

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2361

H.P. 1681

House of Representatives, February 20, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative KILKELLY of Wiscasset.

Cosponsored by Senator RICH of Cumberland, Representative SHELTRA of Biddeford and
Senator BALDACCI of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

An Act to Repeal a State Mandate Requiring a National Plumbing Code.

(AFTER DEADLINE)

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not
2 become effective until 90 days after adjournment unless enacted
as emergencies; and

4
Whereas, a plumbing code was issued by the Building
6 Officials Conference of America, BOCA; and

8
Whereas, many plumbing professionals have expressed
dissatisfaction with the input afforded them in this situation;
10 and

12
Whereas, implementation of the plumbing code would pose a
hardship on homeowners and builders and be a great expense for
14 the State; and

16
Whereas, the State's adoption of the plumbing code may
constitute an unfunded state mandate, which will result in undue
18 hardship on our communities; and

20
Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
22 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
24 safety; now, therefore,

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

28 **Sec. 1. 22 MRSA §42, sub-§3,** as amended by PL 1991, c. 548,
Pt.A, §16, is repealed.

30
32 **Sec. 2. Retroactivity.** This Act applies retroactively to
February 1, 1992.

34 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.
36

38 STATEMENT OF FACT

40
42 Resolve 1991, chapter 19 postponed until February 1, 1992
the adoption and implementation of the plumbing code issued by
the Building Officials Conference of America, BOCA, or any other
44 nationally recognized plumbing code. This bill repeals the
section of law requiring the adoption of a nationally recognized
46 plumbing code. This bill applies retroactively to February 1,
1992.