

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2182

H.P. 1552

House of Representatives, January 31, 2008

An Act To Allow Civil Penalties for Damaging Utility Property or for Theft of Utility Services

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BLISS of South Portland.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: ADAMS of Portland, BRAUTIGAM of Falmouth, CAIN of Orono, DILL of
Cape Elizabeth, EBERLE of South Portland, FLETCHER of Winslow, KAENRATH of South
Portland.

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

2 **Sec. 1. 35-A MRSA §2705, sub-§2**, as enacted by PL 1987, c. 141, Pt. A, §6, is
3 amended to read:

4 **2. Repair.** The cost of equipment repair or replacement, as necessary; ~~and~~

5 **Sec. 2. 35-A MRSA §2705, sub-§3**, as enacted by PL 1987, c. 141, Pt. A, §6, is
6 amended to read:

7 **3. Other costs.** All other reasonable costs to the utility, including attorney fees and
8 costs of undertaking and completing the investigation resulting in a determination of
9 liability; and

10 **Sec. 3. 35-A MRSA §2705, sub-§4** is enacted to read:

11 **4. Penalty.** A fine of \$2,500 due and payable to the utility for each offense of utility
12 services wrongfully obtained or each offense of damaging, destroying or tampering with
13 utility property.

14 **SUMMARY**

15 This bill establishes a civil penalty of \$2,500 per offense for theft of utility services
16 or for damaging or tampering with utility property. The penalty may be assessed only
17 following a successful civil action by the utility in a court of competent jurisdiction.