



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 937

S.P. 328

In Senate, March 17, 2015

An Act Regarding Residential Drinking Water Arsenic Testing

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.
Cosponsored by Representative BUCKLAND of Farmington and
Senators: BURNS of Washington, DAVIS of Piscataquis, DILL of Penobscot, GRATWICK of
Penobscot, KATZ of Kennebec, Representatives: BLACK of Wilton, HARLOW of Portland.

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

2 **Sec. 1. 30-A MRSA §4748** is enacted to read:

3 **§4748. Water filter surcharge**

4 **1. Surcharge.** In addition to the tax imposed on the sale of a water filter pursuant to
5 Title 36, section 1811, there is imposed a surcharge of 3% on the value of any water filter
6 sold at retail in this State.

7 **2. Administration.** All surcharges collected under subsection 1 must be credited to
8 the authority for use in the home repair program administered by the authority that
9 provides loans and grants to low-income homeowners for necessary home repairs. The
10 surcharge must be collected at the time of the sale of the water filter and remitted to the
11 State Tax Assessor in the same manner as the sales tax. The State Tax Assessor shall
12 forward any amount collected pursuant to subsection 1 to the authority, less the cost of
13 administering the surcharge, which may not exceed 10% of the amount collected.

14 **Sec. 2. 33 MRSA §173-A,** as enacted by PL 2003, c. 457, §1 and as amended by
15 PL 2003, c. 689, Pt. B, §6, is further amended by adding at the end a new paragraph to
16 read:

17 Beginning January 1, 2016, unless the transaction is exempt under section 172, the
18 seller of residential real property shall provide to the purchaser a form developed by the
19 Director of the Bureau of Health within the Department of Health and Human Services
20 that allows the purchaser to formally decline to have the water at the property tested for
21 arsenic.

22 **SUMMARY**

23 This bill requires that a seller of residential real property provide to the purchaser a
24 form that allows the purchaser to formally decline to have the water at the property tested
25 for arsenic.

26 The bill imposes a 3% surcharge on the retail sale of water filters. The proceeds are
27 to be used by the Maine State Housing Authority for the home repair program
28 administered by the authority that provides loans and grants to low-income homeowners
29 for necessary home repairs.