

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)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 850

H. P. 652

House of Representatives, March 9, 1977

Speaker laid before the House and on motion of Mr. Kelleher of Bangor, referred to Committee on Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hall of Sangerville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Relating to Public Utility Gas Pipelines.

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

35 MRSA § 2542 is repealed and the following enacted in its place:

§ 2542. Acquisition of lands and easements; gas pipelines

Any acquisition of lands and easements for location of such pipelines, whether to be acquired by purchase or taken by eminent domain shall be approved by the Public Utilities Commission. Prior to such purchase or taking, the commission shall hold a public hearing, adequate notice of which shall be given to the owners of any lands involved, to abutting owners, to the public and to the Department of Environmental Protection or the Maine Land Use Regulation Commission, as appropriate. A map showing the proposed location and route of such pipeline and a description of any planned equipment and facilities to be placed therein, shall be available to the public at the offices of the commission for at least 30 days before such hearing.

At such hearing the commission shall receive testimony regarding the necessity of the proposed pipeline, its location, character and impact on the environment. The Department of Environmental Protection or Maine Land Use Regulation Commission shall submit its findings and recommendations on the potential environmental impact of such hearing.

A corporation proposing acquisition of land for such pipeline shall have the burden of showing that the public exigencies require its installation and that there is no alternative to the proposed location and character of such

pipeline which will lessen its impact on the environment without unreasonably increasing its cost.

The commission may approve or disapprove all or portions of such proposed pipeline, and shall make such orders regarding its location, character, size, width installation, maintenance and appearance as will lessen its impact on the environment, having regard for any increased costs thereby caused.

STATEMENT OF FACT

The purpose of this bill is to give responsibility to the Public Utilities Commission to scrutinize the necessity for, and the location, character and appearance of a proposed pipeline route for the purpose of lessening any harmful effects it might have on the environment. Certain gas pipeline companies have the power to acquire lands for pipelines by eminent domain. Present law contains no restrictions regarding their width, character, appearance or maintenance.