

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1001

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H.P. 702

House of Representatives, March 14, 2017

### **An Act To Promote Testing of Drinking Water for Maine Families**

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BROOKS of Lewiston.

Cosponsored by Representatives: BEEBE-CENTER of Rockland, CARDONE of Bangor, DEVIN of Newcastle, HANDY of Lewiston, LAWRENCE of South Berwick, MELARAGNO of Auburn, SPEAR of South Thomaston, ZEIGLER of Montville.

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

2 **Sec. 1. 22 MRSA §2602-A, sub-§2**, as amended by PL 1991, c. 499, §3 and  
3 affected by §26, is further amended to read:

4 **2. Fees.** ~~The~~ Except as provided in this section, the department shall charge the  
5 average cost of the analysis for an examination, testing or analysis of private residential  
6 water supplies requested under this chapter. These fees must be recalculated and  
7 deposited according to section 565, subsection 3 and section 568, ~~provided that the~~. The  
8 fee charged for testing a private residential water supply may not exceed \$150 when:

9 A. In the opinion of the department, initial testing or screening performed at the  
10 expense of the owner indicates the need for additional testing at a cost in excess of  
11 \$150 to determine whether that water supply contains contaminants potentially  
12 hazardous to human health and that additional testing is essential to the maintenance  
13 of public health; or

14 B. In the opinion of the department, there is reason to suspect that a private  
15 residential water supply may be affected by contamination potentially hazardous to  
16 human health and that additional testing is essential to the maintenance of public  
17 health. In making such a determination, the department shall consider the following:

18 (1) The proximity of the private residential water supply to a known or suspected  
19 source of contamination;

20 (2) The proximity of the private residential water supply to another private well  
21 or water supply known to be contaminated;

22 (3) Information provided in writing to the department by a physician who has  
23 seen or treated a person and who has identified contaminated drinking water as a  
24 possible cause of the person's condition or symptoms; or

25 (4) Information provided by the owner or a user of the private residential water  
26 supply voluntarily or in response to questions asked by personnel of the  
27 department.

28 The department ~~may~~ shall waive all fees incurred in connection with the testing of a  
29 private residential water supply ~~upon a showing of indigency for any household with~~  
30 income equal to or below 200% of the federal poverty level. For the purposes of this  
31 section, "federal poverty level" has the same meaning as in section 3762, subsection 1,  
32 paragraph C.

33 **SUMMARY**

34 This bill waives the fee for testing a private residential water supply for any  
35 household with income at or below 200% of the federal poverty level.