

# MAINE STATE LEGISLATURE

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SAC  
ROS

L.D. 1570

Date: 6-3-21

(Filing No. H-392)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1167, L.D. 1570, "An Act To Protect Drinking Water for Maine Residents"

Amend the bill in section 2 in subsection 3 in the 3rd line (page 1, line 33 in L.D.) by inserting after the following: "testing" the following: 'for arsenic'

Amend the bill in section 2 in subsection 3 in the last line (page 1, line 36 in L.D.) by inserting after the following: "subsection." the following: 'As used in this subsection, "low-income resident" means a person who receives assistance under the MaineCare program or the food supplement program under section 3104.'

Amend the bill in section 6 in paragraph D in the last line (page 2, line 18 in L.D.) by inserting after the following: "testing" the following: 'for arsenic'

Amend the bill by striking out all of section 7 and inserting the following:

'Sec. 7. 22 MRSA §2660-Y is enacted to read:

**§2660-Y. Landlord arsenic testing**

Beginning January 1, 2022 and every 5 years thereafter, a landlord of a residential building shall test for arsenic each private drinking water well used to provide water to a tenant of the landlord. The landlord shall conduct testing under this section through a laboratory certified or accredited pursuant to section 567 and shall, within 10 days of notification of the results, provide to each of the landlord's tenants the results of any test conducted under this section of the private drinking water well used to provide water to the tenant. The landlord shall, within 10 days of notification of the results, notify any new tenant of the most recent results of a test conducted under this section on a private drinking water well that will be used to provide water to the tenant.'

Amend the bill by striking out all of section 8 and inserting the following:

'Sec. 8. Department of Health and Human Services to amend rules. The Department of Health and Human Services shall review recent research regarding arsenic toxicity and levels suitable for consumption and shall amend 10-144 C.M.R. Chapter 231, Rules Relating to Drinking Water, to revise the maximum contaminant level for arsenic.'

**COMMITTEE AMENDMENT**

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**Sec. 9. Report on arsenic rulemaking.** The Department of Health and Human Services shall include in its annual report required pursuant to the Maine Revised Statutes, Title 22, section 2660-C, subsection 4, paragraph H information about the status of adopting rules in accordance with section 8 until the rules have been finally adopted.

**Sec. 10. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF  
Maine Center for Disease Control and Prevention 0143**

Initiative: Provides funding to the Department of Health and Human Services to establish and maintain a program through the Maine Center for Disease Control and Prevention's Health and Environmental Testing Laboratory offering free well water testing for low-income residents of the State.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$51,484	\$51,484
<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/>
	\$51,484	\$51,484

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the unanimous report of the committee, accomplishes the following. It:

1. Limits the bill's well water testing program for low-income residents to arsenic testing and defines "low-income resident";
2. Provides that well water testing by landlords required in the bill applies to landlords of residential buildings and limits the testing to arsenic;
3. Provides that well water testing by landlords required in the bill must occur every 5 years and that notice must be provided to current and new tenants within 10 days;
4. Removes the provision in the bill that identifies an interim maximum contaminant level for arsenic and replaces it with a directive to the Department of Health and Human Services to establish a maximum contaminant level for arsenic in rule; and
5. Adds to the annual drinking water report required in current law a requirement that the department provide an update on the status of rulemaking related to arsenic.

The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**  
(See attached)



# 130th MAINE LEGISLATURE

LD 1570

LR 805(02)

An Act To Protect Drinking Water for Maine Residents

Fiscal Note for Bill as Amended by Committee Amendment *ACH-392*  
 Committee: Health and Human Services  
 Fiscal Note Required: Yes

## Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$51,484	\$51,484	\$51,484	\$51,484
<b>Appropriations/Allocations</b>				
General Fund	\$51,484	\$51,484	\$51,484	\$51,484

### Fiscal Detail and Notes

The bill includes on-going General Fund appropriations to the Department of Health and Human Services of \$51,484 beginning in fiscal year 2021-22 for the Department of Health and Human Services to establish and maintain a program through the Maine Center for Disease Control Health and Environmental Testing Laboratory offering free well water testing for low-income residents of the State.