

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 601

S.P. 183

In Senate, January 30, 1997

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### An Act to Provide Municipal Notification of Utility Services.

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Reference to the Committee on State and Local Government and the Committee on Utilities and Energy suggested and ordered printed pursuant to Joint Rule 308.3.

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

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.  
Cosponsored by Senator O'GARA of Cumberland, Representative: GAGNON of Waterville.

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

2  
3       **Sec. 1. 30-A MRSA §4406, sub-§3,** as enacted by PL 1989, c.  
4 104, Pt. A, §45 and Pt. C, §10, is repealed and the following  
enacted in its place:

6  
7       **3. Utility installation.** A public utility, water district,  
8 sanitary district or any utility company of any kind may not  
install services to any lot or dwelling unit in a subdivision,  
10 unless it has given written notice to the municipal officers that  
11 it intends to install those services or it has received  
12 authorization from the municipal inspector to install those  
services.

14  
15       **Sec. 2. 38 MRSA §444, last ¶,** as amended by PL 1985, c. 737,  
16 Pt. A, §112, is further amended to read:

18       No A public utility, water district, sanitary district or  
any utility company of any kind may not install services to any  
20 new structure located in a shoreland area, as defined by section  
435, unless it has given written authorization~~attesting to the~~  
22 ~~validity and currency of all local permits required under this~~  
chapter has been issued by the appropriate municipal officials.  
24 ~~Following installation of service, the company or district shall~~  
forward the written authorization to the municipal officials  
26 indicating that installation has been completed notice to the  
municipal officers that it intends to install those services or  
28 it has received authorization from the municipal inspector to  
install those services.

### 32 34                                   SUMMARY

36       This bill removes the obligation of municipal officers to  
certify to the utilities that the lot or dwelling unit is in  
38 compliance with shoreland zoning and subdivision laws and instead  
requires the utilities to notify the municipal officers before  
40 installing services unless it receives authorization from the  
municipal inspector. The substitution of notification for  
42 attestation by appropriate municipal officials previously  
required does not mean that, by receipt of the notice, the  
44 municipal officials attest to the validity and currency of all  
local permits required under Maine law for the lot, dwelling unit  
46 or new structure referred to in the notice.