

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1444

S.P. 545

In Senate, June 12, 2015

An Act To Correct an Inconsistency in the So-called Dig Safe Law

Reported by Senator WOODSOME of York for the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2013, chapter 557, section 3.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

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

2 **Sec. 1. 23 MRSA §3360-A, sub-§3, ¶E**, as amended by PL 2013, c. 557, §1, is
3 further amended to read:

4 E. The excavation must commence within 30 days of notification under this
5 subsection. If the proposed excavation or blasting ~~commences or continues~~ is not
6 completed 60 calendar days after notification under this subsection or the excavation
7 or blasting will be expanded outside of the location originally specified in the
8 notification, the excavator responsible for that excavation shall again notify the
9 system as specified in paragraph A. ~~The excavator shall notify the system once for~~
10 ~~each successive 60-day period.~~

11 **Sec. 2. Rules.** The Public Utilities Commission shall amend Sections 4(B)(1)(a)
12 and 4(B)(1)(d) of Rule Chapter 895: Underground Facility Damage Prevention
13 Requirements to be consistent with the Maine Revised Statutes, Title 23, section 3360-A,
14 subsection 3, paragraph E. Notwithstanding Title 23, section 3360-A, subsection 13, rules
15 adopted pursuant to this section are routine technical rules as defined in Title 5, chapter
16 375, subchapter 2-A.

17 **SUMMARY**

18 This bill aims to correct an inconsistency in the so-called Dig Safe Law. It requires
19 that an excavation must commence within 30 days after notification by an excavator to
20 the underground facility damage prevention system and requires that if work is not
21 completed within 60 calendar days of notification, an excavator must again notify the
22 system in accordance with the Maine Revised Statutes, Title 23, section 3360-A.

23 This bill is reported out by the Joint Standing Committee on Energy, Utilities and
24 Technology pursuant to Public Law 2013, chapter 557, section 3. The law directed the
25 Public Utilities Commission to review Public Utilities Commission Rule Chapter 895:
26 Underground Facility Damage Prevention Requirements. The commission submitted a
27 report to the committee and made recommendations based on this review and after
28 receiving stakeholder input.



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LR 2075(01)

An Act To Correct an Inconsistency in the So-called Dig Safe Law

Fiscal Note for Original Bill
Committee: Energy, Utilities and Technology
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Public Utilities Commission from amending certain rules are expected to be minor and can be absorbed within existing budgeted resources.