

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 259

H.P. 198

House of Representatives, January 18, 2005

An Act To Require Water Tests prior to the Sale of Homes

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MOORE of Standish.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: AUSTIN of Gray, HOTHAM of Dixfield.

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

2
4 **Sec. 1. 32 MRSA §13065, sub-§3-A** is enacted to read:

6 3-A. Water test disclosure. The commission shall adopt
8 rules regarding minimum standards of practice for water test
10 disclosure to ensure consistency with the requirements of Title
12 33, section 173. Rules adopted pursuant to this subsection are
14 routine technical rules as defined in Title 5, chapter 375,
16 subchapter 2-A.

18 **Sec. 2. 33 MRSA §173, sub-§1, ¶D,** as enacted by PL 1999, c.
20 476, §1, is amended to read:

22 D. The date of the most recent water test, ~~if any~~ in
24 accordance with subsection 1-A; and

26 **Sec. 3. 33 MRSA §173, sub-§1-A** is enacted to read:

28 1-A. Water test results. If the property has a private
30 water supply, the results of a water test, performed by a
32 state-certified laboratory, that tests the following:

34 A. Coliform bacteria;

36 B. Nitrate and nitrite nitrogen;

38 C. Fluoride;

40 D. Chloride;

42 E. Hardness;

44 F. Copper;

46 G. Iron;

48 H. pH;

50 I. Manganese;

J. Uranium;

K. Arsenic;

L. Color;

M. Turbidity;

N. Odor;

2 O. Sodium; and

4 P. Lead;

6

8

SUMMARY

10 This bill requires that, if a property has a private water
12 supply, the seller of residential real property provide to the
 purchaser the results of a water test. The bill also requires
 the Real Estate Commission to adopt rules to ensure consistency
 with the requirements of disclosure of water test results.