

Agenda for 2019
Dig Law Stakeholder Workshops
Established by ESHB 1109

(First Workshop: July 31, 2019, 1:00 – 5:00)

- Introductions
- How did we get here, why are we here, and what do we need to accomplish?
 - 2018 activity including legislation HB 2979 redline, comments, meeting notes
 - 2019 activity: In ESHB 1109 legislature appropriated funds to hire an independent facilitator to move this process forward by:
 - Clearly identifying issues
 - Moderating meetings
 - Providing objective facilitation and negotiation among work group members
 - Ensuring participants receive information and guidance so that they respond in a timely manner
 - Synthesizing agreements and points under negotiation into a report to the Legislature.
- Identify issues for discussion based on 2015 legislative report, records of 2018/19 activities, and ESHB 1109. Do these remain appropriate issues for discussion?

Issues identified in ESHB 1109:

- How facility operators and excavators schedule meeting times and places;
- New requirements for marking locatable underground facilities; a definition of "noninvasive methods";
- The procedures that must take place when an excavator discovers (and may or may not damage) an underground facility;
- Positive response procedures;
- Utility identification procedures for newly constructed and replacement underground facilities;
- Membership composition of the dig law safety committee;
- Liability for damage occurring from an excavation when either the excavator or the facility operator fails to comply with the statutory requirements relating to notice requirements or utility marking requirements;
- Ensuring consistency with the pipeline and hazardous materials safety administration towards a uniform national standard.

- Identify additional issues that should be discussed.
 - Should amendments to the statute be formulated (reformulated; restated) for presentation to the legislature? If yes, what do we do with them (*e.g.*, include as an appendix to the report this process will produce; put them in bill form and seek a sponsor, as in 2018/19)
 - Should legislature be asked give UTC expanded rulemaking authority? Would this avoid the need for amendments to the statute?
- BREAK
- Discuss issues per Outline for Facilitation
- Next steps:
 - Options for continuing our dialogue
 - Written comments
 - One or more small groups (*e.g.*, the Safety Committee) to engage in focused discussions and develop/refine proposals for consideration by the broader group
 - Dates for 3 future workshops
 - August 27, 2019
 - September 19, 2019
 - TBD
- Draft Report to Legislature:
 - Draft to AGENCY by Nov. 1, 2019
 - Final to AGENCY by Nov. 30, 2019
 - Final to Legislature by December 1, 2019