

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 604 - L.D. 957

**An Act Requiring Water Bottle Filling Stations in New and Renovated Public Schools**

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

**Sec. 1. 20-A MRSA §6309** is enacted to read:

**§6309. Water bottle filling stations**

**1. Water bottle filling stations.** Beginning in fiscal year 2024-25, a newly constructed public school or existing public school undergoing substantial renovations must be equipped with a water bottle filling station pursuant to this section. For purposes of this section, "water bottle filling station" means a water dispenser accessible to all persons in compliance with the federal Americans with Disabilities Act of 1990 that dispenses potable drinking water directly into a bottle or other drinking container. For purposes of this section, "substantial renovations" means any renovation for which the cost exceeds 50% of the building's current value prior to renovation.

**2. Water bottle filling station criteria.** A water bottle filling station:

**A. Must dispense clean, filtered, cooled drinking water;**

**B. Must be regularly cleaned to maintain sanitary conditions;**

**C. Must be maintained to ensure proper functioning, including replacing the filling station's filter as recommended by the manufacturer;**

**D. May be integrated into a drinking fountain, which is considered one water bottle filling station under subsection 3; and**

**E. May be touchless for sanitary reasons.**

**3. Building inspection requirements.** A state or municipal building inspection authority may not approve the plans or specifications for a new public school building or for any substantial renovations to an existing public school building unless the plans and specifications provide for:

**A. A minimum of one water bottle filling station for every 200 people projected to occupy the building upon completion of the proposed construction;**

B. A minimum of one water bottle filling station for every floor or wing of the new construction; and

C. A minimum of one water bottle filling station located near a cafeteria, gymnasium, outdoor recreation space or other high-traffic area.

**4. Student water bottles.** A public school shall allow a student to possess a water bottle in school that:

A. Is refillable;

B. Is made of a material that is not easily breakable;

C. Has a lid or cover to prevent the bottle from spilling; and

D. Is to be filled and used exclusively for water.

**5. Disciplinary policy.** A school board may enact a disciplinary policy regarding the misuse of a water bottle by a school student, employee or staff member.

**6. Rules.** The state board shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**State Mandate Reimbursement - Water Bottle Filling Stations N476**

Initiative: Provides one-time funds to reimburse school administrative units for 90% of the cost of installing water bottle filling stations when constructing a new public school building or undergoing a substantial renovation to an existing school building in fiscal year 2024-25 only.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$1,404
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$1,404</u>