MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib

Reproduced from scanned originals with text recognition applied

(searchable text may contain some errors and/or omissions)

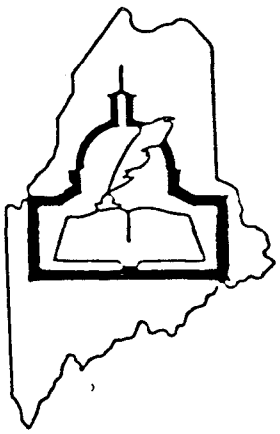
STATE OF MAINE

ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON

UTILITIES

BILL SUMMARY



JULY, 1985

Prepared by:

Haven Whiteside, Legislative Assistant
Office of Legislative Assistants
State House, Station 13 Augusta, Maine 04333
(207) 289-1670

STATE LAW LIBRARY

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID ELLIOTT
MARTHA FREEMAN
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF LEGISLATIVE ASSISTANTS
ROOM 101
STATE HOUSE, STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-2486

SARAH HOOKE
JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS RYDELL
JOHN SELSER
ANDREA COLNES, RES. ASST.

ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 151 AN ACT RELATING TO THE PROTECTION OF UNDERGROUND FACILITIES UNDER THE PUBLIC UTILITY LAW — VOSE, RICHARD, PARADIS E, PERKINS

ND: 1179

OTP-ND HP0835 HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV — CH #

SUMMARY: The bill amends the requirements of 23 MRSA §3360-A relating to protection of underground facilities of utilities from excavation. Under existing law the person excavating must give 3 working days notice and the utility has 2 working days to respond before excavation. The bill increases these to 4 and 3 days respectively. The bill sets up a new voluntary "Utility underground plant damage prevention system' to handle such notices. Only 3 days notice would be required if given to this system. The bill deletes water, sewage and oil pipes from the underground facilities protected. Existing law requires the utility to mark the facilities within 36 inches and to indicate their depth. The bill requires the marking to be more precise, within 18 inches, and removes the depth requirement. The bill adds a new provision which makes failure to provide notice prima facie evidence of negligence by the person excavating. Present law exempts state highway activities from the notice requirements and exempts public utilities and municipalities from the specific time limit. The bill removes these exemptions. The bill adds a civil penalty of $500 for failure to give notice.

The new draft (LD1179) makes the law concerning protection of underground facilities applicable to state and state aid highway construction and maintenance activities performed by state maintenance forces, except for installation and maintenance of signs. The rest of the original bill is dropped.

LD: 152 AN ACT RELATING TO THE AUTHORITY OF THE GENERAL COUNSEL OF THE MAINE PUBLIC UTILITIES COMMISSION — VOSE

ND:

LV-WD HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV — CH #

SUMMARY: The bill puts the General Counsel of the PUC in charge of consumer assistance matters.