

MAINE STATE LEGISLATURE

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L.D. 2233

DATE: 3-20-98

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MAJORITY
NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1606, L.D. 2233, "Resolve, Regarding Legislative Review of Chapter 231: Rules Relating to Drinking Water, a Major Substantive Rule of the Department of Human Services"

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Amend the resolve by inserting after the title and before the emergency clause the following:

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'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.'

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Further amend the resolve in section 1 in the last line (page 1, line 27 in L.D.) by striking out the following: "authorized." and inserting in its place the following: 'authorized; and be it further'

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Further amend the resolve by inserting after section 1 the following:

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'Sec. 2. Report; legislation. Resolved: That the Commissioner of Human Services shall monitor issues relating to the contamination of drinking water by methyl tertiary-butyl ether and report to the joint standing committee of the Legislature having jurisdiction over natural resources matters no later than January 1, 2000 with a recommendation on whether to retain or

COMMITTEE AMENDMENT

lower the maximum contaminant level for methyl tertiary-butyl ether. The joint standing committee of the Legislature having jurisdiction over natural resources matters may report out legislation to the Second Regular Session of the 119th Legislature regarding the maximum contaminant level for methyl tertiary-butyl ether.'

Further amend the resolve by inserting at the end before the summary the following:

FISCAL NOTE

The requirement that public water systems comply with rules concerning MTBE represents a state mandate pursuant to the Constitution of Maine. The additional local costs associated with this regulation can not be estimated. Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs.

The additional costs associated with the reporting requirements can be absorbed by the Department of Human Services utilizing existing budgeted resources.'

SUMMARY

This amendment, which is the majority report of the Joint Standing Committee on Natural Resources, adds a mandate preamble to the resolve. The amendment also requires the Commissioner of Human Services to monitor issues relating to the contamination of drinking water by methyl tertiary-butyl ether, or MTBE, and report to the joint standing committee of the Legislature having jurisdiction over natural resources matters no later than January 1, 2000 with a recommendation on whether to retain or lower the maximum contaminant level for MTBE. The amendment gives the committee authority to report out legislation to the Second Regular Session of the 119th Legislature regarding the maximum contaminant level for MTBE.

The amendment also adds a fiscal note to the resolve.