present circumstances there is no means of knowing who is in the business of cleaning septic tanks and there is no way of controlling the method of disposition of such waste unless complaints are made and actions instituted under the nuisance statutes. If individuals providing this service are licensed, there can be some control over their methods of operation and over their methods of ultimate waste disposal. Such licensing may also be expected to be beneficial to the consumer by eliminating incompetent would-be operators.