

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

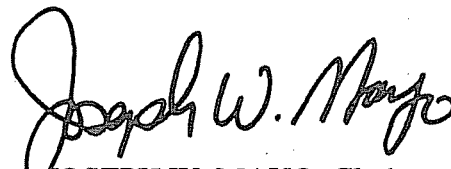
No. 703

H.P. 519

House of Representatives, February 25, 1993

**An Act to Amend the Civil Violation and Civil Forfeiture Laws for
Natural Gas and Natural Gas Pipeline Utilities.**

Submitted by the Public Utilities Commission pursuant to Joint Rule 24.
Reference to the Committee on Utilities suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative ADAMS of Portland.
Cosponsored by Senator: CLEVELAND of Androscoggin.

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

2 **Sec. 1. 35-A MRSA §4516, sub-§§1 and 2,** as enacted by PL 1987,
4 c. 141, Pt. A, §6, are amended to read:

6 **1. Violation of this Title.** A natural gas pipeline utility
8 that violates any provision of this Title relating to safety of
pipeline facilities or transportation of gas or any rule issued
10 under this Title commits a civil violation for which a ~~forfeiture~~
penalty not to exceed \$1,000 \$10,000 for each violation may be
adjudged. Each day of violation constitutes a separate offense.

12 **2. Maximum civil penalty.** The maximum civil ~~forfeiture~~
14 penalty may not exceed \$200,000 \$500,000 for any related series
of violations.

16 **Sec. 2. 35-A MRSA §4705, sub-§§1 and 2,** as enacted by PL 1987,
18 c. 141, Pt. A, §6, are amended to read:

20 **1. Violation of this Title.** A gas utility that violates
22 any provision of this Title relating to safety of pipeline
facilities or transportation of gas or any rule issued under this
Title commits a civil violation for which a ~~forfeiture~~ penalty
24 not to exceed \$1,000 \$10,000 for each violation may be adjudged.
Each day of violation constitutes a separate offense.

26 **2. Maximum civil penalty.** The maximum civil ~~forfeiture~~
28 penalty may not exceed \$200,000 \$500,000 for any related series
of violations.

30
32 **STATEMENT OF FACT**

34 This bill modifies Maine law to conform to federal law.
36 Under federal law, 49 Code of Federal Regulations, Section
190.223, the maximum penalty per safety, transportation or rule
violation is \$10,000 and the maximum penalty for any related
38 series of safety, transportation or rule violations is \$500,000.
The amendments to the Maine Revised Statutes, Title 35-A, section
40 4516 relating to gas pipeline utilities and Title 35-A, section
4705 relating to gas utilities, proposed in this bill reflect the
42 maximum penalty amounts for safety, transportation and rule
violations contained in federal law.