

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1831

6  
7 H.P. 1409

House of Representatives, January 4, 1984

8 Reference to the Committee on Public Utilities. Ordered printed and sent  
9 up for concurrence.

10 Approved for introduction by the Legislative Council pursuant to Joint  
Rule 26.

EDWIN H. PERT, Clerk

Presented by Representative McGowan of Pittsfield.

Cosponsor: Senator Emerson of Penobscot.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FOUR  
16

17 AN ACT to Update the Validity  
18 Clause for Utilities.  
19

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

22 35 MRSA §2348, as amended by PL 1977, c. 85, is  
23 further amended to read:

24 §2348. Validity clause

25 The location of all pipes, hydrants, wires and  
26 cables and all conduits and other structures for the  
27 conducting and maintaining of such pipes, hydrants,  
28 wires and cables over, under the surface of and in  
29 those streets and highways in which such companies  
30 are empowered to obtain locations for their pipes,  
31 wires, hydrants and cables which have been located  
32 over, under the surface of and in the streets and  
33 highways prior to January 1, ~~1962~~ 1984, and which  
34 shall be hereafter so located in accordance with

1 chapters 171 to 179, are valid and declared legal and  
2 the same shall henceforth be legal structures in said  
3 streets and highways until the location thereof shall  
4 have been changed in any manner required or autho-  
5 rized by law.

6 The location of all pipes, hydrants and other  
7 structures for the conducting and maintaining of  
8 these pipes and hydrants, under the surface of and in  
9 these streets and highways in which these companies  
10 are empowered to obtain locations for their pipes and  
11 hydrants which have been located over, under the sur-  
12 face of and in the streets and highways prior to Jan-  
13 uary 1, 1977, and which shall be hereafter so located  
14 in accordance with chapters 171 to 179, are valid and  
15 declared legal and these shall henceforth be legal  
16 structures in these streets and highways until the  
17 location thereof shall have been changed in any man-  
18 ner required or authorized by law.

19 STATEMENT OF FACT

20 The purpose of this bill is to update the validi-  
21 ty clause for the placement of utility pipes,  
22 hydrants, wires and cables. In essence, the place-  
23 ment of all such utility property prior to January 1,  
24 1984, will be considered "legal" and proper.

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