

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1604

S.P. 558

In Senate, May 7, 2003

An Act To Expedite the Drilling of Private Drinking Water Wells

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MARTIN of Aroostook.
Cosponsored by Representative LUNDEEN of Mars Hill and
Senators: DAMON of Hancock, HALL of Lincoln, HATCH of Somerset, STANLEY of
Penobscot, YOUNGBLOOD of Penobscot, Representative: BLISS of South Portland.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 23 MRSA §3360-A, sub-§1, ¶H** is enacted to read:

6 H. "Water well construction" means the activities of
8 drilling, driving or boring a hole into the earth to extract
10 drinking water and installing mechanical equipment or a
12 device used to remove water from a well including all piping
14 and wiring to any existing equipment in a structure.

16 **Sec. 2. 23 MRSA §3360-A, sub-§5-F** is enacted to read:

18 **5-F. Exemption; water well construction.** A person is
20 exempt from the notice requirements of subsection 3 for any
22 excavation undertaken in conjunction with water well construction
24 as long as the excavation:

26 A. Is not conducted in a public place, on public land or
28 within a public easement, including, but not limited to, a
30 public way;

32 B. Is not conducted within 25 feet of an easement or land
34 owned by an underground facility operator;

36 C. Is not conducted within 25 feet of an underground
facility; and

D. Does not involve the use of explosives.

SUMMARY

This bill exempts excavators constructing water wells from certain notification requirements of excavation laws when operating on private property away from the location of underground facilities.