

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 924, L.D. 1321, Bill, "An Act to Safeguard Production of Ground Water"

Amend the bill in Part A in section 1 in the subsection 13-B in the first column in the 3rd line and 4th lines (page 1, lines 10 and 11 in L.D.) by striking out the following: "Natural Resources" and inserting in its place the following: 'Health Engineering'

Further amend the bill in Part A by striking out all of section 2 and inserting in its place the following:

'Sec. A-2. 22 MRSA c. 270-C is enacted to read:

CHAPTER 270-C

MAINE WATER WELL DRILLING PROGRAM

§1689. Program established

The Maine Water Well Drilling Program, known in this chapter as "the program," is established to provide the public with the highest quality drinking water possible by ensuring that water wells are drilled, constructed, altered or abandoned in a manner that protects ground water from contamination.

§1689-A. Administrative authority

The Maine Water Well Drilling Commission, as established in Title 5, section 12004-G, subsection 13-B, shall administer the program. The commission has the powers and duties set forth in Title 32, chapter 69-C.

§1689-B. Enforcement

This chapter is enforced by the Department of Human Services, Division of Health Engineering.'

2 Further amend the bill in Part B in the amending clause  
4 (page 1, line 36 in L.D.) by inserting at the beginning the  
following: 'Sec. B-1.'

6 Further amend the bill in Part B in that part designated  
8 "§4700-E." in subsection 3 in the 2nd line (page 2, line 4 in  
L.D.) by striking out the following: "Environmental Protection"  
and inserting in its place the following: 'Human Services'

10 Further amend the bill in Part B in that part designated  
12 "§4700-E." in subsection 1 in paragraph C in the last line (page  
2, line 47 in L.D.) by inserting after the following: "wells;"  
14 the following: 'and'

16 Further amend the bill in Part B in that part designated  
18 "§4700-E." in subsection 1 in paragraph D in the first line (page  
2, line 48 in L.D.) by inserting before the following: "owner"  
the following: 'property' and in the last line (page 2, line 49  
20 in L.D.) by striking out the following: "property; and" and  
inserting in its place the following: 'property and intended for  
22 private use.'

24 Further amend the bill in Part B in that part designated  
26 "§4700-F." in subsection 1 by striking out all of paragraph E  
(page 2, line 51 in L.D.)

28 Further amend the bill in Part B in that part designated  
30 "§4700-G." in subsection 2 in the first and 2nd lines (page 3,  
lines 11 and 12 in L.D.) by striking out the following: "Director  
of the Department of Human Services, Division of Health  
32 Engineering." and inserting in its place the following: 'Director  
of the Division of Health Engineering within the Department of  
34 Human Services'

36 Further amend the bill in Part B in that part designated  
38 "§4700-G." in subsection 2 by inserting at the end a new sentence  
to read: 'One well driller must be a member of the Test Borer's  
Association.'

40 Further amend the bill in Part B in that part designated  
42 "§4700-G." in subsection 3 in the last line (page 3, line 20 in  
L.D.) by inserting after the following: "selected by" the  
44 following: 'the Governor or'

46 Further amend the bill in Part B in that part designated  
48 "§4700-G." in subsection 7 in paragraph A in the last line (page  
3, line 44 in L.D.) by inserting after the following: "chapter;"  
the following: 'and'

50

2 Further amend the bill in Part B in that part designated  
"§4700-G." in subsection 7 by striking out all of paragraph B  
(page 3, lines 46 and 47 in L.D.)

4  
6 Further amend the bill in Part B in that part designated  
"§4700-G." in subsection 7 by relettering paragraph C to be  
paragraph B.

8  
10 Further amend the bill in Part B in that part designated  
"§4700-I." by striking out all of the first line (page 5, line 8  
in L.D.) and inserting in its place the following:

12  
14 '§4700-I. Registration and fees'

16 Further amend the bill in Part B in that part designated  
"§4700-I." in the first paragraph in the 2nd line (page 5, line  
11 in L.D.) by inserting after the following: "compensation" the  
18 following: 'or any public drinking water well'

20 Further amend the bill in Part B in that part designated  
"§4700-I." by striking out all of subsection 1 (page 5, lines 14  
22 to 24 in L.D.) and inserting in its place the following:

24 '1. Fees. The commission shall establish registration fees  
sufficient to recover reasonable costs of administering this  
26 chapter. A registration fee is not required for apprentice well  
driller or pump installer registration.'

