

MAINE STATE LEGISLATURE

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DATE: 2/6/96

(Filing No. H- 692)

UTILITIES AND ENERGY

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

COMMITTEE AMENDMENT "A" to H.P. 1173, L.D. 1605, Bill, "An Act to Amend the Charter of the East Pittston Water District"

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, the gasoline contamination in East Pittston has spread to additional wells in the area and poses a serious threat to the health and well-being of residents of that area; and

Whereas, an adequate supply of pure water is essential to the health and well-being of the inhabitants of East Pittston; 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 by inserting after section 1 the following:

'Sec. 2. P&SL 1987, c. 144, §2 is amended by inserting after the first paragraph a new 2nd paragraph to read:

COMMITTEE AMENDMENT

2 Notwithstanding this section, the district is not required
3 to file a petition or obtain the approval of the Public Utilities
4 Commission in order to provide water to residents of the district
5 with contaminated wells, provided the district obtains the
6 approval of the Department of Environmental Protection.'

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

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

11 Further amend the bill by relettering or renumbering any
12 nonconsecutive Part letter or section number to read
13 consecutively.

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

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20 **FISCAL NOTE**

21 The requirement that the East Pittston Water District, a
22 local unit of government, be expanded represents a state mandate
23 pursuant to the Constitution of Maine. The additional local
24 costs to the district of providing expanded services are
25 approximately \$63,600 for initial costs with some minor
26 additional annual operating costs. The Department of
27 Environmental Protection has committed to providing full funding
28 of the estimated initial costs from bond proceeds and other
29 dedicated revenue sources. The ongoing operating costs have been
30 substantially funded by an operating subsidy also provided by the
31 department. The department's funding to the district exceeds the
32 constitutional requirement to fund at least 90% of the additional
33 costs of a state mandate.'

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38 **STATEMENT OF FACT**

39 This amendment adds an emergency preamble and an emergency
40 clause to the bill. The amendment also adds a provision to the
41 charter of the East Pittston Water District exempting the
42 district, in cases of well contamination, from the requirement
43 that the district petition and obtain the approval of the Public
44 Utilities Commission before taking water to supply the
45 inhabitants of the district with pure water, provided the
46 district has obtained the approval of the Department of
47 Environmental Protection.

COMMITTEE AMENDMENT "A" to H.P. 1173, L.D. 1605

2 This amendment also adds a fiscal note to the bill.

COMMITTEE AMENDMENT