

MAINE STATE LEGISLATURE

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TRANSPORTATION

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 795, L.D. 2150, Bill, "An Act to Facilitate Water Well Drilling if Necessitated by Current Conditions"

Amend the bill by striking out the title and substituting the following:

'An Act to Facilitate Water Well Drilling if Necessitated by Emergency Drought Conditions'

Further amend the bill by striking out all of sections 1 and 2 and inserting in their place the following:

'Sec. 1. 29-A MRSA §2395, sub-§4-A is enacted to read:

4-A. Municipal permit not required during declared drought emergency. Notwithstanding subsection 4, during a period of drought emergency declared by the Governor pursuant to Title 37-B, section 742, a person operating a vehicle that is transporting well-drilling equipment for the purpose of drilling a replacement water well or for improving an existing water well on property where that well is no longer supplying sufficient water for residents or agricultural purposes may travel over a county or municipal way without a specific county or municipal permit, as long as the following conditions are met:

A. The operator of the vehicle is operating in accordance with a permit issued by the Department of Transportation when a department permit is required for a road or way necessary to reach the county or municipal way on which the property to be drilled is situated;

2 B. The municipal or county manager or, in the absence of a
4 municipal or county manager, a municipal or county officer
 or road commissioner is notified in advance; and

6 C. The operator of the vehicle is traveling on a road that
8 is posted by a county or municipality in accordance with any
 additional restrictions the municipality or county may
10 impose, excepting any requirement for a specific county or
 municipal permit.'

12 Further amend the bill by inserting at the end before the
14 summary the following:

16 **'FISCAL NOTE**

18 The Department of Transportation will incur some minor
20 additional costs to administer a permit process. These costs can
 be absorbed within the department's existing budgeted resources.'

22 **SUMMARY**

24 The bill allowed a person operating a vehicle that is
26 transporting well-drilling equipment to travel over a county or
 municipal way without a specific county or municipal permit
28 during a period of drought emergency declared by the Governor
 during calendar year 2002. This amendment extends application of
30 this exemption to periods of declared drought emergencies that
 occur beyond calendar year 2002. The amendment also clarifies
32 that the proper municipal official must be notified, but not
 regarding the specific date and the time that the vehicle will be
34 traveling over the posted road. The amendment also adds a fiscal
 note to the bill.