

MAINE STATE LEGISLATURE

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L.D. 1000

(Filing No. H-293)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 737, L.D.
1000, Bill, "AN ACT Concerning Municipal Water Sup-
plies."

Amend the Bill by striking out everything after
the title and inserting in its place the following:

'Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, the trustees of public water supplies
must take effective measures to protect the health
and well-being of citizens who rely upon those water
supplies; and

Whereas, nuisance growths of algae in public wa-
ter supplies may most effectively be controlled by
the application of copper sulfate during the summer
months; and

Whereas, the Department of Environmental Protec-
tion lacks statutory authority to authorize the ap-
plication of copper sulfate in a timely manner to
control algae growth on public water supplies; and

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

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

COMMITTEE AMENDMENT "A" to H.P. 737, L.D. 1000

1 Sec. 1. 38 MRSA §413, sub-§8 is enacted to read:

2 8. Emergency public water utility license. An
3 emergency license may be issued pursuant to section
4 414-A to a certified public water supply operator for
5 the purpose of discharging or causing to be dis-
6 charged copper sulfate or related compounds into a
7 public water supply.

8 Sec. 2. 38 MRSA §414-A, sub-§1-A is enacted to
9 read:

10 1-A. Emergency license for copper sulfate appli-
11 cations in public water supplies. The commissioner
12 may issue upon application, an emergency license
13 within 48 hours of application to treat public water
14 supplies with copper sulfate or related compounds.
15 The board may not issue more than 2 consecutive li-
16 censes for the same body of water.

17 A. An emergency license may only be issued if
18 the Department of Human Services, Division of
19 Health Engineering has determined that:

20 (1) An abundant growth of taste or odor
21 producing algae exists to such a degree that
22 the water supply is in danger of becoming
23 unhealthful or unpalatable;

24 (2) The abundance of algae is a sporadic
25 event. For purposes of this section, "spo-
26 radic" means occurring not more than 2 years
27 in a row; and

28 (3) The algae cannot effectively be con-
29 trolled by other methods.

30 B. Any emergency license issued under this sec-
31 tion is for one application or series of applica-
32 tions not to exceed 6 months, as provided in the
33 terms of the license.