28  
30 Further amend the bill in Part B in that part designated  
"§4700-I." in subsection 2 by inserting before the first sentence  
a new sentence to read: 'An applicant for registration shall  
32 submit to the commission, on a form provided by the commission, a  
written application for registration containing such information  
34 as the commission requires.'

36 Further amend the bill in Part B in that part designated  
"§4700-I." in subsection 2 in paragraph C in the 3rd line (page  
38 5, line 46 in L.D.) by striking out the following: "per year"

40 Further amend the bill in Part B in that part designated  
"§4700-I." in subsection 2 in paragraph C in the last line (page  
42 5, line 47 in L.D.) by striking out the following: "for each of"  
and inserting in its place the following: 'during'

44  
46 Further amend the bill in Part B in that part designated  
"§4700-I." in subsection 2 in paragraph D in the 3rd line (page  
48 5, line 51 in L.D.) by striking out the following: "1000" and  
inserting in its place the following: '350'

50 Further amend the bill in Part B in that part designated  
"§4700-I." in subsection 1 in paragraph D in the 3rd line (page

COMMITTEE AMENDMENT "A" to H.P. 924, L.D. 1321

5, line 51 in L.D.) by striking out the following: "1000" and inserting in its place the following: '350'

Further amend the bill in Part B in that part designated "§4700-I." in subsection 3 by inserting at the end a new sentence to read: 'Any person who is a well driller or pump installer on the effective date of this Act is deemed to be registered.'

Further amend the bill in Part B in that part designated "§4700-J." in subsection 1 in the 4th line from the end (page 6, line 16 in L.D.) by striking out the following: "of \$100" and inserting in its place the following: 'established by the commission'

Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. B-2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1991-92	1992-93
<b>HUMAN SERVICES, DEPARTMENT OF</b>		
<b>Maine Water Well Drilling Program</b>		

Positions - Other Count	(1.0)	(1.0)
Personal Services	\$17,923	\$24,632
All Other	5,600	1,300
Capital Expenditures	2,000	

Provides funds for a Clerk Typist III position, per diem and expenses for commission members, related costs and computer equipment to administer and implement the Maine Water Well Drilling Program.

<b>DEPARTMENT OF HUMAN SERVICES</b>		
<b>TOTAL</b>	<u>\$25,523</u>	<u>\$25,932</u>

**FISCAL NOTE**

	1991-92	1992-93
<b>APPROPRIATIONS/ALLOCATIONS</b>		
Other Funds	\$25,523	\$25,932

2 **REVENUES**

4 Other Funds \$25,523 \$25,932

6 This bill establishes the Maine Water Well Drilling Program  
8 within the Department of Human Services and provides an  
10 allocation of dedicated funds from registration fees for a Clerk  
12 Typist III position, administrative costs and commission  
14 expenses. The registration fees will increase dedicated revenue  
16 to the Department of Human Services in the amount of \$25,523 in  
18 fiscal year 1991-92 and \$25,932 in fiscal year 1992-93.

14 Costs associated with the Maine Geological Survey keeping  
16 well data reports and providing assistance to the Department of  
18 Human Services will be absorbed.

18 The Department of the Attorney General can absorb the costs  
20 associated with complaints referred to it within budgeted  
22 resources. The additional work load and administrative costs  
24 associated with a minimal number of new cases filed in District  
26 Court will be absorbed within the budgeted resources of the  
28 Judicial Department.'

26 **STATEMENT OF FACT**

28 This amendment removes the provision in the bill that  
30 established the Maine Water Well Drilling Program in the  
32 Department of Environmental Protection and relocates the program  
34 in the Division of Health Engineering in the Department of Human  
36 Services. The amendment also clarifies that persons drilling  
38 wells on their own property are exempt from the registration  
40 requirements and strikes the provision in the bill that exempted  
42 wells drilled by public utilities. The amendment also reduces  
44 the work experience requirements for master and journeyman  
drillers, strikes provisions establishing registration fees and  
adds new language permitting the Maine Water Well Drilling  
Commission to set the registration fees. The amendment also  
makes several technical changes to the bill, including specifying  
that one member of the commission must be a member of the Test  
Borer's Association and "grandfathering" well drillers and pump  
installers who meet the qualifications for registration on the  
effective date of this Act.

Reported by the Committee on Energy and Natural Resources  
Reproduced and distributed under the direction of the Clerk of the  
House  
(6/4/91) (Filing No. H-542)