

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2397

H.P. 1736

House of Representatives, March 2, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative LORD of Waterboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act Concerning Private Wells Contaminated by Hazardous
Substances.**

(AFTER DEADLINE)

(EMERGENCY)



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

Whereas, clean water is vital to the health and safety of residents of this State; and

Whereas, it is sometimes necessary to install a public water system to ensure clean water; and

Whereas, the installation of such a system may be prohibitively expensive; 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,

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

38 MRSA §1364, sub-§5, as enacted by PL 1983, c. 569, §1, is amended to read:

5. Mitigation. The department may take whatever action is deemed necessary to abate, clean up or mitigate the threats or hazards posed or potentially posed by an uncontrolled site or to protect the public health, safety or welfare or the environment, including administering or carrying out measures to abate, clean up or mitigate the threats or hazards, and implementing remedies to remove, store, treat, dispose of or otherwise handle hazardous substances located in, on or over an uncontrolled site, including soil and water contaminated by hazardous substances. When the necessary action includes the installation of a public water supply, money from the Uncontrolled Sites Fund established in subsection 6 may be used to pay costs of operation, maintenance and depreciation of the water supply for a period not exceeding 20 years.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

This bill allows families whose wells have been contaminated by hazardous substances, and who need public water for potable water, to be subsidized to keep their water rates at a comparative rate with water rates throughout the State.