

## §2660-C. Maine Public Drinking Water Commission

The Maine Public Drinking Water Commission as established by Title 5, section 12004-I, subsection 47-C, is created within the department. [PL 1995, c. 462, Pt. A, §42 (AMD).]

**1. Membership.** The commission consists of the commissioner or the commissioner's designee and 8 other members appointed by the Governor in accordance with the following provisions.

A. [PL 2001, c. 232, §1 (RP).]

A-1. Three of the members must represent the water purveying community and must be associated with public water systems. One of the 3 must be associated with a public water system serving a population of not more than 1,000 people, one must be associated with a public water system serving a population of at least 1,001 but not more than 10,000 people and one must be associated with a public water system serving a population greater than 10,000. [PL 2001, c. 232, §2 (NEW).]

A-2. Two members must be users of noncommunity water systems. One of the 2 must be a user of a transient noncommunity water system and one must be a user of a nontransient, noncommunity water system. [PL 2001, c. 232, §2 (NEW).]

B. Three of the members must represent the drinking water public. [PL 2001, c. 232, §3 (AMD).]

C. All members appointed by the Governor must have demonstrated interest, knowledge, experience and expertise regarding public drinking water concerns. The Governor shall seek to appoint members who, to the greatest extent possible, are qualified by interest, education, training or experience to provide, assess and evaluate scientific and technical information regarding public drinking water concerns, financial and staffing requirements and the adoption of policies, standards and rules. [PL 1993, c. 410, Pt. DD, §4 (NEW).]

D. The term of office for members appointed by the Governor is 4 years except that, of the original members appointed, 4 must be appointed for 2 years and 4 must be appointed for 4 years. The Governor shall make all original appointments within 60 days of the effective date of this section. Members may remain in office until their successors are appointed. If a vacancy occurs, the Governor shall appoint a replacement to fill the remaining portion of the unexpired term created by the vacancy. [PL 2003, c. 191, §1 (AMD).]

[PL 2003, c. 191, §1 (AMD).]

**2. Chair; vice-chair.** At the first meeting of the commission, the members shall elect from among themselves a chair and a vice-chair. The chair and vice-chair serve for one-year terms. The chair and vice-chair may continue to hold those offices until their successors are elected. The chair calls meetings of the commission and presides over meetings. The vice-chair serves as the chair in the absence of the chair. The commissioner shall call the first meeting of the commission as soon as all initial appointments to the commission have been made.

[PL 1993, c. 410, Pt. DD, §4 (NEW).]

**3. Meetings.** The commission shall hold at least 2 regular meetings each year and may hold additional regular meetings. Special meetings may be called by the chair, by the commissioner or the commissioner's designee or by at least 3 members of the commission. Five members constitute a quorum.

[PL 1993, c. 410, Pt. DD, §4 (NEW).]

**4. Duties.** The commission shall:

A. Evaluate the proportion of program effort dedicated to each type of public water system served by the program; [PL 1995, c. 581, §2 (AMD).]

B. Evaluate existing and projected program workloads; [PL 1993, c. 410, Pt. DD, §4 (NEW).]

C. Evaluate existing program resources and project future staffing and resource requirements; [PL 1993, c. 410, Pt. DD, §4 (NEW).]

D. Determine funding requirements necessary to meet projected workloads and staffing and resource requirements; [PL 1993, c. 410, Pt. DD, §4 (NEW).]

E. Determine an equitable program funding share for each type of public water system that recognizes the level of program effort required for that public water system; [PL 1995, c. 581, §2 (AMD).]

F. Determine fee formulas and collection and transfer schedules for each type of public water system; and [PL 1995, c. 581, §2 (AMD).]

G. [PL 1995, c. 581, §3 (RP).]

H. Submit to the commissioner annually by August 1st a report that must include, but is not limited to, a performance evaluation of the program, including the implementation of administrative remedies, and commission recommendations regarding, but not limited to, administrative remedies, program operations, funding and staffing requirements, funding formulas and fee collection and transfer schedules. [PL 1993, c. 678, §5 (AMD).]

[PL 1995, c. 581, §§2, 3 (AMD).]

**5. Compensation.** Members of the commission are entitled to reimbursement by the department for expenses as authorized by Title 5, chapter 379.

[PL 1993, c. 410, Pt. DD, §4 (NEW).]

**6. Annual accounting.** Within 60 days of the conclusion of the fiscal year for the program, the manager of the program shall submit to the commission an accounting of all of the funds expended by the program during the fiscal year.

[PL 1997, c. 666, Pt. B, §1 (NEW).]

#### SECTION HISTORY

PL 1993, c. 410, §DD4 (NEW). PL 1993, c. 678, §5 (AMD). PL 1995, c. 462, §A42 (AMD). PL 1995, c. 581, §§1-3 (AMD). PL 1997, c. 666, §B1 (AMD). PL 2001, c. 232, §§1-3 (AMD). PL 2003, c. 191, §1 (AMD).

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