

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 717

H.P. 508

House of Representatives, February 28, 2017

**An Act To Protect Maine School Children from Lead and Arsenic
Exposure**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative BROOKS of Lewiston.

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

2 **Sec. 1. 22 MRSA §2604**, as enacted by PL 1975, c. 751, §4, is amended to read:

3 **§2604. Schools, sampling and examination of water**

4 Any school, ~~which~~ that takes water from a any source ~~other than a public water~~
5 ~~system~~ and uses ~~such~~ that water for drinking or culinary purposes, shall submit samples
6 of ~~such~~ that water to the department for analysis at least once during each school year.
7 ~~Such~~ The samples shall must be analyzed by the department for contamination including,
8 but not limited to, lead and arsenic. If the water is found to violate the state primary
9 drinking water regulations, the department shall issue an order prohibiting the use of the
10 water for drinking or culinary purposes by the school, ~~which~~ and that order ~~shall~~ must
11 remain in force until the water conforms to the state primary drinking water regulations.
12 The department shall make the results of any analysis performed under this section
13 available on a publicly accessible website maintained and updated by the department.
14 The department shall notify the parents or legal guardians of all students of the school if
15 the water is found to violate the state primary drinking water regulations.

16 Violation of this section ~~shall~~ is, on conviction, ~~be~~ punishable by a fine of not more
17 than \$500.

18 **Sec. 2. 22 MRSA §8402, sub-§3, ¶B**, as amended by PL 2001, c. 645, §10, is
19 repealed and the following enacted in its place:

20 B. Water that is taken from any source and used for drinking or culinary purposes
21 must be sampled and analyzed in accordance with section 2604. The department
22 shall make the results of any analysis performed under this paragraph available on a
23 publicly accessible website maintained and updated by the department. The
24 department shall notify the parents or legal guardians of all students of the nursery
25 school if the water is found to violate the state primary drinking water regulations.

26 **SUMMARY**

27 Current law requires schools that take drinking water from sources other than public
28 water systems to have that water tested. This bill requires all schools and nursery schools
29 that take drinking water from any source to have the same tests performed on that water,
30 including, but not limited to, tests for lead and arsenic. The bill requires the Department
31 of Health and Human Services to make all test results available on the department's
32 publicly accessible website and to inform the parents and guardians of all students at a
33 school or nursery school if the water is found to violate the state primary drinking water
34 regulations.