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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 141, L.D. 206, “Resolve, Regarding Legislative Review of Portions of Chapter 234: Lead Testing in School Drinking Water Rule, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention”

Amend the resolve by striking out the title and substituting the following:

'Resolve, Regarding Legislative Review of Chapter 234: Lead Testing in School Drinking Water Rule, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention'

Amend the resolve by striking out all of the emergency preamble.

Amend the resolve in section 1 in the last line (page 1, line 18 in L.D.) by striking out the following: "authorized." and inserting the following: 'authorized only if the following changes are made:

1. The rule must be amended in sections 4.A, 5.A, 5.A.3, 5.B, 6.B.2, 6.B.3 and 6.B.4 to replace the term "15 ppb" with the term "4 ppb."

2. The rule must be amended in section 1.B.4 to delete the phrase "and a maximum of no more than 18 hours."

3. The rule must be amended in section 3.B.3 to replace the sentence "The Department, in accordance with the 3T's guidance, recommends that the water be motionless no longer than 18 hours, before the collection of samples begins." with the sentence "Excessive flushing of pipes may not take place immediately prior to the minimum 8-hour nonusage period in order to ensure that the sample represents a period of normal use."

4. The rule must be amended in section 6.C to replace the phrase "within 10 days" with the phrase "as soon as practicable within 5 days." '

Amend the resolve by striking out all of the emergency clause.

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the majority report of the committee, authorizes, subject to the incorporation of specified amendments, final adoption of Chapter 234: Lead Testing in School Drinking Water Rule, a provisionally adopted major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention that was submitted to the Legislature for review. This amendment directs the department to amend its rules to decrease the lead level from 15 parts per billion to 4 parts per billion, remove the maximum number of hours a water sample may have been motionless prior to the collection of samples, provide that excessive flushing of pipes may not take place immediately prior to the minimum 8-hour nonusage period in order to ensure that the sample represents a period of normal use and reduce the number of days that schools have to provide public notice. It also removes the emergency preamble and the emergency clause.