



129th MAINE LEGISLATURE

LD 153

LR 151(01)

An Act To Strengthen Testing for Lead in School Drinking Water

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Sen. Millett of Cumberland

Committee: Health and Human Services

Fiscal Note Required: Yes

Preliminary Fiscal Impact Statement

Potential State Mandate - Unfunded

Potential State Mandate - Funded

State Mandates

Required Activity

1) Requires all public and private schools approved for tuition purposes to test water used for drinking or culinary purposes for lead.

Unit Affected

School

Local Cost

Funded by DHHS

2) Schools must reduce exposure to lead if ordered to do so by DHHS until elevated water levels are abated or mitigated.

School

Moderate statewide

3) Schools must abate or mitigate any violations of water lead levels pursuant to rules adopted by DHHS.

School

Significant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Correctional and Judicial Impact Statements

It is anticipated that high levels of compliance by schools will mean the new civil violation created in the bill will not generate additional workload in the court system or fine revenue.

Fiscal Detail and Notes

The Department of Health and Human Services (DHHS) has indicated the cost of the water testing kits and related laboratory analyses for all schools required to be tested under this legislation will be paid by the DHHS within its currently budgeted resources.

The language that clarifies that water lead abatement or mitigation is included in the repair and renovation projects that receive "Priority 1" status for the use of loans that school administrative units may receive from the School Revolving Renovation Fund will, by itself, have no fiscal impact to the Fund because these are already treated as a "Priority 1" projects under existing joint rule. However, to the extent that additional loans will be made to schools because of this bill, the Fund balance may be reduced.