

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1228, L.D. 1792, "Resolve, to Postpone the Adoption and Implementation of the BOCA Plumbing Code by the State"

Amend the bill by striking out all of that part designated: "**Resolved:**" and inserting in its place the following:

Sec. 1. Postponement of plumbing code. Resolved: That the Department of Human Services shall postpone the implementation of the BOCA Plumbing Code or any other nationally recognized plumbing code until February 1, 1992; and be it further

Sec. 2. Public hearings. Resolved: That the Department of Human Services shall hold public hearings concerning the BOCA code that it proposes to adopt; and be it further

Sec. 3. Report to the Legislature. Resolved: That by January 1, 1992 the Department of Human Services in consultation with the Plumbers' Examining Board shall report its recommendations concerning a plumbing code together with its rationale to the joint standing committee of the Legislature having jurisdiction over business legislation matters; and be it further

Sec. 4. Report requirements. Resolved: That this report shall include, but not be limited to, a detailed comparison of the present code and the recommended one in terms of requirements and financial impact, the experience of other New England states that have adopted a national code, a detailing of the enforcement authority and responsibility of the State Plumbing Inspector, local plumbing inspectors and the Plumbers' Examining Board and a distillation of the questions asked at the public hearings and the department's response to them.

Sec. 5. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

2 1991-92

4 HUMAN SERVICES, DEPARTMENT OF

6 Control Over Plumbing

8 All Other \$1,500

10 Provides for an allocation of funds for
12 costs related to rulemaking, hearings,
14 printing and developing the report
concerning a plumbing code.'

16 Further amend the bill by inserting at the end before the
statement of fact the following:

18 FISCAL NOTE

20 APPROPRIATIONS/ALLOCATIONS 1991-92

22 Other Funds \$1,500

24 This bill requires the Department of Human Services to
26 postpone the implementation of the BOCA Plumbing Code, to hold
public hearings and to submit a report to the Legislature by
January 1, 1992.

28 This bill also provides an allocation of dedicated revenue
30 from available balances to the Department of Human Services in
the amount of \$1,500 in fiscal year 1991-92 for costs related to
32 rulemaking, hearings and printing and developing the required
report.

34 The Plumbers' Examining Board will provide consultation to
36 the Department of Human Services within budgeted resources.'

38 STATEMENT OF FACT

40 Legislation passed in 1989 requires the Department of Human
42 Services to implement a nationally recognized plumbing code. The
department held a public hearing on the proposed rule but did not
44 hold one prior to adopting the rule. Subsequent to the adoption
of the rule to implement the nationally recognized plumbing code,
46 written criticism on the proposed change has been received by the
department and by Legislators.

48 The original bill requires that the department postpone
50 implementation of the rule until the department holds public
hearings and presents a report to the Legislature.

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2 This amendment sets dates for the presentation of the report
and implementation of the code, details what the report is to
4 contain and specifies the Joint Standing Committee on Business
Legislation as the recipient of the report.

Reported by the Committee on Business Legislation
Reproduced and distributed under the direction of the Clerk of the
House
(6/3/91) (Filing No. H-524)