MAINE STATE LEGISLATURE

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1.3		I D 1604
2		L.D. 1604
4	DATE: 5-21-03	(Filing No. $S-224$)
4		
6	NATURAL RESOURCES	
8	Reported by:	
10	Reproduced and distributed under of the Senate.	er the direction of the Secretary
12	STATE OF MAINE	
14	SENATE 121ST LEGISLATURE	
16		JLAR SESSION
18	30104777777 HAH	co S.P. 558, L.D. 1604, Bill, "An
20	Act To Expedite the Drilling of	
22		out everything after the enacting and inserting in its place the
24	following:	and indefering in 100 process
26	'Sec. 1. 23 MRSA §3360-A, s c. 437, §3 and affected by §12,	sub-§3, ¶A, as enacted by PL 1991,
28		
30	section, each excavator	ther notices required under this shall notify the system of the xcavation at least 3 business days
32		dar days prior to the commencement
34	Sec. 2. 23 MRSA §3360-A, sub	
36	•	•
38	operators as required by t	cifies the system and nonmember his section and is informed by the per operator, including private
40	landowners, that no unde	rground facilities exist in the
42		then the excavator is not required required by this subsection and
44	Sec. 3. 23 MRSA §3360-A, sub	

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COMMITTEE AMENDMENT "A" to S.P. 558, L.D. 1604

	COMMITTEE AMENDMENT "H" to S.P. 558, L.D. 1604
A. S.	5-F. Water well construction; rulemaking. The Public
2	Utilities Commission shall by rule establish notice requirements for excavation associated with drinking water well construction.
4	In establishing the rule, the commission shall consider:
6	A. Whether notice requirements established in the rule should be limited to the drilling of a well or should also
8	apply to other excavation associated with well construction activities, such as trenching for installation of pipes and
10	equipment;
12	B. Whether notice requirements established in the rule should be based on factors such as geographic location,
14	population density or other criteria bearing on the efficiency and effectiveness of the notification process and
16	any offsetting public safety risks;
18	C. Whether the amount of time required for notice prior to excavation should be reduced; and
20	D. Any notice requirements associated with drinking water
22	well construction that the commission determines appropriate.
24	Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.
26	Sec. 4. Rulemaking. The Public Utilities Commission shall
28	submit rules made pursuant to the Maine Revised Statutes, Title 23, section 3360-A, subsection 5-F to the Joint Standing
30	Committee on Utilities and Energy for review no later than February 1, 2004.
32	
34	SUMMARY
36	The amendment allows all excavators to begin excavation immediately in locations in which all facility owners have

FISCAL NOTE REQUIRED (See attached)

indicated to the excavator or to the system that no underground facilities exist. The amendment also directs the Public

Utilities Commission to establish by rule notice requirements for excavation associated with drinking water well construction. The rules are major substantive rules and must be submitted to the

Joint Standing Committee on Utilities and Energy by February 1,

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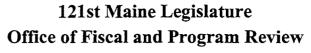
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2004.

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COMMITTEE AMENDMENT

Approved: 05/16/03





An Act To Expedite the Drilling of Private Drinking Water Wells



Fiscal Note for Bill as Amended by Committee Amendment 'A' 224

Committee: Natural Resources
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds