MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 133

S.P. 71

In Senate, January 25, 1993

An Act Related to Private Facilities in the Public Way.

Reference to the Committee on Utilities suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator VOSE of Washington.

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	Be it enacted by the People of the State of Maine as follows:
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_	Sec. 1. 35-A MRSA §2305, 2md ¶, as enacted by PL 1987, c. 141,
4	Pt. A, §6, is amended to read:
6	No person except an electric utility may construct and
	maintain its lines with poles or other structures carrying
8	electricity in, upon, along or under the roads, streets and
	public ways maintained by any municipality unless that person
10	owns the land abutting the public way and, in addition to meeting
	the requirements of section 2503, the applicable licensing
12	authority finds that:
14	Sec. 2. 35-A MRSA §2305, as amended by PL 1991, c. 834, §§1
LT	and 2, is further amended by adding after subsection 3 a new
L 6	paragraph to read:
	paragraph to read.
18	For the purposes of this section, a person, other than an
	electric utility, may construct and maintain lines across a
20	public way if, and only if, that person owns the abutting
	property on either side of the public way.
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	Sec. 3. 35-A MRSA §2305, last ¶, as enacted by PL 1987, c. 141,
24	Pt. A, §6, is repealed.

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STATEMENT OF FACT

The purpose of this bill is to provide for the orderly and safe construction and maintenance of electric lines in a public way. Private construction of electric lines in a public way is limited to abutting landowners. Construction of lines across a public way is limited to an abutting landowner who owns property on either side of the public way.

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