MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document NO. 2447

H.P. 1786 House of Representatives, March 4, 1988

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative FOSS of Yarmouth.

Cosponsored by Senator PEARSON of Penobscot, Representatives JACKSON of Harrison and McGOWAN of Canaan.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Revise Exemptions Under the Law Relating to the Commercial Transport of Water and to Create the Maine Water Supply Study Commission.

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

Sec. 1. 22 MRSA §2660-A, sub-§2, as enacted by PL 1987, c. 531, §1, is repealed and the following

enacted in its place:

2. Exceptions. The prohibition in this section does not apply to:

A. Any water utility as defined under Title 35-A; or

B. Water transported for use in well drilling, construction activities, cement mixing, swimming pool filling, firefighting, hospital operations, agricultural applications or civil defense.

Sec. 2. Maine Water Supply Study Commission. The Maine Water Supply Study Commission is established in this Act.

1. Commission members. The commission shall be comprised of the following 11 members: Two Senators to be appointed by the President of the Senate; 2 members of the House of Representatives to be appointed by the Speaker of the House; 3 members to be appointed by the Governor, at least one of whom must be a member of the general public; one member representing the State Planning Office; one member representing the Public Utilities Commission; one member representing the Department of Human Services; and the State Geologist. All appointments shall be made within 30 days of the effective date of this Act and shall be reported to the Executive Director of the Legislative Council.

The commission shall select a chairman from among its members. The members of the commission who are Legislators shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at commission meetings. All members of the commission shall receive reimbursement for expenses upon application to the Legislative Council.

2. Study. The commission shall undertake a study of the water supply of the State, including, but not limited to:

A. The adequacy of the water supply for both commercial and noncommercial use relative to the current and projected population;

B. The impact on the exportation of water from the State, including relevant transport issues;

C. The adequacy of current regulation of the State's water supply relative to the future needs of the residents of the State; and

D. A review of the appeals process regarding the restrictions on water transportation under the Maine Revised Statutes, Title 22, section 2660-A, including whether the appeals process is located within the appropriate state department and whether that process is adequate to fairly address the needs of both the people of the State and those who would seek an exception or appeal.

3. Staff. The commission shall request any necessary staff from the Legislative Council.

4. Report. The commission shall submit a report, together with any necessary implementing legislation, to the First Regular Session of the 114th Legislature by February 1, 1989.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1988-89
LEGISLATURE	
Maine Water Supply Study Commission	
Personal Services	$1,320
All Other	4,400
Total	$5,720

Provides funds for the per diem, travel and related expenses of the Maine Water Supply Study Commission.

STATEMENT OF FACT

This bill amends the law restricting the transport of water by adding exceptions for water used in well-drilling construction, cement mixing, swimming pools, firefighting, hospitals or civil defense.

The bill also establishes the Maine Water Supply Study Commission to study many issues related to the State's water supply, including a review of the system of appeal to the transport prohibition.

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