

MAINE STATE LEGISLATURE

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SECOND SPECIAL SESSION

N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 1656

S. P. 657

In Senate, January 13, 1958

The Committee on Appropriations and Financial Affairs suggested.

CHESTER T. WINSLOW, Secretary

Presented by Senator Lessard of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-EIGHT

AN ACT Relating to Cost of Relocating Utility Services of Towns.

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

Sec. 1. R. S., c. 23, § 23-A, amended. The 3rd paragraph of section 23-A of chapter 23 of the Revised Statutes, as enacted by section 1 of chapter 378 of the public laws of 1957, is amended to read as follows:

“Utility” as used in this section shall mean and include any public utility under the jurisdiction of the Public Utilities Commission and also any corporation which owns and operates a telephone or telegraph system or an oil pipe line system and which is subject to the jurisdiction of the Federal Communications Commission or Interstate Commerce Commission **and also any municipality operating a utility service such as a fire or police alarm line, street lighting, sewerage or water pipes and also any sewer district** and also any Rural Electrification Cooperative which is subject to ~~the provisions of chapter 51 of the Revised Statutes.~~

Sec. 2. Validating clause. It is hereby declared that it was the legislative intent to include the subject matter of this amendment in Chapter 378 of the Public Laws of 1957, and that any contracts made by the State Highway Commission since August 8, 1957 concerning the utility services described in section 1 are hereby validated.

SUMMARY STATEMENT

Chapter 378 of the public laws of 1957 provided for reimbursement where the federal interstate system crossed public highways. The definition was restricted

and permits reimbursement only to utilities under the jurisdiction of the Public Utilities Commission. Municipalities have services of the same general nature although they are not under the PUC jurisdiction and therefore would not be covered by the reimbursement procedures. These facilities include sewers, police and fire alarms, street lamps, etc. Since construction costs would be a direct burden on local property tax payers, this bill seeks to give to the cities and towns the same treatment as would be given utilities under PUC jurisdiction. The gross amount estimate by cities and towns for the fiscal years 57-58, 58-59 is approximately \$141,000, of which if this bill is enacted and funds are provided would require \$14,000 in State funds with remaining \$127,000 being from 90% federal.