

MAINE STATE LEGISLATURE

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D. OF H.

STATE OF MAINE
SENATE
FIRST SPECIAL SESSION
107TH LEGISLATURE

COMMITTEE AMENDMENT "A " to S.P. 687, L.D. 2198, Bill,
"AN ACT to Regulate Drinking Water."

Amend said Bill in section 4 in that part designated
"\$2605." by inserting at the end the following:

'5. Procedures. Adopt and implement adequate procedures to insure compliance with this chapter and rules and regulations promulgated hereunder, including procedures for the monitoring and inspection of public water systems; and

6. Advising other agencies. Advise other regulatory agencies of the department's rules, regulations and orders promulgated under this chapter.'

Further amend said Bill in section 4 in that part designated
"\$2611." in subsection 1 in the 3rd line (same in L.D.) by inserting after the underlined word "health" the ^{underlined} words 'and which shall apply to all public water systems'

Further amend said Bill in section 4 in that part designated
"\$2611." in subsection 4 in the 3rd line (2nd line in L.D.) by inserting after the underlined word "guidelines" the underlined words 'proposed to be' and in the 4th line (3rd line in L.D.) by striking out the underlined word "adopting" and inserting in place thereof the underlined word 'proposing'

Further amend said Bill in section 4 in that part designated
"\$2611." in subsection 4 by inserting at the end the following blocked paragraph:

'No regulations or guidelines shall be finally adopted or promulgated under this section until they have been reported to and approved

by the Legislature. The present regulations governing water quality shall continue in effect until new regulations and guidelines are adopted under this chapter.'

Further amend said Bill in section 4 in that part designated "§2612." in subsection 1 in the 3rd line (2nd line in L.D.) by striking out the underlined word "pumping" and inserting in place thereof the underlined word 'storage' and in the 5th line from the end (4th line from the end in L.D.) by inserting after the underlined word "including" the following: ', where feasible,'

Further amend said Bill in section 4 in that part designated "§2612." in subsection 2 in the 3rd line (2nd line in L.D.) by striking out the underlined words "generally supervise and" and in the 5th line (3rd line in L.D.) by striking out the underlined words 'general supervision and'

Further amend said Bill in section 4 in that part designated "§2612." in subsection 3 in the 13th line (10th line in L.D.) by striking out the underlined word "feature" and inserting in place thereof the underlined word 'portion' and by inserting after the underlined word "system" the underlined words 'affecting water quality' and in the 14th line (10th line in L.D.) by inserting after the underlined word and punctuation "water," the underlined words 'and the taking' and in the next to the last line (last line in L.D.) by inserting after the underlined words "shall be" the underlined word 'promptly'

Further amend said Bill in section 4 in that part designated "§2613." in subsection 1 in the last line (same in L.D.) by striking out the underlined word "practicable" and inserting in place thereof the underlined word 'feasible'

Further amend said Bill in section 4 in that part designated "§2613." in subsection 2 in the next to the last line (same in L.D.) by inserting after the underlined word "granted" the following: 'as expeditiously as is feasible and in any event'

Further amend said Bill in section 4 in that part designated "§2614." by striking out all of subsection 3.

Further amend said Bill in section 4 in that part designated "§2616." by striking out all of subsection 2 and inserting in place thereof the following:

'2. Failure to comply with regulations and actions under sections 2611, 2612, 2613 and 2614. Failure by a supplier of water to comply with the regulations for water quality, monitoring, maintenance, operations, reporting and corrective actions pursuant to sections 2611, 2612, 2613 and 2614; and'

Further amend said Bill in section 4 in that part designated "§2617." by striking out all of subsection 2 and inserting in place thereof the following:

'2. Injunctive relief. The commissioner may commence or cause to be instituted a civil action in the Superior Court of either Kennebec County or of the county in which the principal place of business of the supplier of water is located, to convict and punish a person under subsection 1, to seek injunctive

relief to prevent the violation of any rule or regulation issued pursuant to this chapter, to prevent the violation of any order issued pursuant to sections 2612, 2613 or 2614, or to require a public water system or supplier of water to take other action necessary to protect the public health, with or without a prior order from the commissioner or department.'

Further amend said Bill in section 4 in that part designated "§2647." in the 7th line (6th line in L.D.) by inserting after the underlined word "sewage" the underlined words 'suspected of'

Further amend said Bill in section 4 in that part designated "§2648." in the 5th line (same in L.D.) by striking out the underlined figure "100" and inserting in place thereof the underlined figure '200'

Statement of Fact

The purpose of this amendment is to clarify certain provisions of the Drinking Water Act, to insure compliance with the federal act, to allow state primacy and to relieve unnecessary burdens on public water systems.

Reported by the Majority of the Committee on Public Utilities.

Reproduced and distributed pursuant to Senate Rule 11-A.

March 11, 1976.

(Filing No. S-431).