

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2482

H.P. 1769

House of Representatives, January 11, 2000

**An Act to Enhance Maine's Historic Districts by Efficiently Installing
Underground Delivery Systems During Road Construction.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LEMOINE of Old Orchard Beach.

Under suspension of the rules, cosponsored by Representatives: BAGLEY of Machias, BULL of Freeport, COLLINS of Wells, GAGNON of Waterville, KANE of Saco, LaVERDIERE of Wilton, O'NEIL of Saco, SULLIVAN of Biddeford, Senators: O'GARA of Cumberland, RUHLIN of Penobscot.

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

4 **Sec. 1. 35-A MRSA §2312 is enacted to read:**

6 **§2312. Facilities in designated historic districts**

8 **1. Location of facilities in designated historic district.**

10 A public utility that owns facilities, as defined in section
12 2502, subsection 3, along a street, highway or other public way
14 in an historic district designated by a municipality shall place
those facilities under the surface of the street, highway or
other public way when such a street, highway or other public way
is reconstructed. The public utility that owns the facilities is
responsible for the cost of the placement required by this
subsection.

16 **2. Limitation.** The facilities placement required by

18 subsection 1 is limited to 1,000 feet of a street, highway or
20 other public way per reconstruction project.

22 **3. Governing body of municipality may waive or modify**

24 requirement. The governing body of the municipality in which the
historic district is located may waive the requirement in
subsection 1 or approve a plan that provides utility services for
structures located in the historic district by connecting the
26 rear of those structures to the facilities.

28 **SUMMARY**

30 This bill requires a public utility that owns poles and
32 wires along a street in a designated historic district to place
34 those wires underground when that street is reconstructed. The
public utility may not be required to place wires underground for
36 a distance of more than 1,000 feet per reconstruction project.
The governing body of the municipality in which the historic
38 district is located may waive this underground placement
requirement or approve a plan that provides utility services for
40 structures located in the historic district by connecting the
rear of those structures to the facilities.