

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**Sec. 3. Resolve 1997, c. 68, §5, last ¶, amended. Resolved:** That Resolve 1997, c. 68, §5, last ¶ is amended to read:

As part of its study, the task force shall review early childhood education and parent support programs in other states and shall investigate all possible funding sources to implement its recommendations, including funding from private foundations, fee-for-service, federal grant programs and any other federal, state or local funding that may be available; ~~and be it further~~;

; and be it further

**Sec. 4. Resolve 1997, c. 68, §5, amended. Resolved:** That Resolve 1997, c. 68, §5 is amended by adding at the end a new paragraph to read:

The task force also shall monitor the development of the process that supports home visiting programs by the Department of Human Services; and be it further

; and be it further

**Sec. 5. Resolve 1997, c. 68, §9, amended. Resolved:** That Resolve 1997, c. 68, §9, as amended by Resolve 1997, c. 122, §5 and affected by §7, is further amended to read:

**Sec. 9. Report. Resolved:** ~~That the task force shall submit to the Joint Standing Committee on Education and Cultural Affairs, with a copy to the Governor, a report of its findings, including any necessary implementing legislation no later than December 1, 1997. In addition, the task force shall submit a follow-up report to the Joint Standing Committee on Education and Cultural Affairs and the Governor, including any necessary implementing legislation, no later than December 15, 1998. That the task force shall submit an interim report no later than January 15, 2000 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters and a final report to the same committees, including any necessary implementing legislation, no later than January 15, 2001. If the task force requires an extension, it may apply to the Legislative Council, which may grant the extension; and be it further~~

See title page for effective date.

## CHAPTER 80

### H.P. 1103 - L.D. 1550

#### **Resolve, to Establish a Task Force to Study the Improvement of Public Water Supply Protection**

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

**Whereas,** public water supply protection is a voluntary activity wherein the water supplier has limited power to protect its own resources; and

**Whereas,** contamination with bacteria, nitrates, hydrocarbon and fuel products and pesticides and other toxic chemicals remains a common concern for public water suppliers in Maine despite existing programs; and

**Whereas,** the Governor has made the protection of public water supplies a priority in plans for providing safe water to the citizens of the State; and

**Whereas,** recent events have demonstrated the susceptibility of public water supply wells to unexpected contamination; and

**Whereas,** a study of public water supply protection must be initiated promptly in order that the study may be completed and a report submitted in time for the next legislative session; and

**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

**Sec. 1. Task force established. Resolved:** That the Public Water Supply Protection Task Force, referred to in this resolve as the "task force," is established to study the improvement of public water supply protection; and be it further

**Sec. 2. Membership. Resolved:** That the task force consists of 19 members appointed as follows:

1. Six Legislators, 3 of whom must be Senators, appointed by the President of the Senate and 3 of whom must be members of the House of Representatives, appointed by the Speaker of the House;

2. One member representing the Department of Human Services, appointed by the Commissioner of Human Services;

3. One member representing the Department of Environmental Protection, appointed by the Commissioner of Environmental Protection;

4. One member representing the Department of Conservation, appointed by the Commissioner of Conservation;

5. One member representing the Department of Inland Fisheries and Wildlife, appointed by the Commissioner of Inland Fisheries and Wildlife;

6. One member representing the Department of Transportation, appointed by the Commissioner of Transportation; and

7. Eight public members appointed by the Governor representing consumer-owned water utilities, investor-owned water utilities, the petroleum industry, municipalities, business owners and the real estate industry; and be it further

**Sec. 3. Chairs. Resolved:** That the first named Senate member is the Senate chair of the task force and the first named House of Representatives member is the House chair of the task force; and be it further

**Sec. 4. Appointments; meetings. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. Within 15 days after the completion of the appointment of all members, the Chair of the Legislative Council shall call and convene the first meeting of the task force; and be it further

**Sec. 5. Duties. Resolved:** That the task force shall:

1. Review existing protections for public water supplies including any regulations pursuant thereto;

2. Evaluate fuel handling problems that lead to groundwater contamination from fuel and fuel additives, including methyl tertiary-butyl ether or "MTBE"; and

3. Identify steps to improve protection of public water supply wells and intakes from the following threats:

- A. New septic system installations;
- B. Petroleum storage facilities;
- C. Facilities handling or storing in excess of 10 gallons of hazardous materials;
- D. Facilities handling or selling pesticides;

E. The spreading of sludge or other residuals; and

F. Surface water uses posing threats to drinking water quality; and be it further

**Sec. 6. Staff. Resolved:** That the Department of Environmental Protection and the Department of Human Services shall provide necessary staffing services to the task force. Upon request of the chairs of the task force, the Office of Policy and Legal Analysis shall provide additional staffing assistance to the task force; and be it further

**Sec. 7. Reimbursement. Resolved:** That the task force members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the task force and reimbursement for travel and other necessary expenses upon application to the Legislative Council; and be it further

**Sec. 8. Report. Resolved:** That the task force shall submit its report, together with any necessary implementing legislation, to the Joint Standing Committee on Natural Resources by January 14, 2000; and be it further

**Sec. 9. Appropriation. Resolved:** That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

**LEGISLATURE**

**Public Water Supply Protection Task Force**

Personal Services	\$2,640
All Other	2,400
Provides funds for the per diem and expenses of legislative members of the Public Water Supply Protection Task Force.	

**LEGISLATURE**

**TOTAL** \$5,040

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 17, 1999.