

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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## CHAPTER 531

H.P. 826 — L.D. 1117

AN ACT to Provide Funds to Map  
Significant Aquifers.

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

Sec. 1. 22 MRSA c. 601, sub-c. VI is enacted to read:

SUBCHAPTER VITRANSPORT OF WATER§2660. Legislative findings

The Legislature finds that the transport of water for commercial purposes in large quantities away from its natural location constitutes a substantial threat to the health, safety and welfare of persons who live in the vicinity of the water and rely on it for daily needs. If the transportation occurs, persons who relied on the presence of water when establishing residences or commercial establishments may find themselves with inadequate water supplies. In addition, the Legislature finds that the only practicable way in which to prevent the depletion of the water resources is to prohibit the transport of water in large quantities away from the vicinity of its natural location. The purpose of this prohibition is, however, not to prevent the use of such supplies for drinking and other public purposes in the vicinity of the natural location of the water.

§2660-A. Restrictions on transport of water

1. Prohibition. Except as otherwise provided in this section, no person may transport water for commercial purposes by pipeline or other conduit or by tank truck or in a container, greater in size than 10 gallons, beyond the boundaries of the municipality or township in which water is naturally located or any bordering municipality or township.

2. Exceptions. The prohibition in this section does not apply to any water utility as defined under Title 35-A.

3. Appeal. The Commissioner of Human Services, after consultation with the Public Utilities Commission, the State Geologist and the State Planning Office, may authorize transport of water for commercial purposes if the commissioner finds that: Transport of the water will not constitute a threat to public health, safety or welfare; that the water is not available naturally in the location to which it will be transported; and that failure to authorize transport of the water would create a substantial hardship to the potential recipient of the water. Any authorization under this subsection shall be for a period not to exceed 3 years, but may be renewed subject to the same criteria.

4. Emergencies. In case of an emergency, any person may transport water as necessary for the duration of the emergency, but the person transporting the water must inform the commissioner within 3 days and the commissioner may determine when the emergency is over.

5. Penalty. Any person who transports water in violation of this section is guilty of illegal transport of water. Illegal transport of water is a Class D crime. Each shipment or day of transport, if by pipeline, is a separate offense.

**Sec. 2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of the Maine Revised Statutes, Title 38, section 403.

1987-88

CONSERVATION,  
DEPARTMENT OF

Maine Geological Survey

All Other

\$30,000

These funds will enable the State to acquire in-kind services to complete the final 2 years of a 7-year comprehensive ground water aquifer program. Funds shall carry forward to June 30, 1989.

Effective September 29, 1987.

## CHAPTER 532

H.P. 1185 — L.D. 1615

AN ACT to Amend the Maine Vocational-  
Technical Institute System Laws.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, according to the provisions of Public Law 1985, chapter 695, the transition of the vocational-technical institutes to the Maine Vocational-Technical Institute System must be completed by June 30, 1987; and

Whereas, although great strides toward the complete transition have been made, the transition cannot be finalized within the established deadline;

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20-A MRSA §12701, sub-§7, as enacted by PL 1985, c. 695, §11, is amended to read: