

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1202, L.D. 1672, Bill, "An Act Concerning Public Water Supplies in the Mid-coast Area"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, it is of interest to the Camden and Rockland Water Company to start planning for the future water needs of the region as soon as possible; and

Whereas, the present moratorium on the water company's use of Hobbs' and Fish's Ponds would run out before the end of the 90-day period after adjournment of the Legislature; 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 preservation of the public peace, health and safety; now, therefore, '

Further amend the bill in section 1 in that part designated "Sec. 1." by inserting after the last sentence (page 1, line 32 in L.D.) the following: 'Any authority granted in this Act shall be exercised in accordance with all applicable state and local regulatory requirements.'

Further amend the bill by striking out all of section 3 (page 2, lines 1 to 27 in L.D.) and inserting in its place the following:

'Sec. 3. Moratorium established. Notwithstanding the Maine Revised Statutes, Title 1, section 302, no water may be taken or withdrawn by the Camden and Rockland Water Company from Hobbs'

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1 Pond, Fish's Pond or Quiggle Brook in Hope, Maine, until the
2 company has complied with all applicable state and federal laws
3 and until the following have occurred.

5 1. A ground water extraction and treatment system, approved
6 by the Department of Environmental Protection, has been installed
7 and is fully operational at the Union Chemical hazardous
8 substance site and is sufficient for the Board of Environmental
9 Protection to determine its effectiveness in remediating the
10 contaminated ground water and retarding the movement of the
11 plume, and to determine that the drawdown of Fish's Pond or
12 Hobbs' Pond will not have an effect on the ground water so that
13 contaminated ground water associated with the Union Chemical site
14 is drawn to Fish's Pond or Hobbs' Pond or to private wells in the
15 area. These determinations shall be made after a public hearing
16 which shall be held on the board's own motion or on the request
17 of either the Town of Hope, Hobbs' - Fish's Pond Association or
18 the Camden and Rockland Water Company.

19
20 2. The Department of Environmental Protection shall hold a
21 public hearing prior to action on any application by the Camden
22 and Rockland Water Company to install a permanent water intake
23 pipe in Hobbs' Pond or Fish's Pond under the Natural Resources
24 Protection Act, the Maine Revised Statutes, Title 38, section
25 480-A et seq.

26
27 **Sec. 4. Exemption.** Notwithstanding section 1 of this Act,
28 the Town of Hope Fire Department may take or withdraw water from
29 Hobbs' Pond, Fish's Pond or Quiggle Brook for the purpose of
30 fighting fires.

31
32 **Emergency clause.** In view of the emergency cited in the
33 preamble, this Act shall take effect when approved.'

34

35

36 **STATEMENT OF FACT**

37
38 The amendment adds an emergency preamble and an emergency
39 clause. It clarifies the extension of water rights to
40 Megunticook Lake provided in the original bill. It establishes a
41 moratorium on the Camden and Rockland Water Company's withdrawal
42 of water from Hobbs' and Fish's Ponds until the hazardous waste
43 site around Union Chemical in Hope is corrected.

Reported by the Committee on Utilities
Reproduced and distributed under the direction of the Clerk of the
House
5/30/89

(Filing No. H-340)