

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 608, L.D. 840, "An Act To Prevent Power Line Electrocutions"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 35-A MRSA §760, as enacted by PL 1995, c. 348, §1, is amended to read:

§760. Indemnification Liability

A person is liable to the owner or operator of the overhead high-voltage line and 3rd parties, if any, for all or part of the damages to facilities, and injuries to persons and all or part of the costs, expenses and liabilities incurred by the owner or operator of the overhead high-voltage lines and 3rd parties, if any, as a result of any contact with an overhead high-voltage line if the person causes, permits or allows any work or activity in violation of a provision of this chapter and, as a result, a physical or electrical contact with an overhead high-voltage line occurs. The allocation of damages must be based on the comparative negligence of the parties as set forth in Title 14, section 156, except that employers of injured persons are immune from payment of damages to the extent provided under the Maine Workers' Compensation Act of 1992.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill but retains the intent to limit the indemnification of the owner or operator of an overhead high-voltage line when the owner's or operator's negligence contributes to damages to facilities or injuries to persons. The amendment provides that, to the extent employers are liable under workers' compensation laws when employees are injured, employers are immune from the payment of damages under the Overhead High-voltage Line Safety Act.

COMMITTEE AMENDMENT