

# MAINE STATE LEGISLATURE

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RMS

L.D. 134

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HUMAN RESOURCES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 99, L.D. 134, Bill, "An Act to Exempt Certain Small Businesses from Paying the Annual Fee to the Public Drinking Water Fund"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the Laws Regarding the Maine Public Drinking Water Commission'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 22 MRSA §2260-C, sub-§1, ¶A, as enacted by PL 1993, c. 410, Pt. DD, §4, is amended to read:

A. Four of the members must represent the water purveying community and must be ~~employed-by~~ associated with public water systems. One of the 4 must be ~~employed-by~~ associated with a public water system serving a population of less than 500 people, one must be ~~employed-by~~ associated with a public water system serving a population of at least 500 but not more than 3,300 people, one must be ~~employed-by~~ associated with a public water system serving a population of at least 3,301 but not more than 10,000 people, and one must be ~~employed-by~~ associated with a public water system serving a population greater than 10,000 people.

Sec. 2. 22 MRSA §2260-C, sub-§4, ¶¶A, E and F, as enacted by PL 1993, c. 410, Pt. DD, §4, are amended to read:

COMMITTEE AMENDMENT

2 A. Determine Evaluate the proportion of program effort  
4 dedicated to each type of public water system served by the  
program;

6 E. Determine an equitable program funding share for each  
type of public water system that reflects recognizes the  
8 level of program effort required for that public water  
system;

10 F. Determine fee formulas and collection and transfer  
12 schedules for each type of public water system; and

14 **Sec. 3. 22 MRSA §2260-C, sub-§4, ¶G,** as enacted by PL 1993, c.  
410, Pt. DD, §4, is repealed.

16 **Sec. 4. 22 MRSA §2260-E, sub-§§1 and 2,** as enacted by PL 1993,  
18 c. 410, Pt. DD, §4, are amended to read:

20 **1. Rules.** The department shall establish fee formulas by  
rules adopted in accordance with the Maine Administrative  
22 Procedure Act. The department must consult with and consider the  
advice of the commission in preparing the rules. Proposed rules  
24 issued by the department under this section must include the fee  
formulas and collection and transfer schedules developed by the  
26 commission. Fee formulas adopted under this section must be  
equitable. Fees may be based on, but are not limited to, the  
28 population served, service connections, volume of water pumped or  
available seats, campsites, rooms or lots, and may include fixed  
30 or graduated fee formulas or combinations of the fee formulas.  
Fees The base fee may be no less more than \$50 per year per  
32 public water system and. The base plus per capita fee may be no  
more than \$30,000 per year per public water system.

34 **2. Collection and disposition of fees.** Fees adopted under  
36 this section cover the period beginning July 1, 1993 and must be  
collected by each public water system in monthly, quarterly or  
38 annual increments. Fees collected by public water systems under  
this section are state fees ~~and must be enumerated by the public~~  
40 ~~water systems separately from all other charges.~~ The department  
shall establish schedules for the collection and transfer of fees  
42 to the State with the advice of the commission. ~~With the advice~~  
~~of the commission, the department shall establish a reasonable~~  
44 ~~percentage of the fees, not to exceed 2%, that may be retained by~~  
~~each public water system as reimbursement for expenses incurred~~  
46 ~~in the collection of the fees.'~~

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R.S.

COMMITTEE AMENDMENT "A" to H.P. 99, L.D. 134

**STATEMENT OF FACT**

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4 This amendment replaces the bill. It replaces the  
6 requirement that Maine Public Drinking Water Commission members  
8 be employed by certain drinking water systems with the  
10 requirement that they be associated with those same systems. In  
12 the provision on duties of the commission, it changes the duty of  
14 determining program effort to evaluating program effort. It  
16 changes the standard of performing the duty of determining  
funding share for each type of public water system from a  
reflection of program effort to one that recognizes the level of  
program effort. It deletes provisions on the collection of fees  
by drinking water systems. Current fees must be no less than \$50  
and no more than \$30,000 per year. It changes the base fee to no  
more than \$50 and retains the base plus per capita maximum fee at  
\$30,000.

**COMMITTEE AMENDMENT**