

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 1 and inserting the following:

‘**Sec. 1. 22 MRSA §566**, as amended by PL 1999, c. 62, §2, is further amended to read:

§ 566. Record of tests for water samples

A person requesting a water sample test must indicate the source of the water sample. A laboratory that tests any public water system for drinking water program compliance mandates shall forward a copy of the test results to the department. A laboratory that tests any residential private drinking water well for contaminants identified by the department pursuant to section 2660-T shall forward a copy of all test results to the department by an annual date set by the department. The department shall keep confidential the addresses included on the copy of residential private drinking water well test results and use them only for the purposes of recording multiple tests for the same well. The department shall establish by rule a system for facilitating the collection of data from private laboratories to avoid significant new costs for private laboratories and the department. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.’

Amend the bill in section 4 in subchapter 8 by striking out all of section 2660-U (page 2, lines 11 to 32 in L.D.) and inserting the following:

‘**§ 2660-U. Fees**

The Health and Environmental Testing Laboratory established in section 565 shall collect a fee not to exceed \$10 from a person or entity ordering a water test for a water sample from a residential private drinking water well. The fees collected must be credited to the Private Well Safe Drinking Water Fund established in section 2660-X and used for the purpose of increasing testing of residential private drinking water wells. The department shall establish by rule a percentage of the fee to be directed toward administrative costs for collecting data from private laboratories. If more than one test is conducted of a water sample from the same residential private drinking water well, the department may waive payment of a fee established under this section for a one-year period.’

Amend the bill in section 4 in §2660-X in subsection 2 in the 2nd line (page 3, line 11 in L.D.) by striking out the following: ", subsection 1"

Amend the bill by striking out all of sections 5 to 8 and inserting the following:

‘**Sec. 5. 32 MRSA §4700-H, sub-§8** is enacted to read:

8. Educational materials. The commission shall develop educational materials for distribution when a residential private drinking water well is drilled or deepened to inform customers about the importance of testing for arsenic and other contaminants specified in Title 22, section 2660-T and adopt rules to require the distribution of the materials. Rules adopted by the commission pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.’

Amend the bill by inserting after section 9 the following:

Sec. 10. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Private Well Safe Drinking Water Fund N207

Initiative: Provides funding for technology updates, educational material updates and educational outreach.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$56,768	\$75,690
OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,768	\$75,690

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

SUMMARY

This amendment is the majority report of the committee. It makes the following changes to the bill.

1. It makes the addresses on copies of residential private drinking water well test results that are forwarded from laboratories to the Department of Health and Human Services confidential.
2. It removes the requirement for water testing when residential private drinking water wells are constructed. Instead the Maine Water Well Commission is required to develop educational materials to be distributed when a private residential well is drilled or deepened to inform the owners of the importance of testing for arsenic and other contaminants.
3. It funds the Private Well Safe Drinking Water Fund from fees on the testing of residential private drinking water wells conducted by the Health and Environmental Testing Laboratory.
4. It removes the fund for providing low-income persons with affordable water treatment held within the Maine State Housing Authority and funded by fees on the installation of water treatment equipment.
5. It removes the requirement for property disclosure statements to include the results of water tests conducted in the last 3 years.
6. It adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)