

MAINE STATE LEGISLATURE

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M
R.O.S.

L.D. 533

DATE: 5-1-97

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 388, L.D. 533, Bill, "An Act to Ensure Public Safety and Proper Allocation of Liability for Gas Pipelines"

Amend the bill by striking out all of section 1 (page 1, lines 3 to 39 in L.D.) and inserting in its place the following:

'Sec. 1. 14 MRSA §165, sub-§§1 and 2, as enacted by PL 1995, c. 299, §1, are amended to read:

1. **Liability without proof of negligence.** A natural gas company or an intrastate or interstate natural gas pipeline company that stores, transports or distributes natural gas is liable for all acts and omissions of its servants and agents that cause death or injury to persons or damage to property resulting from explosions or fire caused by natural gas escaping from the natural gas storage, transportation or distribution system under its control or from explosions or fire caused by defects in the natural gas storage, transportation and distribution systems under its control.

2. **Rebuttable presumption.** When there is death or injury to persons or damage to property resulting from explosions or fire caused by escaping natural gas, there is a rebuttable presumption that the gas escaped because of a defect in a portion of the storage, transportation or distribution system under the company's control.'

Further amend the bill by inserting at the end before the summary the following:

COMMITTEE AMENDMENT

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FISCAL NOTE

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This bill may increase the number of civil suits filed in the court system. The additional workload and administrative costs associated with the minimal number of new cases filed can be absorbed within the budgeted resources of the Judicial Department. The collection of additional filing fees may also increase General Fund revenue by minor amounts.'

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SUMMARY

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This amendment replaces the bill and clarifies the application of the current law establishing the standard of liability for natural gas companies and natural gas pipeline companies. It clarifies that natural gas transmission companies, whether intrastate or interstate, that transport natural gas in the State but do not necessarily store or distribute gas, have the same liability as other natural gas companies. This amendment also adds a fiscal note.

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