

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2417

H.P. 1726

House of Representatives, March 12, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.  
Reference to the Committee on Utilities suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative POWERS of Coplin Plantation.

Cosponsored by Senator WEBSTER of Franklin and Representative BAILEY of Farmington.

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STATE OF MAINE

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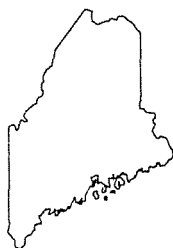
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

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An Act to Amend the Laws Governing Construction of Utility Lines.

(AFTER DEADLINE)

(EMERGENCY)



2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4           Whereas, the law currently requires people other than  
6 electric utilities to post a bond before constructing or  
maintaining electric lines; and

8           Whereas, bonding coverage is not available to many small  
10 businesses; and

12           Whereas, this restriction excludes many small businesses  
from lawfully performing this type of work; and

14           Whereas, in the judgment of the Legislature, these facts  
16 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
18 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

22           **Sec. 1. 35-A MRSA §2305, sub-§1,** as enacted by PL 1987, c.  
24 141, Pt. A, §6, is amended to read:

26           **1. Compliance; National Electric Safety Code.** Construction  
and maintenance of the line will comply with all applicable  
28 provisions of the National Electric Safety Code and the standard  
requirements of the utility from whom the owner proposes to take  
30 service; and

32           **Sec. 2. 35-A MRSA §2305, sub-§2,** as enacted by PL 1987, c.  
34 141, Pt. A, §6, is repealed.

36           **Sec. 3. 35-A MRSA §2305,** as enacted by PL 1987, c. 141, Pt.  
A, §6, is amended by adding before the last paragraph a new  
38 paragraph to read:

40           The applicant is responsible for properly constructing and  
maintaining the line and ensuring that no unsafe conditions are  
present. If the applicant fails to meet these responsibilities,  
the utility from which the owner receives service shall  
disconnect the line at the request of the licensing authority,  
the utility from which service is received or the owner.

46           **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

2

**STATEMENT OF FACT**

4           This bill eliminates the bonding requirement for a person  
6           other than an electric company engaged in the construction and  
            maintenance of electric lines.