

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1986**

H. P. 1925

Office of the Clerk of the House

The Committee on Natural Resources suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mrs. Huber of Falmouth.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-EIGHT

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**AN ACT to Clarify the Law Concerning the Posting of Bonds by Electric Companies with the Department of Environmental Protection for Certain Licenses or Permits.**

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

38 MRSA § 484, as last amended by PL 1977, c. 374, § 3, is further amended by adding after the 8th paragraph the following new paragraph:

**In the event an electric company or companies make application with the Department of Environmental Protection for any required licenses or approvals, before they are issued a certificate of public convenience and necessity by the Public Utilities Commission, they shall file a bond with the department, payable to the department, in a sum satisfactory to the Commissioner of Environmental Protection and in an amount determined by him not to exceed \$50,000, which bond shall be conditioned so as to require the applicant to reimburse the department for its costs incurred in processing any application in the event that the applicant does not receive a certificate of public convenience and necessity.**

STATEMENT OF FACT

The first regular session of the 108th Legislature enacted 2 laws allowing electric companies and natural gas pipeline companies to apply to the Board of Environmental Protection for necessary permits prior to acquiring right, title and interest to land. Chapter 396 required that a bond be posted with the Department of Environmental Protection to reimburse the department for its costs incurred in processing any application in the event the applicant did not receive a certificate of public convenience and necessity. Chapter 374 did not contain the bonding requirement.

The law would simply make it clear that in cases where the Board of Environmental Protection entertains applications for permits prior to the acquisition of right, title and interest in the land that a bond would be required from the applicant to reimburse the department for its costs in processing the application.